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2 94th General Assembly
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4

As Engrossed: H2/7/23

A Bill

HOUSE BILL 1315

5 By: Representatives Ennett, Fortner, D. Garner, Haak, L. Johnson, J. Mayberry, Rye
6 By: Senator L. Chesterfield
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE SEIZURE SAFE SCHOOLS ACT; AND
10 FOR OTHER PURPOSES.
11

Subtitle

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13 TO CREATE THE SEIZURE SAFE SCHOOLS ACT.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 7, is amended
20 to add an additional section to read as follows:

21 6-18-720. Seizure Safe Schools Act.

22 (a) This section shall be known and may be cited as the "Seizure Safe
23 Schools Act".

24 (b) As used in this section, "seizure action plan" means a written,
25 individualized health plan designed to acknowledge and prepare for the
26 healthcare needs of a student diagnosed with a seizure disorder.

27 (c)(1) By the 2024-2025 school year, the board of each public school
28 district and the governing body of each private school or school district
29 shall have at least two (2) school employees at each school who have met the
30 training requirements necessary to:

31 (A) Administer or assist with the self-administration of:

32 (i) A seizure rescue medication or medication
33 prescribed to treat seizure disorder symptoms as approved by the United
34 States Food and Drug Administration and any successor agency; and

35 (ii) A manual dose of prescribed electrical
36 stimulation using a vagus nerve stimulator magnet as approved by the United



1 States Food and Drug Administration and any successor agency; and

2 (B) Recognize the signs and symptoms of seizures and the
3 appropriate steps to be taken to respond to these symptoms.

4 (2) The presence of a full-time school nurse shall serve as one
5 (1) of the school employees required under subdivision (c)(1) of this
6 section.

7 (d)(1) Every public, charter, and private school shall provide up to
8 seventy-five (75) minutes of training, in person or online, every two (2)
9 years to principals, guidance counselors, teachers, and other relevant school
10 personnel with direct contact and supervision of children on the recognition
11 of signs and symptoms of seizures and the appropriate steps for seizure first
12 aid.

13 (2) The training under subdivision (d)(1) of this section may
14 count toward the continuing education hours that a school nurse must receive.

15 (e)(1) Any training programs or guidelines adopted by any state agency
16 for the training of school personnel in the healthcare needs of any student
17 diagnosed with a seizure disorder shall be fully consistent with training
18 programs and guidelines developed by the Epilepsy Foundation of America or
19 any successor organization.

20 (2) Notwithstanding any state agency requirement or other law to
21 the contrary, for the purposes of training under subdivision (e)(1) of this
22 section, a school district may use any adequate and appropriate training
23 programs or guidelines for training of school personnel in the seizure
24 disorder protocols covered under this section.

25 (f) Before a seizure rescue medication can be administered to a
26 student to treat seizure disorder symptoms, the student's parent or legal
27 guardian shall:

28 (1) Provide the school with written authorization to administer
29 the medication at school;

30 (2) Provide a written statement from the student's healthcare
31 provider that shall contain the following information:

32 (A) The student's name;

33 (B) The name and purpose of the medication;

34 (C) The prescribed dosage;

35 (D) The route of administration;

36 (E) The frequency that the medication should be

1 administered; and

2 (F) The circumstances under which the medication should be
3 administered;

4 (3)(A) Provide the prescribed medication to the school in its
5 unopened, sealed package with the label affixed by the dispensing pharmacy
6 intact.

7 (B) The school shall store the medication under
8 subdivision (f)(3)(A) of this section in a safe and secure location
9 accessible only by school personnel or volunteers with training to administer
10 seizure medication; and

11 (4) Collaborate with school personnel to create a seizure action
12 plan.

13 (g) The written authorization, written statement, and seizure action
14 plan required in subdivision (f) of this section shall be:

15 (1) Kept on file in the office of the school nurse or school
16 administrator; and

17 (2) Distributed to any school personnel or volunteers
18 responsible for the supervision or care of the student.

19 (h) The written authorization for the administration of seizure rescue
20 medications provided for in subdivision (f)(1) of this section is effective
21 for the school year in which it is granted and may be renewed each following
22 school year upon fulfilling the requirements of subsections (f) and (g) of
23 this section.

24 (i) This section shall apply only to a school that has a student
25 enrolled who has a seizure disorder and has a seizure rescue medication or
26 other medication prescribed by the student's healthcare provider to treat
27 seizure disorder symptoms approved by the United States Food and Drug
28 Administration or any successor agency.

29 (j) The Division of Elementary and Secondary Education may promulgate
30 rules for the development and implementation of the seizure education program
31 and the procedures for the development and content of seizure action plans.

32 (k)(1)(A) A school employee may not be subject to any disciplinary
33 proceeding resulting from an action taken in compliance with this section.

34 (B) Any employee acting in accordance with the provisions
35 of this act is immune from civil liability unless the actions of the employee
36 rise to a level of reckless or intentional misconduct.

1 (2) A school nurse is not responsible for or subject to
2 disciplinary action for actions performed by a volunteer.

3 (1) Each public school shall provide an age-appropriate seizure
4 education program to all students on seizures and seizure disorders
5 consistent with training programs and guidelines developed by the Epilepsy
6 Foundation of America and any successor organization.

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/s/Ennett