

AMENDED IN ASSEMBLY MARCH 26, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 942

Introduced by Assembly Members Leno and Firebaugh

February 20, 2003

An act to add Section ~~49423.1~~ 49414.5 to the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

AB 942, as amended, Leno. ~~Education: pupil health: diabetes~~
Emergency medical services: diabetes.

(1) Existing law provides that each pupil who is required to take, during the regular schoolday, medication prescribed for him or her by a physician, may be assisted by the school nurse or other designated school personnel if the school district receives a written statement from the physician detailing the method, amount, and time schedules by which the medication is to be taken and a written statement from the parent or guardian of the pupil indicating the desire that the school district assist the pupil in the matters set forth in the physician's statement.

This bill would ~~specifically make those provisions applicable to pupils with diabetes, and would provide for other designated~~ *authorize each school district to provide voluntary emergency medical training to school personnel, as defined, to administer emergency medical assistance to pupils with diabetes in the absence of a credentialed school nurse or other licensed nurse, in accordance with* ~~guidelines standards~~ *standards* for training the personnel established by the State Department of Health Services' Diabetes Control Program, ~~thereby imposing a~~

~~state-mandated local program.~~ The bill would permit certain pupils to test their blood glucose level and provide diabetes self-care in any area of the school or during any school-related activity upon the request of the pupil’s parent or guardian and with physician authorization.

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

1 SECTION 1. Section ~~49423.1~~ 49414.5 is added to the
 2 Education Code, to read:
 3 ~~49423.1.~~ (a) Notwithstanding Chapter 6 (commencing with
 4 Section 2700) of Division 2 of the Business and Professions Code,
 5 ~~Section 49423~~ shall apply to pupils with diabetes.
 6 ~~(b) (1)~~
 7 49414.5. (a) In the absence of a credentialed school nurse or
 8 other licensed nurse onsite the school, ~~other designated school~~
 9 ~~personnel shall administer emergency~~ *each school district may*
 10 *provide school personnel with voluntary emergency medical*
 11 *training to provide emergency medical* assistance to pupils with
 12 diabetes in accordance with ~~guidelines~~ *standards* established
 13 pursuant to subdivision ~~(e)~~ (b) and the instructions set forth by the
 14 physician of the pupil.
 15 ~~(2) “Designated school personnel,” for the purposes of this~~
 16 ~~section, means _____.~~
 17 ~~(e)~~
 18 (b) (1) The State Department of Health Services’ Diabetes
 19 Control Program, working in cooperation with the Board of
 20 Registered Nursing, the State Department of Education, the



1 American Diabetes Association, the California School Nurses
2 Organization, the California Medical Association, and the
3 American Academy of Pediatrics, shall ~~develop guidelines for the~~
4 ~~training of designated~~ *establish standards of training for school*
5 *personnel in providing emergency medical assistance to pupils*
6 *with diabetes. These guidelines shall include, but need not be*
7 *limited to, basic emergency response, administration of glucagon*
8 *and other emergency response procedures specific to diabetes*
9 *including recognition and treatment of hypoglycemia,*
10 *hyperglycemia, adverse reaction, or overdose. The guidelines*
11 *shall ensure that designated school personnel are competent to*
12 *provide assistance in accordance with the training. Training by a*
13 *credentialed school nurse or an other licensed nurse according to*
14 *these guidelines shall be deemed adequate training of designated*
15 *school personnel.*

16 ~~(d) pupils with diabetes.~~

17 (2) *Training established pursuant to this subdivision shall*
18 *include, but need not be limited to, all of the following:*

19 (A) *Recognition and treatment of hypoglycemia.*

20 (B) *Administration of glucagon.*

21 (C) *Basic emergency follow-up procedures, including, but not*
22 *limited to, calling the emergency 911 phone number and*
23 *contacting, if possible, the pupil's parent and physician.*

24 (3) *Training by a physician, credentialed school nurse, or other*
25 *licensed nurse according to the standards established pursuant to*
26 *this section shall be deemed adequate training for the purposes of*
27 *this section.*

28 (4) *A school employee shall notify the credentialed school*
29 *nurse assigned to the school district whenever he or she*
30 *administers glucagon pursuant to this section.*

31 (5) *All materials necessary to administer the glucagon shall be*
32 *provided by the parent or guardian of the pupil.*

33 (c) *In the case of a pupil who is able to self-test and monitor his*
34 *or her blood glucose level or self-administer insulin, upon written*
35 *request of the parent or guardian, and with authorization of the*
36 *physician of the pupil, a pupil with diabetes shall be permitted to*
37 *test his or her blood glucose level and to otherwise provide*
38 *diabetes self-care in the classroom, in any area of the school or*
39 *school grounds, during any school-related activity, and, upon*
40 *specific request by a parent or guardian, a private location.*



1 ~~SEC. 2.—Notwithstanding Section 17610 of the Government~~
2 ~~Code, if the Commission on State Mandates determines that this~~
3 ~~act contains costs mandated by the state, reimbursement to local~~
4 ~~agencies and school districts for those costs shall be made pursuant~~
5 ~~to Part 7 (commencing with Section 17500) of Division 4 of Title~~
6 ~~2 of the Government Code. If the statewide cost of the claim for~~
7 ~~reimbursement does not exceed one million dollars (\$1,000,000),~~
8 ~~reimbursement shall be made from the State Mandates Claims~~
9 ~~Fund.~~

10 *(d) For the purposes of this section, the following terms have*
11 *the following meanings:*

12 *(1) “School personnel” means any one or more employees of*
13 *a school district who volunteer to be trained to administer*
14 *emergency medical assistance to a pupil with diabetes.*

15 *(2) “Emergency medical assistance” means the administration*
16 *of glucagon to a pupil who is suffering from severe hypoglycemia.*

