
SENATE BILL 6641

State of Washington 57th Legislature

2002 Regular Session

By Senators McAuliffe and Thibaudeau

Read first time 01/23/2002. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to accommodating children with diabetes in schools;
2 amending RCW 18.71.030; adding a new section to chapter 28A.210 RCW;
3 and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

7 (1) The legislature finds that diabetes imposes significant health
8 risks to students enrolled in the state's public and private schools
9 and that providing for the medical needs of students with diabetes is
10 crucial to ensure both the safety of students with diabetes and their
11 ability to obtain the education guaranteed to all citizens of this
12 state.

13 (2) The definitions in this subsection apply throughout this
14 section, unless the context clearly requires otherwise.

15 (a) "Public or private school" means any primary or secondary
16 public or private school located in the state of Washington.

17 (b) "School diabetes attendant" refers to a school employee trained
18 in accordance with subsection (5) of this section.

1 (c) "Student with diabetes" means a student enrolled in a public or
2 private school within the state who has been diagnosed by a health care
3 provider as having either type I or type II diabetes.

4 (3) Upon the written request of the parent or guardian and written
5 orders by a health care provider, a student with diabetes shall be
6 permitted to perform blood glucose tests, administer insulin through
7 the insulin delivery system the student uses, treat hypoglycemia and
8 hyperglycemia, and otherwise attend to the care and management of his
9 or her diabetes at any time and at the school or school grounds, on
10 school buses, and at any school-related activity, and to possess on his
11 or her person at all times all necessary supplies and equipment to
12 perform these monitoring and treatment functions.

13 (4)(a) Upon the written request of the parent or guardian and
14 written orders by a health care provider, school diabetes attendants
15 shall perform functions including, but not limited to, (i) assisting
16 students with diabetes to test their blood sugar levels or for the
17 presence of ketones; (ii) testing the blood sugar levels or the
18 presence of ketones for a student with diabetes; (iii) treating or
19 preventing hypoglycemia through the use of glucose, appropriate food or
20 beverages, or glucagon; (iv) treating and preventing hyperglycemia by
21 assisting students with diabetes to take insulin or by administering
22 insulin; and (v) recording the result of blood sugar tests and tests
23 for ketones, and recording the treatment provided.

24 (b) A school diabetes attendant shall be on-site and available to
25 provide care to each student with diabetes during regular school hours,
26 during school-sponsored before-school and after-school care programs,
27 during field trips and extracurricular activities, and on buses when
28 the bus driver has not completed the necessary training. A school
29 employee may refuse to assume the role of school diabetes attendant if
30 other school employees will fulfill that role.

31 (c) School diabetes attendants shall be available at each school
32 where a student with diabetes is enrolled and a student's school choice
33 shall in no way be restricted because the student has diabetes.

34 (5)(a) The Washington state nursing commission shall develop
35 guidelines for the training of school diabetes attendants by August 31,
36 2002. School diabetes attendants shall be trained to do the following,
37 based on the student's individual needs and the attendant's level of
38 contact with the student:

39 (i) To recognize hypoglycemia and hyperglycemia;

1 (ii) To assist students with diabetes in performing or to perform
2 for the student tests designed to determine the student's blood sugar
3 level and to determine whether ketones are present;

4 (iii) To treat mild or moderate cases of hypoglycemia through the
5 use of glucose or by providing appropriate food or beverages;

6 (iv) To treat severe cases of hypoglycemia by administering
7 glucagon and/or other steps ordered by the child's health care provider
8 in the child's individual health care plan;

9 (v) To treat and prevent hyperglycemia by assisting students or
10 administering insulin in accordance with the orders provided by the
11 student's health care provider; and

12 (vi) To record information relating to the blood sugar and ketone
13 levels of the student with diabetes and the treatments provided in the
14 patient's physician's order or health care plan.

15 (b) Each public school district and private school shall provide
16 training in the recognition and treatment of hypoglycemia to all bus
17 drivers responsible for the transportation of a student with diabetes
18 if a school diabetes attendant is not present.

19 (c) The training in (a) of this subsection shall be provided by a
20 health care professional with expertise in diabetes. The training
21 shall take place before the commencement of each school year at every
22 school attended by one or more students with diabetes, or as needed
23 when a student with diabetes is newly enrolled at a school or a student
24 is newly diagnosed with diabetes.

