

COMMITTEE ON EDUCATION K-12

SENATE AMENDMENTS TO S.B. 1229

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 15, chapter 3, article 3, Arizona Revised Statutes,  
3 is amended by adding section 15-344.01, to read:

4 15-344.01. Diabetes management; policies and procedures;  
5 administration of glucagon to diabetic pupils;  
6 civil immunity; definition

7 A. THE SCHOOL DISTRICT GOVERNING BOARD AND THE CHARTER SCHOOL GOVERNING  
8 BODY MAY ADOPT POLICIES AND PROCEDURES FOR PUPILS WHO HAVE BEEN DIAGNOSED  
9 WITH DIABETES BY A HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO TITLE 32,  
10 CHAPTER 13, 14, 17 OR 25 OR A NURSE PRACTITIONER WHO IS LICENSED PURSUANT TO  
11 TITLE 32, CHAPTER 15 TO MANAGE THEIR DIABETES IN THE CLASSROOM, ON SCHOOL  
12 GROUNDS AND AT SCHOOL SPONSORED ACTIVITIES AS AUTHORIZED BY THEIR PRIMARY  
13 HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13, 14, 17  
14 OR 25 OR A NURSE PRACTITIONER WHO IS LICENSED PURSUANT TO TITLE 32,  
15 CHAPTER 15. IF A SCHOOL DISTRICT OR CHARTER SCHOOL FOLLOWS THE POLICIES AND  
16 PROCEDURES ADOPTED PURSUANT TO THIS SECTION, THE EMPLOYEES OF THE SCHOOL  
17 DISTRICT OR CHARTER SCHOOL ARE IMMUNE FROM CIVIL LIABILITY WITH RESPECT TO  
18 ALL DECISIONS MADE AND ACTIONS TAKEN THAT ARE BASED ON GOOD FAITH  
19 IMPLEMENTATION OF THE REQUIREMENTS OF THIS SUBSECTION.

20 B. IF A SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING  
21 BODY ADOPTS POLICIES AND PROCEDURES PURSUANT TO SUBSECTION A IN THIS SECTION,  
22 THE POLICIES AND PROCEDURES SHALL INCLUDE THE FOLLOWING COMPONENTS:

23 1. THE PARENT OR GUARDIAN SHALL ANNUALLY SUBMIT A DIABETES MEDICAL  
24 MANAGEMENT PLAN TO THE PUPIL'S SCHOOL THAT AUTHORIZES THE PUPIL TO CARRY  
25 APPROPRIATE MEDICATIONS AND MONITORING EQUIPMENT AND THAT ACKNOWLEDGES THAT  
26 THE PUPIL IS CAPABLE OF SELF-ADMINISTRATION OF THOSE MEDICATIONS AND  
27 EQUIPMENT. THE DIABETES MEDICAL MANAGEMENT PLAN PROVIDED BY THE PARENT OR  
28 GUARDIAN SHALL BE SIGNED BY A HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO  
29 TITLE 32, CHAPTER 13, 14, 17 OR 25 OR BY A NURSE PRACTITIONER WHO IS LICENSED

1 PURSUANT TO TITLE 32, CHAPTER 15 AND SHALL STATE THAT THE PUPIL IS CAPABLE OF  
2 SELF-MONITORING BLOOD GLUCOSE AND SHALL LIST THE MEDICATIONS, MONITORING  
3 EQUIPMENT AND NUTRITIONAL NEEDS THAT ARE MEDICALLY APPROPRIATE FOR THE PUPIL  
4 TO SELF-ADMINISTER AND THAT HAVE BEEN PRESCRIBED OR AUTHORIZED FOR THAT  
5 PUPIL.

6 2. A REQUIREMENT THAT THE PUPIL BE ABLE TO PRACTICE PROPER SAFETY  
7 PRECAUTIONS FOR THE HANDLING AND DISPOSAL OF THE EQUIPMENT AND MEDICATIONS  
8 THAT THE PUPIL IS AUTHORIZED TO USE PURSUANT TO THIS SUBSECTION. THE PUPIL'S  
9 DIABETES MEDICAL MANAGEMENT PLAN SHALL SPECIFY A METHOD TO DISPOSE OF  
10 EQUIPMENT AND MEDICATIONS IN A MANNER AGREED ON BY THE PARENT OR GUARDIAN AND  
11 THE SCHOOL.

