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A Bill

HOUSE BILL 1315

By: Representatives Ennett, Fortner, D. Garner, Haak, L. Johnson, J. Mayberry, Rye
By: Senator L. Chesterfield

For An Act To Be Entitled

AN ACT TO CREATE THE SEIZURE SAFE SCHOOLS ACT; AND
FOR OTHER PURPOSES.

Subtitle

TO CREATE THE SEIZURE SAFE SCHOOLS ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 7, is amended to add an additional section to read as follows:

6-18-720. Seizure Safe Schools Act.

(a) This section shall be known and may be cited as the "Seizure Safe Schools Act".

(b) As used in this section, "seizure action plan" means a written, individualized health plan designed to acknowledge and prepare for the healthcare needs of a student diagnosed with a seizure disorder.

(c)(1) By the 2024-2025 school year, the board of each public school district and the governing body of each private school or school district shall have at least two (2) school employees at each school who have met the training requirements necessary to:

(A) Administer or assist with the self-administration of:

(i) A seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration and any successor agency; and

(ii) A manual dose of prescribed electrical stimulation using a vagus nerve stimulator magnet as approved by the United



States Food and Drug Administration and any successor agency; and

(B) Recognize the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.

(2) The presence of a full-time school nurse shall serve as one (1) of the school employees required under subdivision (c)(1) of this section.

(d)(1) Every public, charter, and private school shall provide up to seventy-five (75) minutes of training, in person or online, every two (2) years to principals, guidance counselors, teachers, and other relevant school personnel with direct contact and supervision of children on the recognition of signs and symptoms of seizures and the appropriate steps for seizure first aid.

(2) The training under subdivision (d)(1) of this section may count toward the continuing education hours that a school nurse must receive.

(e)(1) Any training programs or guidelines adopted by any state agency for the training of school personnel in the healthcare needs of any student diagnosed with a seizure disorder shall be fully consistent with training programs and guidelines developed by the Epilepsy Foundation of America or any successor organization.

(2) Notwithstanding any state agency requirement or other law to the contrary, for the purposes of training under subdivision (e)(1) of this section, a school district may use any adequate and appropriate training programs or guidelines for training of school personnel in the seizure disorder protocols covered under this section.

(f) Before a seizure rescue medication can be administered to a student to treat seizure disorder symptoms, the student's parent or legal guardian shall:

(1) Provide the school with written authorization to administer the medication at school;

(2) Provide a written statement from the student's healthcare provider that shall contain the following information:

(A) The student's name;

(B) The name and purpose of the medication;

(C) The prescribed dosage;

(D) The route of administration;

(E) The frequency that the medication should be

administered; and

(F) The circumstances under which the medication should be administered;

(3)(A) Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact.

(B) The school shall store the medication under subdivision (f)(3)(A) of this section in a safe and secure location accessible only by school personnel or volunteers with training to administer seizure medication; and

(4) Collaborate with school personnel to create a seizure action plan.

(g) The written authorization, written statement, and seizure action plan required in subdivision (f) of this section shall be:

(1) Kept on file in the office of the school nurse or school administrator; and

(2) Distributed to any school personnel or volunteers responsible for the supervision or care of the student.

(h) The written authorization for the administration of seizure rescue medications provided for in subdivision (f)(1) of this section is effective for the school year in which it is granted and may be renewed each following school year upon fulfilling the requirements of subsections (f) and (g) of this section.

(i) This section shall apply only to a school that has a student enrolled who has a seizure disorder and has a seizure rescue medication or other medication prescribed by the student's healthcare provider to treat seizure disorder symptoms approved by the United States Food and Drug Administration or any successor agency.

(j) The Division of Elementary and Secondary Education may promulgate rules for the development and implementation of the seizure education program and the procedures for the development and content of seizure action plans.

(k)(1)(A) A school employee may not be subject to any disciplinary proceeding resulting from an action taken in compliance with this section.

(B) Any employee acting in accordance with the provisions of this act is immune from civil liability unless the actions of the employee rise to a level of reckless or intentional misconduct.

(2) A school nurse is not responsible for or subject to disciplinary action for actions performed by a volunteer.

(1) Each public school district shall develop an age-appropriate seizure education program consistent with training programs and guidelines developed by the Epilepsy Foundation of America and any successor organization.

/s/Ennett

APPROVED: 3/16/23