

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013

# A Bill

SENATE BILL 228

4  
5 By: Senator Elliott

## For An Act To Be Entitled

6  
7  
8 AN ACT TO PROTECT THE HEALTH AND SAFETY OF PUBLIC  
9 SCHOOL STUDENTS WITH DIABETES BY PROVIDING FOR  
10 CERTAIN SCHOOL PERSONNEL TO BE TRAINED IN THE  
11 ADMINISTRATION OF GLUCAGON; AND FOR OTHER PURPOSES.

## Subtitle

12  
13  
14  
15 TO PROTECT THE HEALTH AND SAFETY OF  
16 PUBLIC SCHOOL STUDENTS WITH DIABETES BY  
17 PROVIDING FOR CERTAIN SCHOOL PERSONNEL TO  
18 BE TRAINED IN THE ADMINISTRATION OF  
19 GLUCAGON.

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

23  
24 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 7, is amended  
25 to add an additional section to read as follows:

26 6-18-709. Students with diabetes – Self-treatment.

27 (a) Upon written request of a parent or guardian of a student with  
28 diabetes and authorization by the student's treating physician, a student  
29 with diabetes may:

30 (1) Perform blood glucose checks, administer insulin through the  
31 insulin delivery system the student uses, treat hypoglycemia and  
32 hyperglycemia, and otherwise attend to the care and management of his or her  
33 diabetes in the classroom, in another area of the school or school grounds,  
34 and at any school-related activity; and

35 (2) Possess on his or her person necessary supplies and  
36 equipment to perform monitoring and treatment functions.





1 (iii) The school district shall maintain a copy of  
 2 the plan developed under Section 504 of the Rehabilitation Act of 1973, 29  
 3 U.S.C. § 701 et seq., or the Individuals with Disabilities Education Act, 20  
 4 U.S.C. § 1400 et seq., as it existed on July 1, 2011 as each existed on  
 5 January 1, 2013, a list of volunteer school personnel who are designated as  
 6 care providers and trained to administer insulin, or glucagon, or both, and a  
 7 copy of the parent’s or guardian’s signed authorization.

8 (C)(i) A student with diabetes shall attend the school he  
 9 or she would otherwise attend if he or she did not have diabetes.

10 (ii) A school attended by a student with diabetes  
 11 shall be provided diabetes care at the school.

12 (iii) A school district shall not restrict a student  
 13 with diabetes from attending a school on the basis that:

14 (a) The student has diabetes;

15 (b) The school does not have a full-time  
 16 school nurse; or

17 (c) The school does not have volunteer care  
 18 providers.

19 (iv) A school shall not require or pressure parents  
 20 or guardians to provide diabetes care at school or school-related activities  
 21 for a student with diabetes.

22 ~~(C)(D)~~ A school district, school district employee, or an  
 23 agent of a school district, including a ~~health-care~~ healthcare professional  
 24 who trained volunteer school personnel designated as care providers, ~~shall~~  
 25 ~~not be~~ is not liable for any damages resulting from his or her actions or  
 26 inactions under this section.

27 ~~(D)(E)~~ The Arkansas State Board of Nursing and the State  
 28 Board of Education shall promulgate rules necessary to administer this  
 29 subdivision (11); or

30  
 31  
 32  
 33  
 34  
 35  
 36