

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3236

By: Echols

COMMITTEE SUBSTITUTE

An Act relating to schools; creating the Seizure-Safe Schools Act; defining term; requiring school employee to have certain training; requiring school seizure training programs and guidelines meet certain criteria; requiring written parent authorization and plan for administration of certain medication; requiring school to maintain certain records; providing applicability of act; requiring schools to provide certain education programs; authorizing promulgation of rules; limiting liability; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.185 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Seizure-Safe Schools Act".

B. As used in the Seizure-Safe Schools Act, "seizure action plan" means a written, individualized health plan designed to

1 acknowledge and prepare for the health care needs of a student
2 diagnosed with a seizure disorder.

3 C. Beginning January 1, 2021, the board of each local public
4 school district shall have at least one school employee at each
5 school who has met the training requirements necessary to:

6 1. Administer or assist with the self-administration of a
7 seizure rescue medication or medication prescribed to treat seizure
8 disorder symptoms as approved by the United States Food and Drug
9 Administration and any successor agency; and

10 2. Recognize the signs and symptoms of seizures and the
11 appropriate steps to be taken to respond to these symptoms.

12 D. Any training programs or guidelines adopted by any state
13 agency for the training of school personnel in the health care needs
14 of any student diagnosed with a seizure disorder shall be fully
15 consistent with training programs and guidelines developed by the
16 Epilepsy Foundation of America and any successor organization.
17 Notwithstanding any state agency requirement or other law to the
18 contrary, for the purposes of this training, a local school district
19 shall be permitted to use any adequate and appropriate training
20 program or guidelines for training of school personnel in the
21 seizure disorder care tasks covered under this section.

22 E. Before a seizure rescue medication can be administered to a
23 student to treat seizure disorder symptoms, the student's parent or
24 legal guardian shall:

1 1. Provide the school with written authorization to administer
2 the medication at school;

3 2. Provide a written statement from the student's health care
4 provider that shall contain the following information:

5 a. the student's name,

6 b. the name and purpose of the medication,

7 c. the prescribed dosage,

8 d. the route of administration,

9 e. the frequency that the medication may be administered,
10 and

11 f. the circumstances under which the medication may be
12 administered;

13 3. Provide the prescribed medication to the school in its
14 unopened, sealed package with the label affixed by the dispensing
15 pharmacy intact; and

16 4. Collaborate with school personnel to create a seizure action
17 plan.

18 F. The statements and seizure action plan required in
19 subsection E of this section shall be kept on file in the office of
20 the school nurse or school administrator and shall be distributed to
21 any school personnel or volunteers responsible for the supervision
22 or care of the student.

23 G. The authorization for the administration of seizure rescue
24 medications provided in subsection E of this section shall be

1 effective for the school year in which it is granted and may be
2 renewed each following school year upon fulfilling the requirements
3 of subsections E and F of this section.

4 H. The Seizure-Safe Schools Act shall apply only to a school
5 that has a student enrolled who has a seizure disorder and has a
6 seizure rescue medication or medication prescribed to treat seizure
7 disorder symptoms approved by the United States Food and Drug
8 Administration and any successor agency prescribed by the student's
9 health care provider.

10 I. Every public school shall provide an age-appropriate seizure
11 education program to all students on seizures and seizure disorders.
12 The seizure education program shall be consistent with guidelines
13 published by the Epilepsy Foundation of America and any successor
14 organization. The State Board of Education may promulgate
15 administrative rules for the development and implementation of the
16 seizure education program and the procedures for the development and
17 content of seizure action plans.

18 J. A school district, school district employee or agent acting
19 in good faith and in substantial compliance with the student's
20 individual health plan and the instructions of the student's
21 licensed health care professional, that provides assistance or
22 services under this act shall not be liable in any criminal action
23 or for civil damages in his or her individual or marital or
24 governmental or corporate or other capacities as a result of the

1 services provided under this act to students with epilepsy or
2 seizure disorders.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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