25 (6) Any public school district, public school district employee,
26 agent, or volunteer, private school, or private school employee, agent,
27 or volunteer who, acting in good faith, provides assistance or services
28 under this section is not liable for any civil damages.

29 **Sec. 2.** RCW 18.71.030 and 1996 c 178 s 4 are each amended to read
30 as follows:

31 Nothing in this chapter shall be construed to apply to or interfere
32 in any way with the practice of religion or any kind of treatment by
33 prayer; nor shall anything in this chapter be construed to prohibit:

34 (1) The furnishing of medical assistance in cases of emergency
35 requiring immediate attention;

36 (2) The domestic administration of family remedies;

1 (3) The administration of oral medication of any nature to students
2 by public school district employees or private elementary or secondary
3 school employees as provided for in chapter 28A.210 RCW;

4 (4) The practice of dentistry, osteopathic medicine and surgery,
5 nursing, chiropractic, podiatric medicine and surgery, optometry,
6 naturopathy, or any other healing art licensed under the methods or
7 means permitted by such license;

8 (5) The practice of medicine in this state by any commissioned
9 medical officer serving in the armed forces of the United States or
10 public health service or any medical officer on duty with the United
11 States veterans administration while such medical officer is engaged in
12 the performance of the duties prescribed for him or her by the laws and
13 regulations of the United States;

14 (6) The practice of medicine by any practitioner licensed by
15 another state or territory in which he or she resides, provided that
16 such practitioner shall not open an office or appoint a place of
17 meeting patients or receiving calls within this state;

18 (7) The practice of medicine by a person who is a regular student
19 in a school of medicine approved and accredited by the commission,
20 however, the performance of such services be only pursuant to a regular
21 course of instruction or assignments from his or her instructor, or
22 that such services are performed only under the supervision and control
23 of a person licensed pursuant to this chapter;

24 (8) The practice of medicine by a person serving a period of
25 postgraduate medical training in a program of clinical medical training
26 sponsored by a college or university in this state or by a hospital
27 accredited in this state, however, the performance of such services
28 shall be only pursuant to his or her duties as a trainee;

29 (9) The practice of medicine by a person who is regularly enrolled
30 in a physician assistant program approved by the commission, however,
31 the performance of such services shall be only pursuant to a regular
32 course of instruction in said program and such services are performed
33 only under the supervision and control of a person licensed pursuant to
34 this chapter;

35 (10) The practice of medicine by a licensed physician assistant
36 which practice is performed under the supervision and control of a
37 physician licensed pursuant to this chapter;

38 (11) The practice of medicine, in any part of this state which
39 shares a common border with Canada and which is surrounded on three

1 sides by water, by a physician licensed to practice medicine and
2 surgery in Canada or any province or territory thereof;

3 (12) The administration of nondental anesthesia by a dentist who
4 has completed a residency in anesthesiology at a school of medicine
5 approved by the commission, however, a dentist allowed to administer
6 nondental anesthesia shall do so only under authorization of the
7 patient's attending surgeon, obstetrician, or psychiatrist, and the
8 commission has jurisdiction to discipline a dentist practicing under
9 this exemption and enjoin or suspend such dentist from the practice of
10 nondental anesthesia according to this chapter and chapter 18.130 RCW;

11 (13) Emergency lifesaving service rendered by a physician's trained
12 emergency medical service intermediate life support technician and
13 paramedic, as defined in RCW 18.71.200, if the emergency lifesaving
14 service is rendered under the responsible supervision and control of a
15 licensed physician;

16 (14) The provision of clean, intermittent bladder catheterization
17 for students by public school district employees or private school
18 employees as provided for in RCW 18.79.290 and 28A.210.280;

19 (15) The administration of or assistance in the administration of
20 glucagon or insulin to students with diabetes by public school district
21 employees or private school employees as provided for in the education
22 equity for students with diabetes act or in section 1 of this act;

23 (16) The testing or assistance in the testing of students with
24 diabetes for blood sugars and ketones by public school district
25 employees or private school employees as provided for in the education
26 equity for students with diabetes act.

27 NEW SECTION. Sec. 3. This act takes effect July 1, 2002.

--- END ---