

**ARKANSAS DEPARTMENT OF EDUCATION DIVISION OF ELEMENTARY AND
SECONDARY EDUCATION AND ARKANSAS STATE
BOARD OF NURSING RULES GOVERNING THE ADMINISTRATION OF
INSULIN AND GLUCAGON TO ARKANSAS PUBLIC SCHOOL STUDENTS
DIAGNOSED WITH DIABETES**

~~June 2016~~

RECEIVED

AUG 14 2020

BUREAU OF
LEGISLATIVE RESEARCH

1.00 REGULATORY AUTHORITY

- 1.01 These rules shall be known as the Arkansas Department of Education Division of Elementary and Secondary Education and Arkansas State Board of Nursing Rules Governing the Administration of Insulin and Glucagon to Arkansas Public School Students Diagnosed with Diabetes.
- 1.02 These rules are enacted pursuant to the Arkansas State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 6-18-711, 17-87-103 and 25-15-201 et seq.
- 1.03 These rules are enacted pursuant to the Arkansas State Board of Nursing's authority under Ark. Code Ann. §§6-18-711, 17-87-203, 17-87-103 and 25-15-201 et seq.

2.00 PURPOSE

- 2.01 The purpose of these rules is to set forth protocols and procedures for the administration of insulin and glucagon by trained volunteer school personnel to Arkansas public school students diagnosed with diabetes.

3.00 DEFINITIONS

- 3.01 "Diabetes" – a group of metabolic disorders characterized by hyperglycemia resulting from defects in insulin secretion, insulin action, or both.
- 3.02 "Emergency Situation" – circumstance in which students with low blood glucose cannot be treated with a glucose-containing substance by mouth because the student has an altered mental state status, is having a seizure, or has high blood glucose requiring emergency administration of insulin to prevent complications.

- 3.03 “Glucagon” – an injectable hormone prescribed by a licensed healthcare practitioner that stimulates the release of glucose in the blood. Glucagon is dispensed as a “Glucagon Emergency Kit” or a “Glucagon Emergency Kit for Low Blood Sugar.”
- 3.04 “Insulin” – a hormone that regulates the metabolism of glucose and other nutrients. It is generally given by injection or through a subcutaneous insulin delivery system. It is prescribed by a licensed healthcare practitioner, ~~e.g. Medical Doctor, Doctor of Osteopathy, Advanced Practice Registered Nurse with prescriptive authority, or a Registered Nurse Practitioner or Physician Assistant who works under physician-approved protocols.~~
- 3.05 “Licensed Healthcare Practitioner” – includes, but is not limited to, Medical Doctors, Doctor of Osteopathy, Advanced Practice Registered Nurse with prescriptive authority, and Registered Nurse Practitioners, or Physician Assistants who work under physician-approved protocols.
- 3.06 “Licensed School Nurse Employed by a School District” – those nurses employed by an Arkansas public school district or open-enrollment public charter school who hold the following licenses or certificate:
- 3.06.1 Registered Nurse (RN);
 - 3.06.2 Advanced Practice Registered Nurse (APRN); or
 - 3.06.3 Diabetes Nurse Educator.
 - 3.06.4 This definition does not include License Practical Nurses (LPNs). LPNs may assist in the provision of training under these rules. However, training under these rules must be performed by Registered Nurses, Advance Practice Registered Nurses or Diabetes Nurse Educators.
- 3.07 “Non-scheduled dose of insulin” – an additional or corrective dose of insulin to treat hyperglycemia or to cover a rise in blood glucose levels.
- 3.08 “Other Healthcare Professional” – includes the following:
- 3.08.1 Registered Nurse (RN);
 - 3.08.2 Advanced Practice Registered Nurse (APRN);

- 3.08.3 Diabetes Nurse Educator;
 - 3.08.4 Medical Doctor (MD);
 - 3.08.5 Registered Nurse Practitioner;
 - 3.08.6 Doctor of Osteopathy;
 - 3.08.7 Physician Assistant;
 - 3.08.8 Pharmacist; and
 - 3.08.9 Certified Diabetes Educator.
- 3.09 “Scheduled dose of insulin” – a dose of insulin administered at regular times during the school day.
- 3.10 “Trained Volunteer School Personnel” – Licensed or classified personnel employed by an Arkansas public school district or open-enrollment public charter school who volunteer and successfully complete training for the administration of insulin and/or glucagon to students diagnosed with diabetes.

