

Assembly Bill No. 942

Passed the Assembly September 5, 2003

Chief Clerk of the Assembly

Passed the Senate September 3, 2003

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor



CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 942, Leno. Emergency medical services: diabetes.

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, in the absence of a credentialed school nurse or other licensed nurse, authorize each school district to provide voluntary emergency medical training to school personnel, as defined, to administer emergency medical assistance to pupils with diabetes suffering from severe hypoglycemia if certain performance standards for training and supervision are developed by the American Diabetes Association in cooperation with several other entities for approval and distribution by the State Department of Health Services' Diabetes Control Program. The bill would permit certain pupils with specified authorization to test their blood glucose level and provide diabetes self-care in any area of the school or school grounds, during any school-related activity, and, upon the request of the pupil's parent or guardian, in a private location.

The bill would declare the Legislature's intent that immunity from civil liability, as specified in existing law, shall apply to activities authorized by the bill's provisions.

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

SECTION 1. Section 49414.5 is added to the Education Code, to read:



49414.5. (a) In the absence of a credentialed school nurse or other licensed nurse onsite at the school, each school district may provide school personnel with voluntary emergency medical training to provide emergency medical assistance to pupils with diabetes suffering from severe hypoglycemia, and volunteer personnel shall provide this emergency care, in accordance with standards established pursuant to subdivision (b) and the performance instructions set forth by the licensed health care provider of the pupil. A school employee who does not volunteer or who has not been trained pursuant to subdivision (b) may not be required to provide emergency medical assistance pursuant to this subdivision.

(b) (1) The Legislature encourages the American Diabetes Association to develop performance standards for the training and supervision of school personnel in providing emergency medical assistance to pupils with diabetes suffering from severe hypoglycemia. The performance standards shall be developed in cooperation with the Department of Education, the California School Nurses Organization, the California Medical Association, and the American Academy of Pediatrics. Upon the development of the performance standards pursuant to this paragraph, the State Department of Health Services' Diabetes Prevention and Control Program shall approve the performance standards for distribution and make those standards available upon request.

(2) Training established pursuant to this subdivision shall include all of the following:

(A) Recognition and treatment of hypoglycemia.

(B) Administration of glucagon.

(C) Basic emergency followup procedures, including, but not limited to, calling the emergency 911 phone number and contacting, if possible, the pupil's parent or guardian and licensed health care provider.

(3) Training by a physician, credentialed school nurse, registered nurse, or certificated public health nurse according to the standards established pursuant to this section shall be deemed adequate training for the purposes of this section.

(4) (A) A school employee shall notify the credentialed school nurse assigned to the school district if he or she administers glucagon pursuant to this section.



(B) If a credentialed school nurse is not assigned to the school district, the school employee shall notify the superintendent of the school district, or his or her designee if he or she administers glucagon pursuant to this section.

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

(c) In the case of a pupil who is able to self-test and monitor his or her blood glucose level, upon written request of the parent or guardian, and with authorization of the licensed health care provider of the pupil, a pupil with diabetes shall be permitted to test his or her blood glucose level and to otherwise provide diabetes self-care in the classroom, in any area of the school or school grounds, during any school-related activity, and, upon specific request by a parent or guardian, in a private location.

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

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

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

SEC. 2. It is the intent of the Legislature that Section 1799.102 of the Health and Safety Code shall apply to activities authorized by this act.



Approved _____, 2003

Governor

