

RESCUE MEDICATION IN SCHOOLS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen H. Urquhart

House Sponsor: _____

LONG TITLE

General Description:

This bill provides for a public school employee volunteer to administer a seizure rescue medication under certain conditions.

Highlighted Provisions:

This bill:

▶ defines terms;

⚡→ ▶ requires the Department of Health to develop a training program for the administration of seizure rescue medications; ←⚡

▶ requires a public school to provide training for the administration of a seizure rescue medication to a school employee volunteer;

▶ provides for a school employee to administer a seizure rescue medication under certain conditions; and

▶ provides certain exemptions from liability.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53A-11-603.5, Utah Code Annotated 1953

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



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

29 **53A-11-603.5. Training of school employee volunteers -- Administration of seizure**
 30 **rescue medication -- Exemptions from liability.**

31 (1) As used in this section:

32 (a) "School employee volunteer" means an individual who:

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

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

36 (iii) as described in this section:

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

38 and

39 (B) completes a training program described in this section.

40 (b) "Section 504 accommodation plan" means a plan developed pursuant to Section
 41 504 of the Rehabilitation Act of 1973, as amended, to provide appropriate accommodations to
 42 an individual with a disability to ensure access to major life activities.

43 (c) "Seizure rescue authorization" means a student's Section 504 accommodation plan
 44 that:

45 (i) certifies that a licensed healthcare professional has prescribed a seizure rescue
 46 medication for the student;

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

49 (iii) requests that the student's public school identify and train school employee
 50 volunteers to administer a seizure rescue medication in accordance with this section; and

51 (iv) authorizes a school employee volunteer to administer a seizure rescue medication
 52 in accordance with this section.

53 (d) "Seizure rescue medication" means a medication, prescribed by a licensed
 54 healthcare professional, to be administered as described in a student's seizure rescue
 55 authorization, while the student experiences seizure activity.

56 (2) (a) A public school shall, after receiving a seizure rescue authorization:

57 (i) inform school employees of the opportunity to be a school employee volunteer; and

58 (ii) provide ~~§~~ the ~~§~~ training ~~§~~ in administering a seizure rescue medication
 58a described in Subsection (2)(d) ~~§~~ to at least two school employee volunteers ~~§~~ in
 58b administering seizure ~~§~~

59 ~~rescue medication~~ ←§ .

60 (b) A public school shall allow all willing school personnel to receive the training
61 described in Subsection (2)(a)(ii).

62 (c) A public school may not obstruct the identification or training of school employee
63 volunteers.

63a **§→ (d) The Department of Health shall, with input from the State Board of Education and**
63b **a children's hospital, develop a training program for school employee volunteers in the**
63c **administration of seizure rescue medications. ←§**

64 **§→ ~~(d)~~ (e) ←§** The following individuals may provide the training described in Subsection
64a (2)(a) §→ (ii) ←§ :

65 (i) a school nurse;

66 (ii) an individual who is medication aide certified, as defined in Section [58-31b-102](#); or

67 (iii) a licensed medical professional.

68 (3) (a) The training described in Subsection (2)(a)(ii) shall include:

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

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

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

74 (A) calling 911; and

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

76 (iv) written materials describing the information required under this Subsection (3)(a).

77 (b) A public school shall retain for reference the written materials described in
78 Subsection (3)(a)(iv).

79 (4) A school employee volunteer may possess or store a prescribed rescue seizure
80 medication, in accordance with this section.

81 (5) (a) A school employee volunteer may administer a seizure rescue medication to a
82 student with a seizure rescue authorization if:

83 (i) the student is exhibiting a symptom, described on the student's seizure rescue
84 authorization, that warrants the administration of a seizure rescue medication; and

85 (ii) a licensed healthcare professional is not immediately available to administer the
86 seizure rescue medication.

87 (6) A school employee volunteer who administers a seizure rescue medication shall
88 direct an individual to call 911 and take other appropriate actions in accordance with the
89 written training materials described in Subsection (3)(b).