

1 HB27
2 203318-1
3 By Representatives Jackson and Hatcher
4 RFD: Education Policy
5 First Read: 04-FEB-20
6 PFD: 01/14/2020

SYNOPSIS: Under existing law, a parent or guardian of a student with diabetes who seeks care for the student while the student is at school must submit an individual health plan to provide guidance to school officials on the student's care.

This bill would provide that a parent or guardian of a student with a seizure disorder may seek care for the student while the student is at school or participating in a school-sponsored activity by submitting a seizure management and treatment plan to the local board of education.

This bill would also require a school nurse employed by a local board of education and a school employee, other than a school nurse, whose job duties include regular contact with students to complete an online training course approved by the State Board of Education on seizure disorders.

A BILL
TO BE ENTITLED

1 AN ACT

2
3 Relating to minors attending public K-12 schools; to
4 provide that a parent or guardian of a student with a seizure
5 disorder may seek care for the student while the student is at
6 school or participating in a school-sponsored activity; to
7 require a school nurse employed by a local board of education
8 and a school employee, other than a school nurse, whose job
9 duties include regular contact with students to complete an
10 online training course on seizure disorders; and to add
11 Chapter 30C to Title 16 of the Code of Alabama 1975.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. This act may be known and cited as Sam's
14 Law.

15 Section 2. Chapter 30C is added to Title 16, Code of
16 Alabama 1975, commencing with Section 16-30C-1, to read as
17 follows:

18 §16-30C-1.

19 (a) The parent or guardian of a student with a
20 seizure disorder, enrolled in and attending a public K-12
21 school, may seek care for the student's seizures while the
22 student is at school or participating in a school-sponsored
23 activity by submitting to the applicable local board of
24 education a copy of a seizure management and treatment plan
25 developed by the student's parent or guardian and the
26 physician responsible for the student's seizure treatment. The

1 plan shall be submitted to and reviewed by the local board of
2 education at the following time:

3 (1) Before or at the beginning of the school year.

4 (2) Upon enrollment of the student, if the student
5 enrolls in a school after the beginning of the school year.

6 (3) As soon as practicable following a diagnosis of
7 a seizure disorder for the student.

8 (b) A seizure management and treatment plan shall
9 include all of the following:

10 (1) A list of the health care services the student
11 may receive at school or while participating in a
12 school-sponsored activity.

13 (2) An evaluation of the student's level of
14 understanding and ability to manage his or her seizures.

15 (3) The signature of the student's parent or
16 guardian.

17 (4) The signature of the physician responsible for
18 the student's seizure treatment.

19 (c) A school employee shall be immune from suit and
20 not liable for any civil damages as a result of his or her
21 acts or omissions in the supervision or rendering of services,
22 care, or assistance to a student under this chapter, nor shall
23 he or she be liable for any civil damages as a result of any
24 act, or failure to act, to provide or arrange for further
25 treatment, care, or assistance.

26 (d) A physician has no supervisory authority over
27 the school's execution of the seizure management and treatment

1 plan, and therefore shall be immune from civil liability for
2 any orders, acts or omissions directly related to this
3 chapter, including any vicarious liability for the acts and
4 omissions of school employees and officials in carrying out
5 the seizure management and treatment plan.

6 §16-30C-2.

7 (a) A school nurse employed by a local board of
8 education shall complete a State Board of Education-approved
9 online course of instruction for school nurses regarding
10 managing students with seizure disorders that includes
11 information about seizure recognition and related first aid.

12 (b) A school employee, other than a school nurse,
13 whose duties at the school include regular contact with
14 students shall complete a State Board of Education-approved
15 online course of instruction for school personnel regarding
16 awareness of students with seizure disorders that includes
17 information about seizure recognition and related first aid.

18 (c) The State Board of Education may approve an
19 online course of instruction provided by a nonprofit national
20 foundation that supports the welfare of individuals with
21 epilepsy and seizure disorders to satisfy the training
22 required under subsection (a) or subsection (b). An online
23 course of instruction approved by the State Board of Education
24 under this subsection that is provided to a local board of
25 education must be provided by the nonprofit entity free of
26 charge.

1 (d) The State Department of Education shall adopt
2 rules as necessary to administer this section.

3 Section 3. Not later than December 1, 2020, the
4 State Board of Education shall approve online courses of
5 instruction to satisfy the training requirements of Chapter
6 30C, Title 16, Code of Alabama 1975, as added by this act.

7 Section 4. This act shall apply beginning with the
8 2020-2021 school year.

9 Section 5. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.