

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 2662

By: Lowe (Dick) and Echols of  
the House

and

Rader of the Senate

COMMITTEE SUBSTITUTE

An Act relating to schools; creating the Seizure-Safe Schools Act; providing short title; defining term; requiring school employee to have certain training by certain date; requiring school seizure training programs and guidelines meet certain criteria; requiring written parent authorization, written statement and certain plan for administration of certain medication; requiring school to maintain certain records; providing applicability of act; authorizing promulgation of rules; allowing schools to provide certain education programs; providing exemption from certain disciplinary proceedings; providing for immunity from certain 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:

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

3       B. As used in the Seizure-Safe Schools Act, "seizure action  
4 plan" means a written, individualized health plan designed to  
5 acknowledge and prepare for the health care needs of a student  
6 diagnosed with a seizure disorder.

7       C. Beginning January 1, 2022, the board of each local public  
8 school district shall have at least one school employee at each  
9 school who has met the training requirements necessary to:

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

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

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

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

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

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

10 a. the student's name,

11 b. the name and purpose of the medication,

12 c. the prescribed dosage,

13 d. the route of administration,

14 e. the frequency that the medication may be administered,  
15 and

16 f. the circumstances under which the medication may be  
17 administered;

18 3. Provide the prescribed medication to the school in its  
19 unopened, sealed package with the label affixed by the dispensing  
20 pharmacy intact; and

21 4. Collaborate with school personnel to create a seizure action  
22 plan.

23 F. The statements and seizure action plan required in  
24 subsection E of this section shall be kept on file in the office of

1 the school nurse or school administrator and shall be distributed to  
2 any school personnel or volunteers responsible for the supervision  
3 or care of the student.

4 G. The authorization for the administration of seizure rescue  
5 medications provided in subsection E of this section shall be  
6 effective for the school year in which it is granted and may be  
7 renewed each following school year upon fulfilling the requirements  
8 of subsections E and F of this section.

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

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

23 J. 1. A school employee may not be subject to any disciplinary  
24 proceeding resulting from an action taken in compliance with the

1 Seizure-Safe Schools Act. Any employee acting in accordance with  
2 the provisions of this act shall be immune from civil liability  
3 unless the actions of the employee rise to a level of reckless or  
4 intentional misconduct.

5 2. A school nurse shall not be responsible for and shall not be  
6 subject to disciplinary action for actions performed by a volunteer.

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

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