

2 **ESSB 6641** - H AMD 0379 ADOPTED 3-7-02

3 By Representative Cody

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 establishment of inservice training for staff on symptoms,
24 treatment, and monitoring of students with diabetes and on the
25 additional observations that may be needed in different situations that
26 may arise during the school day and during school sponsored activities;

27 (x) The distribution of the individual health plan to appropriate
28 staff based on the students' needs and staff level of contact with the
29 students;

30 (xi) The possession of legal documents for parent-designated adults
31 to provide care, if needed; and

32 (xii) The updating of the individual health plan at least annually
33 or more frequently, as needed; and

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

38 (2)(a) For the purposes of this section, "parent-designated adult"
39 means a volunteer, who may be a school district employee, who receives

1 additional training from or through the parents, and who provides care
2 for the child consistent with the individual health plan.

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

11 (3) The board of directors shall designate a professional person
12 licensed under chapter 18.71, 18.57, or 18.79 RCW as it applies to
13 registered nurses and advanced registered nurse practitioners, to
14 consult and coordinate with the student's parents and health care
15 provider, and train and supervise the appropriate school district
16 personnel in proper procedures for care for students with diabetes to
17 ensure a safe, therapeutic learning environment. Training may also be
18 provided by a diabetes educator who is nationally certified. Training
19 and supervision requirements under this subsection do not extend to
20 parent-designated adults.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.210
22 RCW to read as follows:

23 A school district, school district employee, agent, or parent-
24 designated adult who, acting in good faith and in substantial
25 compliance with the student's individual health plan and the
26 instructions of the student's licensed health care professional,
27 provides assistance or services under section 1 or 2 of this act shall
28 not be liable in any criminal action or for civil damages in his or her
29 individual or marital or governmental or corporate or other capacities
30 as a result of the services provided under section 1 or 2 of this act
31 to students with diabetes.

32 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2002."

33 Correct the title.

--- END ---