12 3. PROCEDURES THAT ENABLE A SCHOOL DISTRICT OR CHARTER SCHOOL TO  
13 WITHDRAW A PUPIL'S AUTHORIZATION TO MONITOR BLOOD GLUCOSE AND SELF-ADMINISTER  
14 DIABETES MEDICATION PURSUANT TO THIS SUBSECTION IF THE PUPIL DOES NOT  
15 PRACTICE PROPER SAFETY PRECAUTIONS AS PROVIDED IN PARAGRAPH 2 OF THIS  
16 SUBSECTION.

17 C. IN ADDITION TO THE POLICIES AND PROCEDURES ADOPTED PURSUANT TO  
18 SUBSECTION A AND B OF THIS SECTION, THE SCHOOL DISTRICT GOVERNING BOARD AND  
19 THE CHARTER SCHOOL GOVERNING BODY MAY ADOPT POLICIES AND PROCEDURES TO  
20 DESIGNATE TWO OR MORE SCHOOL EMPLOYEES TO SERVE AS VOLUNTARY DIABETES CARE  
21 ASSISTANTS. THE PARENT OR GUARDIAN SHALL HAVE FINAL APPROVAL OF THE VOLUNTARY  
22 DIABETES CARE ASSISTANTS WHO ARE ALLOWED TO ADMINISTER GLUCAGON IN AN  
23 EMERGENCY SITUATION TO A PUPIL IF ALL OF THE FOLLOWING CONDITIONS EXIST:

24 1. A SCHOOL NURSE OR ANOTHER HEALTH PROFESSIONAL WHO IS LICENSED  
25 PURSUANT TO TITLE 32, CHAPTER 13, 14, 17 OR 25 OR A NURSE PRACTITIONER WHO IS  
26 LICENSED PURSUANT TO TITLE 32, CHAPTER 15 IS NOT IMMEDIATELY AVAILABLE TO  
27 ATTEND TO THE PUPIL AT THE TIME OF THE EMERGENCY.

28 2. THE PARENT OR GUARDIAN OF THE PUPIL HAS PROVIDED TO THE SCHOOL AN  
29 UNEXPIRED GLUCAGON KIT THAT IS PRESCRIBED FOR THAT PUPIL BY A HEALTH  
30 PROFESSIONAL WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13, 14, 17 OR 25  
31 OR BY A NURSE PRACTITIONER WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 15.

1           3. WITHIN A REASONABLE TIME, THE SCHOOL VERIFIES THROUGH WRITTEN  
2           DOCUMENTATION THAT THE VOLUNTARY DIABETES CARE ASSISTANTS RECEIVED PROPER  
3           TRAINING AS PRESCRIBED BY THE DEPARTMENT OF EDUCATION.

4           D. A SCHOOL DISTRICT OR CHARTER SCHOOL EMPLOYEE SHALL NOT BE SUBJECT  
5           TO ANY PENALTY OR DISCIPLINARY ACTION FOR REFUSING TO SERVE AS A VOLUNTARY  
6           DIABETES CARE ASSISTANT PURSUANT TO THIS SECTION.

7           E. A SCHOOL DISTRICT, A CHARTER SCHOOL, EMPLOYEES OF A SCHOOL DISTRICT  
8           OR A CHARTER SCHOOL AND VOLUNTEER HEALTH PROFESSIONALS WHO ARE LICENSED  
9           PURSUANT TO TITLE 32, CHAPTER 13, 14, 17 OR 25 AND NURSE PRACTITIONERS WHO  
10          ARE LICENSED PURSUANT TO TITLE 32, CHAPTER 15 AND WHO TRAIN VOLUNTEER  
11          DIABETES CARE ASSISTANTS PURSUANT TO SUBSECTION C OF THIS SECTION ARE IMMUNE  
12          FROM CIVIL LIABILITY FOR THE CONSEQUENCES OF THE GOOD FAITH ADOPTION AND  
13          IMPLEMENTATION OF POLICIES AND PROCEDURES PURSUANT TO THIS SECTION.”

14 Amend title to conform

2/12/08  
4:48 PM  
S: DN/ac