

2 **ESSB 6641** - H COMM AMD **ADOPTED 3-7-02**
3 By Committee on Education

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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 exemptions 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 in the students' classrooms;

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

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

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

21 (viii) The development of individual emergency preparedness plans;

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

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

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

31 (xii) The description of policies that specify who may assume
32 responsibility for activities contained in the student's individual
33 health plan as determined by statute, rule, nursing care quality
34 assurance commission guidelines, and best practices; and

35 (xiii) The updating of the individual health plan at least annually
36 or more frequently, as needed; and

37 (b) The board of directors, in the course of developing the
38 policies in (a) of this subsection, shall seek advice from one or more

1 licensed physicians or nurses or diabetes educators who are nationally
2 certified.

3 (2)(a) For the purposes of this section, "parent-designated adult"
4 means a volunteer, who may be a school district employee, who receives
5 additional training from or through the parents, and who provides care
6 for the child consistent with the individual health plan.

7 (b) To be eligible to be a parent-designated adult, a school
8 district employee not licensed under chapter 18.79 or 18.88A RCW shall
9 file, without coercion by the employer, a voluntary written, current,
10 and unexpired letter of intent stating the employee's willingness to be
11 a parent-designated adult. If a school employee who is not licensed
12 under chapter 18.79 or 18.88A RCW chooses not to file a letter under
13 this section, the employee shall not be subject to any employer
14 reprisal or disciplinary action for refusing to file a letter.

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

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

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

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

1 Correct the title.

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