4.00 GENERAL REQUIREMENTS

- 4.01 Upon written request of a parent or guardian of a student with diabetes and written authorization by the treating physician of the student, a student, in the classroom, in a designated area at the school, on school grounds, or at a school-related activity may:
- 4.01.1 Perform blood glucose checks;
 - 4.01.2 Administer insulin through the insulin delivery system the student uses;
 - 4.01.3 Treat hypoglycemia and hyperglycemia; and
 - 4.01.4 Possess on his or her person the necessary supplies and equipment to perform diabetes monitoring and treatment functions.

- 4.02 A student shall have access to a private area to perform diabetes monitoring and treatment functions upon request of the parent or guardian of a student, as outlined in the student's health plan.
- 4.03 A public school employee may volunteer to be trained to administer and may administer glucagon to a student with Type 1 diabetes in an emergency situation as permitted under Ark. Code Ann § 17-87-103(11)
- 4.034 A school district shall strive to achieve the following staffing ratios for students with diabetes at each public school of at least:
- 4.034.1 One (1) care provider (volunteer school personnel) for a public school with one (1) full-time licensed registered nurse; and
- 4.034.2 Three (3) care providers (volunteer school personnel) for a public school without one (1) full-time licensed registered nurse.
- 4.045 The school district may recruit and identify public school personnel to serve as care providers (volunteer school personnel) to administer insulin and/or glucagon when a licensed registered nurse is not available. A school district shall not require or pressure a parent or guardian of a student with diabetes to provide diabetes care at school or a school-related activity.
- 4.056 Trained volunteer school personnel designated as care providers in a health plan that covers diabetes management and is based on the orders of a treating physician and who have been trained by a licensed registered nurse employed by a school district or other healthcare professional, may administer insulin and/or glucagon to students diagnosed with diabetes.
- 4.067 The training listed in Sections 4.05 6 and 6.00 of these rules shall be conducted at least annually, regardless of whether a volunteer has previously completed training. Nothing in these rules prohibits training from being conducted more often than annually.
- 4.078 No trained volunteer school personnel designated as care providers pursuant to these rules may administer insulin and/or glucagon to a student diagnosed with diabetes unless the parent or guardian of the student first signs a written authorization allowing the administration of insulin and/or glucagon to the student. The trained volunteer school personnel designated as a care provider shall be incorporated into the health plan of a student.

- 4.089 The trained volunteer shall be released from other duties during a scheduled dose of insulin for the time designated in the student's health plan.
- 4.0910 During glucagon or non-scheduled insulin administration, other qualified staff shall assume the regular duties of the trained volunteer. Once other qualified staff ~~has~~ have relieved the trained volunteer from his/her regular duties, the trained volunteer shall remain released until a parent, guardian, or medical personnel has arrived.
- 4.4011 When a school nurse is available and on site during an emergency situation, the school nurse shall administer insulin and/or glucagon to the student, when necessary. Volunteer school personnel who are designated as care providers and trained to administer insulin and/or glucagon shall provide insulin and/or glucagon injections only in the absence or unavailability of a school nurse.
- 4.4112 The training outlined in these rules is intended to be provided to volunteer school personnel. No school personnel shall be required, pressured or otherwise subjected to duress in such a manner as to compel their participation in training. Prior to receiving training, volunteers must sign a written acknowledgement indicating their desire to volunteer.

