

26 ENACTS:

27 53A-11-603.5, Utah Code Annotated 1953

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29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **53A-11-603.5** is enacted to read:

31 **53A-11-603.5. Trained school employee volunteers -- Administration of seizure**
 32 **rescue medication -- Exemptions from liability.**

33 (1) As used in this section:

33a **Ĥ→ (a) "Prescribing health care professional" means:**

33b **(i) a physician and surgeon licensed under Title 58, Chapter 67, Utah Medical**

33c **Practice Act;**

33d **(ii) an osteopathic physician and surgeon licensed under Title 58, Chapter 68, Utah**

33e **Osteopathic Medical Practice Act;**

33f **(iii) an advanced practice registered nurse licensed under Title 58, Chapter 31b,**

33g **Nurse Practice Act; or**

33h **(iv) a physician assistant licensed under Title 58, Chapter 70a, Physician Assistant Act.**

34 **[(a)] (b) ←Ĥ "Section 504 accommodation plan" means a plan developed pursuant to Section**
 35 **504 of the Rehabilitation Act of 1973, as amended, to provide appropriate accommodations to**
 36 **an individual with a disability to ensure access to major life activities.**

37 **Ĥ→ [(b)] (c) ←Ĥ "Seizure rescue authorization" means a student's Section 504**
 37a **accommodation plan**

38 **that:**

39 (i) certifies that:

40 (A) a **Ĥ→ [licensed] prescribing ←Ĥ health care professional has prescribed a seizure**
 40a **rescue medication for**

41 **the student;**

42 (B) **the student's parent or legal guardian has previously administered the student's**
 43 **seizure rescue medication in a nonmedically-supervised setting without a complication; and**

44 (C) **the student has previously ceased having full body prolonged or convulsive seizure**
 45 **activity as a result of receiving the seizure rescue medication;**

46 (ii) **describes the specific seizure rescue medication authorized for the student,**
 47 **including the indicated dose, and instructions for administration;**

48 (iii) **requests that the student's public school identify and train school employees who**
 49 **are willing to volunteer to receive training to administer a seizure rescue medication in**

50 accordance with this section; and

51 (iv) authorizes a trained school employee volunteer to administer a seizure rescue

52 medication in accordance with this section.

53 ~~H~~→ ~~(c)~~ **(d)** ←~~H~~ (i) "Seizure rescue medication" means a medication, prescribed by a

53a ~~H~~→ **[licensed]** prescribing ←~~H~~ health

54 care professional, to be administered as described in a student's seizure rescue authorization,

55 while the student experiences seizure activity.

56 (ii) A seizure rescue medication does not include a medication administered

57 intravenously ~~H~~→ [:] or intramuscularly.

58 ~~(d)~~ (e) ←H "Trained school employee volunteer" means an individual who:

59 (i) is an employee of a public school where at least one student has a seizure rescue
60 authorization;

61 (ii) is at least 18 years old; and

62 (iii) as described in this section:

63 (A) volunteers to receive training in the administration of a seizure rescue medication;

64 (B) completes a training program described in this section;

65 (C) demonstrates competency on an assessment; and

66 (D) completes annual refresher training each year that the individual intends to remain
67 a trained school employee volunteer.

68 (2) (a) The Department of Health shall, with input from the State Board of Education
69 and a children's hospital, develop a training program for trained school employee volunteers in
70 the administration of seizure rescue medications that includes:

71 (i) techniques to recognize symptoms that warrant the administration of a seizure
72 rescue medication;

73 (ii) standards and procedures for the storage of a seizure rescue medication;

74 (iii) procedures, in addition to administering a seizure rescue medication, in the event
75 that a student requires administration of the seizure rescue medication, including:

76 (A) calling 911; and

77 (B) contacting the student's parent or legal guardian;

78 (iv) an assessment to determine if an individual is competent to administer a seizure
79 rescue medication;

80 (v) an annual refresher training component; and

81 (vi) written materials describing the information required under this Subsection (2)(a).

82 (b) A public school shall retain for reference the written materials described in
83 Subsection (2)(a)(vi).

84 (c) The following individuals may provide the training described in Subsection (2)(a):

85 (i) a school nurse; or

86 (ii) a licensed health care professional.

87 (3) (a) A public school shall, after receiving a seizure rescue authorization: