

2 **ESSB 6641** - H AMD Adopted March 12, 2002 0529

3 By Representative

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.210
8 RCW to read as follows:

9 The legislature finds that diabetes imposes significant health
10 risks to students enrolled in the state's public schools and that
11 providing for the medical needs of students with diabetes is crucial to
12 ensure both the safety of students with diabetes and their ability to
13 obtain the education guaranteed to all citizens of the state. The
14 legislature also finds that children with diabetes can and should be
15 provided with a safe learning environment and access to all other
16 nonacademic school sponsored activities. The legislature further finds
17 that an individual health plan for each child with diabetes should be
18 in place in the student's school and should include provisions for a
19 parental signed release form, medical equipment and storage capacity,
20 and exceptions from school policies, school schedule, meals and eating,
21 disaster preparedness, inservice training for staff, legal documents
22 for parent-designated adults who may provide care, as needed, and
23 personnel guidelines describing who may assume responsibility for
24 activities contained in the student's individual health plan.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.210
26 RCW to read as follows:

27 (1) School districts shall provide individual health plans for
28 students with diabetes, subject to the following conditions:

29 (a) The board of directors of the school district shall adopt
30 policies to be followed for students with diabetes. The policies shall
31 include, but need not be limited to:

32 (i) The acquisition of parent requests and instructions;

33 (ii) The acquisition of orders from licensed health professionals
34 prescribing within the scope of their prescriptive authority for
35 monitoring and treatment at school;

1 (iii) The provision for storage of medical equipment and medication
2 provided by the parent;

3 (iv) The provision for students to perform blood glucose tests,
4 administer insulin, treat hypoglycemia and hyperglycemia, and have easy
5 access to necessary supplies and equipment to perform monitoring and
6 treatment functions as specified in the individual health plan. The
7 policies shall include the option for students to carry on their
8 persons the necessary supplies and equipment and the option to perform
9 monitoring and treatment functions anywhere on school grounds including
10 the students' classrooms, and at school-sponsored events;

11 (v) The establishment of school policy exceptions necessary to
12 accommodate the students' needs to eat whenever and wherever necessary,
13 have easy, unrestricted access to water and bathroom use, have
14 provisions made for parties at school when food is served, eat meals
15 and snacks on time, and other necessary exceptions as described in the
16 individual health plan;

17 (vi) The assurance that school meals are never withheld because of
18 nonpayment of fees or disciplinary action;

19 (vii) A description of the students' school day schedules for
20 timing of meals, snacks, blood sugar testing, insulin injections, and
21 related activities;

22 (viii) The development of individual emergency plans;

23 (ix) The distribution of the individual health plan to appropriate
24 staff based on the students' needs and staff level of contact with the
25 students;

26 (x) The possession of legal documents for parent-designated adults
27 to provide care, if needed; and

28 (xi) The updating of the individual health plan at least annually
29 or more frequently, as needed; and

30 (b) The board of directors, in the course of developing the
31 policies in (a) of this subsection, shall seek advice from one or more
32 licensed physicians or nurses or diabetes educators who are nationally
33 certified.

34 (2)(a) For the purposes of this section, "parent-designated adult"
35 means a volunteer, who may be a school district employee, who receives
36 additional training from a health care professional or expert in
37 diabetic care selected by the parents, and who provides care for the
38 child consistent with the individual health plan.

1 (b) To be eligible to be a parent-designated adult, a school
2 district employee not licensed under chapter 18.79 RCW shall file,
3 without coercion by the employer, a voluntary written, current, and
4 unexpired letter of intent stating the employee's willingness to be a
5 parent-designated adult. If a school employee who is not licensed
6 under chapter 18.79 RCW chooses not to file a letter under this
7 section, the employee shall not be subject to any employer reprisal or
8 disciplinary action for refusing to file a letter.

9 (3) The board of directors shall designate a professional person
10 licensed under chapter 18.71, 18.57, or 18.79 RCW as it applies to
11 registered nurses and advanced registered nurse practitioners, to
12 consult and coordinate with the student's parents and health care
13 provider, and train and supervise the appropriate school district
14 personnel in proper procedures for care for students with diabetes to
15 ensure a safe, therapeutic learning environment. Training may also be
16 provided by a diabetes educator who is nationally certified. Parent-
17 designated adults who are school employees are required to receive the
18 training provided under this subsection. Parent-designated adults who
19 are not school employees shall show evidence of comparable training.
20 The parent-designated adult must also receive additional training as
21 established in subsection (2)(a) of this section for the additional
22 care the parents have authorized the parent-designated adult to
23 provide. The professional person designated under this subsection is
24 not responsible for the supervision of the parent-designated adult for
25 those procedures that are authorized by the parents.

26 NEW SECTION. **Sec. 3.** The superintendent of public instruction and
27 the secretary of the department of health shall develop a uniform
28 policy for all school districts providing for the inservice training
29 for school staff on symptoms, treatment, and monitoring of students
30 with diabetes and on the additional observations that may be needed in
31 different situations that may arise during the school day and during
32 school sponsored events. The policy shall include the standards and
33 skills that must be in place for inservice training of school staff.

34 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.210
35 RCW to read as follows:

36 A school district, school district employee, agent, or parent-
37 designated adult who, acting in good faith and in substantial

1 compliance with the student's individual health plan and the
2 instructions of the student's licensed health care professional,
3 provides assistance or services under section 1 or 2 of this act shall
4 not be liable in any criminal action or for civil damages in his or her
5 individual or marital or governmental or corporate or other capacities
6 as a result of the services provided under section 1 or 2 of this act
7 to students with diabetes.

8 NEW SECTION. **Sec. 5.** This act takes effect July 1, 2002."

9 Correct the title.

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