

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 HOUSE BILL 3327

By: Roe of the House

5 and

6 **McCortney** of the Senate

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8
9 AS INTRODUCED

10 An Act relating to schools; amending 70 O.S. 2021,
11 Sections 1210.196.4 and 1210.196.8, which relate to
12 the Diabetes Management in Schools Act; authorizing
13 certain health professionals to download student
14 glucose monitoring numbers with written permission;
15 providing an exception from monitoring numbers
16 outside of school hours and activities; excluding
17 disciplinary actions; and providing an effective
18 date.

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

20 SECTION 1. AMENDATORY 70 O.S. 2021, Section 1210.196.4,
21 is amended to read as follows:

22 Section 1210.196.4 A. The school nurse at each school in which
23 a student with diabetes is enrolled shall assist the student with
24 the management of their diabetes care as provided for in the
25 diabetes medical management plan for the student.

1 B. If a school does not have a school nurse assigned to the
2 school, the principal shall make an effort to seek school employees
3 who may or may not be health care professionals to serve as
4 volunteer diabetes care assistants to assist the student with the
5 management of their diabetes care as provided for in the diabetes
6 medical management plan for the student.

7 C. Each school in which a student with diabetes is enrolled
8 shall make an effort to ensure that a school nurse or a volunteer
9 diabetes care assistant is available at the school to assist the
10 diabetic student when needed.

11 D. A school employee shall not be subject to any penalty or
12 disciplinary action for refusing to serve as a volunteer diabetes
13 care assistant.

14 E. A school district shall not restrict the assignment of a
15 student with diabetes to a particular school site based on the
16 presence of a school nurse, contract school employee, or a volunteer
17 diabetes care assistant.

18 F. Each school nurse and volunteer diabetes care assistant
19 shall at all times have access to a physician.

20 G. For students with continuous glucose monitoring with
21 electronic access to glucose numbers, a school nurse, diabetes care
22 assistant, or other school staff may download the necessary
23 electronic applications or software to a school electronic device or
24 their personal electronic device, in the absence of a school-

1 provided device, with written permission from the student's parent
2 or guardian.

3 SECTION 2. AMENDATORY 70 O.S. 2021, Section 1210.196.8,
4 is amended to read as follows:

5 Section 1210.196.8 A. A school employee may not be subject to
6 any disciplinary proceeding resulting from an action taken in
7 compliance with the Diabetes Management in Schools Act. Any
8 employee acting in accordance with the provisions of the act shall
9 be immune from civil liability unless the actions of the employee
10 rise to a level of reckless or intentional misconduct.

11 B. A school nurse shall not be responsible for and shall not be
12 subject to disciplinary action for actions performed by a volunteer
13 diabetes care assistant.

14 C. A school nurse, diabetes care assistant, or other school
15 staff shall not be responsible for and shall not be subject to
16 disciplinary action for lack of any monitoring of electronic glucose
17 numbers outside of school hours or school-sponsored activities.

18 SECTION 3. This act shall become effective November 1, 2024.
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20 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/13/2024
21 - DO PASS, As Coauthored.
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