

SENATE BILL REPORT

SB 6556

As Reported By Senate Committee On:
Early Learning & K-12 Education, February 06, 2008

Title: An act relating to school anaphylactic policy guidelines.

Brief Description: Requiring the office of the superintendent of public instruction to develop anaphylactic policy guidelines.

Sponsors: Senators Honeyford, Pflug, Morton, Stevens and Swecker.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/6/08 [DPS].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6556 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; King, Ranking Minority Member; Brandland, Eide, Hobbs, Holmquist, Kauffman, McDermott, Oemig, Rasmussen and Weinstein.

Staff: Kimberly Cushing (786-7421)

Background: Anaphylaxis is an allergic hypersensitivity reaction of the body to a foreign protein or drug. Anaphylaxis can be caused by drugs, insect stings, foods, and inhalants. In some cases it can result in convulsions, unconsciousness, and even death. Epinephrine is used to treat anaphylactic reactions.

Under current Washington law, public elementary and secondary schools are required to allow students to self-administer medication to treat their asthma or anaphylaxis, if a health care provider prescribed the medication and the student has demonstrated the skill level necessary to use the medication.

In the 2007-09 budget, the Office of Superintendent of Public Instruction (OSPI) received \$45,000 to convene a workgroup to develop school food allergy guidelines and policies by March 31, 2008. This allows for school district implementation in the 2008-09 school year.

Summary of Bill (Recommended Substitute): OSPI, in consultation with the Department of Health, must develop anaphylactic policy guidelines for schools to prevent anaphylaxis and deal with medical emergencies resulting from it. The guidelines must be developed with input from various stakeholders.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The policy guidelines must include, but are not limited to, a procedure for developing a treatment plan for responding to a student experiencing anaphylaxis, the content of a training course for appropriate school personnel, a procedure for developing an individualized emergency health care plan for children with allergies that could result in anaphylaxis, a communication plan, and strategies to reduce the risk of exposure to anaphylactic causative agents. "Anaphylaxis" is defined.

By March 31, 2009, the Superintendent of Public Instruction must report the guidelines to school districts. By September 1, 2009, each school district must use the guidelines to develop and adopt a policy to assist each school to prevent anaphylaxis.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Substitute): The Superintendent of Public Instruction must report policy guidelines to school districts by March 31, 2009, instead of September 1, 2008. Each school district must adopt a school district policy by September 1, 2009, instead of January 1, 2009.

Appropriation: None.

Fiscal Note: Requested on January 29, 2008.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: Anaphylactic policy guidelines would be much broader than the current study on food allergies. These guidelines will need to be updated and reviewed. The food allergy component of anaphylactic shock could be implemented sooner. Schools need to have a plan in place to deal with this serious issue. Federal requirements are not sufficient. There is needless suffering because of a lack of education about food allergies. Families with children who have allergies have to be very aware of where they go, but schools are the one place where their children spend a majority of their time. Schools do not have adequate forms, protocols, or staff training to respond to children with anaphylaxis. Schools expect children to take responsibility for their own allergies.

OTHER: OSPI is in the midst of finalizing guidelines for food allergies. OSPI would need additional time to address these expanded duties.

Persons Testifying: PRO: Senator Honeyford, prime sponsor; Theresa Hancock; Cheyenne LaViolette; Kelly Morgan, and Tiesha Stiles.

OTHER: Isabel Munoz-Colon, OSPI.