1 2	State of Arkansas 89th General Assembly	A Bill	
3	Regular Session, 2013		SENATE BILL 228
4			
5	By: Senator Elliott		
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7		For An Act To Be Entitled	
8	AN ACT	TO PROTECT THE HEALTH AND SAFETY OF PUBLI	С
9		STUDENTS WITH DIABETES BY PROVIDING FOR	
10	CERTAIN	SCHOOL PERSONNEL TO BE TRAINED IN THE	
11	ADMINIS	TRATION OF GLUCAGON; AND FOR OTHER PURPOS	ES.
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13		G 1441	
14		Subtitle	
15		PROTECT THE HEALTH AND SAFETY OF	
16		JBLIC SCHOOL STUDENTS WITH DIABETES BY	
17		ROVIDING FOR CERTAIN SCHOOL PERSONNEL TO	
18		E TRAINED IN THE ADMINISTRATION OF	
19	GL	LUCAGON.	
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21 22	ספ דיי פאגרייפה סט ייט	E GENERAL ASSEMBLY OF THE STATE OF ARKANS	A.C.
23	DE II ENACIED DI III	E GENERAL ASSEMBLI OF THE STATE OF ARRANS	AS:
24	SECTION 1 A	rkansas Code Title 6, Chapter 18, Subchap	ter 7 is amended
25		l section to read as follows:	ter 7, 13 amended
26		udents with diabetes — Self-treatment.	
27		tten request of a parent or guardian of a	student with
28	-	ization by the student's treating physici	<u> </u>
29	with diabetes may:		
30		rform blood glucose checks, administer in	sulin through the
31		stem the student uses, treat hypoglycemia	_
32	hyperglycemia, and	otherwise attend to the care and manageme	nt of his or her
33	diabetes in the cla	ssroom, in another area of the school or	school grounds,
34	and at any school-r	elated activity; and	
35	<u>(2) Po</u>	ssess on his or her person necessary supp	lies and
36	equipment to perfor	m monitoring and treatment functions.	

1	(b) If a parent of a student with diabetes or student with diabetes so	
2	requests, the student shall have access to a private area for performing	
3	diabetes care tasks.	
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5	SECTION 2. Arkansas Code § 17-87-103(11), concerning exceptions to the	
6	nurse practice act, is amended to read as follows:	
7	(11)(A) The administration of insulin, or glucagon, or both to a	
8	student who is suffering from with type 1 diabetes or the provision of	
9	assistance with self-administration of insulin by a student with diabetes by	
10	trained volunteer school personnel designated as care providers in a plan	
11	developed under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §	
12	701 et seq., or the Individuals with Disabilities Education Act, 20 U.S.C. §	
13	1400 et seq., as it existed on July 1, 2011 as each existed on January 1,	
14	$\underline{2013}$, who have been trained by a licensed nurse employed by a school district	
15	or other health-care professional to administer glucagon to a child with $\ensuremath{\mbox{\mbox{type}}}$	
16	${ extstyle 1}$ diabetes in an emergency situation or to administer insulin to a child with	
17	<u>diabetes</u> .	
18	(B)(i) A licensed nurse employed by a school district or	
19	other health-care professional shall annually train volunteer school	
20	personnel designated as care providers in a plan developed under Section 504	
21	of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq., or the	
22	<u>Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as it</u>	
23	existed on July 1, 2011 as each existed on January 1, 2013, to administer	
24	insulin, or glucagon, or both to a student with type l diabetes.	
25	(ii)(a) The parent or guardian of a student with	
26	$rac{ ext{type }1}{ ext{type}}$ diabetes shall sign an authorization to allow the administration of	
27	<u>insulin</u> , or glucagon, or both to the student by volunteer school personnel	
28	designated as care providers.	
29	(b) The parent or guardian of a student with	
30	diabetes who wishes school personnel to administer insulin or assist with the	
31	administration of insulin shall submit to the school orders signed by a	
32	licensed physician specifying the circumstances under which insulin shall be	
33	administered, including timing and dosage.	
34	(c) Upon receipt of a physician's order under	
35	subdivision (11)(B)(ii)(a) of this section, the school shall review and	
36	implement the order.	

implement the order.

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 <u>healthcare</u> 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	$\frac{(D)}{(E)}$ The Arkansas State Board of Nursing and the State		
28	Board of Education shall promulgate rules necessary to administer this		
29	subdivision (11); or		
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