

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 128

By: Rader

AS INTRODUCED

An Act relating to schools; creating the Seizure-Safe Schools Act; providing short title; defining term; requiring certain school employee to have certain training by certain date; requiring school seizure training programs and guidelines to meet certain criteria; requiring written parent authorization, written statement and certain action plan prior to administering certain medication; requiring school to maintain certain records; providing applicability of act; requiring schools to provide certain education programs; authorizing promulgation of rules; 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 1210.183 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, 2022, each school district board of  
4 education shall have at least one school employee at each school who  
5 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 school district shall  
19 be permitted to use any adequate and appropriate training programs  
20 or guidelines for training of school personnel in the seizure  
21 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 written authorization, written statement and seizure  
19 action plan required in subsection E of this section shall be kept  
20 on file in the office of the school nurse or school administrator  
21 and shall be distributed to any school personnel or volunteers  
22 responsible for the supervision or care of the student.

23        G. The written authorization for the administration of seizure  
24 rescue medications provided for in subsection E of this section  
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1 shall be effective for the school year in which it is granted and  
2 may be renewed each following school year upon fulfilling the  
3 requirements 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 other medication prescribed to treat  
7 seizure disorder symptoms approved by the United States Food and  
8 Drug Administration and any successor agency prescribed by the  
9 student's health care provider.

10 I. Every public school district shall provide an age-  
11 appropriate seizure education program to all students on seizures  
12 and seizure disorders. The seizure education program shall be  
13 consistent with guidelines published by the Epilepsy Foundation of  
14 America and any successor organization. The State Board of  
15 Education may promulgate administrative rules for the development  
16 and implementation of the seizure education program and the  
17 procedures for the development and 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 seizure action plan and the instructions of the student's licensed  
21 health care professional that provides assistance or services under  
22 this act shall not be liable in any criminal action or for civil  
23 damages in his or her individual or marital or governmental or  
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1 corporate or other capacities as a result of the services provided  
2 under this act to students with epilepsy or 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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