5.00 PROTECTION FROM LIABILITY

A school district, school district employee, or an agent of a school district, including a healthcare professional who trained volunteer school personnel designated as care providers and care providers, shall not be liable for any damages resulting from his or her actions or inactions under these rules or under Ark. Code Ann. § 17-87-103.

6.00 TRAINING OF VOLUNTEERS

- 6.01 Training under these rules shall include, at a minimum, the following components:
- 6.01.1 Overview of diabetes;
 - 6.01.2 Blood glucose monitoring;
 - 6.01.3 What insulin and glucagon are and how insulin and glucagon work;

- 6.01.4 When, how and by whom insulin and/or glucagon may be prescribed;
 - 6.01.5 The requirements of Arkansas law pertaining to the administration of insulin and/or glucagon injections to Arkansas public school students diagnosed with diabetes;
 - 6.01.6 How to calculate carbohydrate intake (insulin training only);
 - 6.01.7 How to calculate appropriate insulin dosage based on carbohydrate intake (insulin training only);
 - 6.01.8 When insulin and/or glucagon should be administered, how insulin and/or glucagon should be prepared, the dosage and side effects of insulin and/or glucagon, and follow-up care after insulin and/or glucagon is administered;
 - 6.01.9 How insulin and/or glucagon should be stored, including identifying the expiration date and need for replacement;
 - 6.01.10 The role of the school nurse in the administration of insulin and/or glucagon and the delegation of the administration of insulin and/or glucagon; and
 - 6.01.11 The signs of hyperglycemia and hypoglycemia in students with diabetes, including techniques and practices used to prevent the need for emergency insulin and glucagon.
- 6.02 Visual and audio aids may be used during the training required under these rules, but at least one individual listed in Sections 3.06 and 3.08 of these rules must be physically present to provide the training.
- 6.03 Before a volunteer may be deemed to have successfully completed the training required under these rules, a person listed in Sections 3.06 and 3.08 must sign a certification indicating that the volunteer has successfully completed all aspects of training and that the volunteer has successfully demonstrated proficiency of procedures involving the administration of insulin and/or glucagon. No person listed in Sections 3.06 and 3.08 shall sign such a certification unless such person, in his or her professional judgment, believes that a volunteer has successfully completed all aspects of training and that the volunteer has successfully

demonstrated mastery of procedures involving the administration of insulin and/or glucagon.

6.04 The Arkansas State Board of Nursing and the ~~Arkansas Department of Education~~ Division of Elementary and Secondary Education, in collaboration with the Arkansas School Nurses Association and diabetic education experts, shall identify and approve education programs that meet the requirements of Section 6.01 of these rules. Training under these rules shall be given according to the education programs approved under this section.

6.04.1 The Arkansas State Board of Nursing and the ~~Arkansas Department of Education~~ Division of Elementary and Secondary Education shall maintain and publish a list of approved education programs that meet the requirements of Section 6.01 of these rules. The list of approved education programs may be published on the websites of the Arkansas State Board of Nursing and the ~~Arkansas Department of Education~~ Division of Elementary and Secondary Education.

6.04.2 The Arkansas State Board of Nursing and the ~~Arkansas Department of Education~~ Division of Elementary and Secondary Education, in collaboration with the Arkansas School Nurses Association and diabetic education experts, shall at least annually review the requirements associated with the administration of glucagon and shall, if necessary, recommend for adoption by the Arkansas State Board of Nursing and the Arkansas State Board of Education any revisions to these rules.

7.00 RECORDS

7.01 Records of volunteer training shall be kept on file at each school.

7.02 For each student diagnosed with diabetes who attends the school, the school district shall maintain a copy of the student's health plan, a list of volunteer school personnel who are designated as care providers and trained to administer insulin and/or glucagon, and a copy of the parent's or guardian's signed authorization. The list of volunteer school personnel who are designated as care providers and trained to administer insulin and/or glucagon and a copy of the parent's or guardian's signed authorization shall be updated yearly and attached to the student's Individualized Health Plan (IHP).

- 7.03 The list of volunteer school personnel who are designated as care providers and trained to administer insulin and/or glucagon shall only include the names of such personnel who successfully complete the required training as set forth in Section 6.00 of these rules. The list of volunteer school personnel trained to administer insulin and/or glucagon for each school should be published and made known to all school personnel.
- 7.04 The principal of each school, in conjunction with each school nurse, shall properly maintain all such records.

DRAFT

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H3/11/19

A Bill

HOUSE BILL 1573

5 By: Representative Cozart
6 By: Senator J. English
7

For An Act To Be Entitled

9 AN ACT TO AMEND AND UPDATE VARIOUS PROVISIONS OF THE
10 ARKANSAS CODE CONCERNING PUBLIC EDUCATION; AND FOR
11 OTHER PURPOSES.
12
13

Subtitle

14 TO AMEND AND UPDATE VARIOUS PROVISIONS OF
15 THE ARKANSAS CODE CONCERNING PUBLIC
16 EDUCATION.
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 6-11-125(b), concerning the use of
23 information technology to eliminate the amount of paperwork by the State
24 Board of Education, is repealed.

25 ~~(b) The State Board of Education, acting through the department, shall~~
26 ~~use every means available to eliminate the amount of paperwork required by~~
27 ~~state law and regulations to be reported from each local school district by~~
28 ~~utilizing to the fullest extent possible, beginning no later than July 1,~~
29 ~~1998, the information technology network linking local school districts and~~
30 ~~the department.~~
31

32 SECTION 2. Arkansas Code § 6-11-126 is repealed.

33 ~~6-11-126. Computer funds approval.~~

34 ~~Before the Department of Education obligates any funds for the purchase~~
35 ~~or lease of a computer for the Arkansas Public School Computer Network, the~~
36 ~~department shall first seek prior review from the Joint Interim Oversight~~



1 at a ratio of one (1) school nurse per two hundred twenty-five (225)
2 students;

3 (D) Level 4 for students with medically fragile conditions
4 at a ratio of one (1) school nurse per one hundred twenty-five (125)
5 students; and

6 (E) Level 5 for students that are nursing dependent at a
7 ratio of one (1) school nurse per one (1) student.

8
9 SECTION 37. Arkansas Code § 6-18-711, concerning the administration of
10 medication to a public school student with diabetes, is amended to add an
11 additional subsection to read as follows:

12 (c) A public school employee may volunteer to be trained to administer
13 and may administer glucagon to a student with Type 1 diabetes in an emergency
14 situation as permitted under § 17-87-103(11).

15
16 SECTION 38. Arkansas Code § 6-18-1803(b), concerning the Arkansas
17 Commission on Eye and Vision Care of School-Age Children, is amended to read
18 as follows:

19 (b) The commission and the Department of Education shall report their
20 findings and updates to the Governor, the Legislative Council, and the House
21 Committee on Public Health, Welfare, and Labor and Senate Committee on Public
22 Health, Welfare, and Labor ~~two (2) times per year~~ annually.

23
24 SECTION 39. Arkansas Code § 6-18-1803(c)(1) and (2), concerning the
25 Arkansas Commission on Eye and Vision Care of School-Age Children, are
26 amended to read as follows:

27 (c)(1)~~(A)~~ The commission may accept any and all donations, grants of
28 money, gifts, appropriations, instruments, equipment, supplies, materials,
29 and services, conditional or otherwise, from private sources, from municipal
30 and county governments, from the state, and from the United States
31 government.

32 ~~(B)~~ (2) The commission may use any of its resources to
33 further the commission's purposes and functions.

34 ~~(2)(A) There is created on the books of the Treasurer of State,~~
35 ~~Auditor of State, and Chief Fiscal Officer of the State a special revenue~~
36 ~~fund to be known as the "School-Age Children Eye and Vision Care Fund".~~