

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: S4/6/21 H4/26/21

A Bill

SENATE BILL 569

By: Senator Hester

By: Representatives S. Berry, L. Johnson

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE HEALTH AND SAFETY OF PUBLIC SCHOOL STUDENTS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE HEALTH AND SAFETY OF PUBLIC SCHOOL STUDENTS.

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:

6-18-717. Administration of medication for adrenal insufficiency or adrenal crisis.

(a)(1) Self-administration of a stress dose medication by a public school student with adrenal insufficiency while the student is at his or her public school, on his or her public school grounds, or at an activity related to his or her public school may be permitted with the authorization of the public school student's parent, legal guardian, or person standing in loco parentis and the public school student's treating physician if the public school student's parent, legal guardian, or person standing in loco parentis provides written authorization for the public school student to carry a stress dose medication while he or she is at public school, an on-site school-related activity, or an off-site school-sponsored activity.

(2) The written authorization provided under subdivision (a)(1) of this section shall be:



(A) Valid only for the duration of the school year for which it is provided; and

(B) Renewed:

(i) For each subsequent school year for which the parent, legal guardian, or person standing in loco parentis intends to authorize the self-administration of a stress dose medication; and

(ii) If the public school student transfers to another public school in this state.

(3) A parent, legal guardian, or person standing in loco parentis who provides written authorization under subdivision (a)(1) of this section shall:

(A) Include with his or her written authorization written orders from his or her public school student's treating physician that the public school student:

(i) Is capable of completing the proper method of self-administration of the stress dose medication; and

(ii) Has been instructed on the details of his or her medical condition and the events that may lead to an adrenal crisis.

(B) Sign an individualized healthcare plan developed by the school nurse for the public school in which his or her child with an adrenal insufficiency is enrolled that outlines the plan of care for his or her child and includes without limitation notification of the self-administration of a stress dose medication to the:

(i) School nurse;

(ii) Teacher of the class in which the public school student is enrolled during an adrenal crisis; and

(iii) Administrator of the public school.

(b) A parent, legal guardian, or person standing in loco parentis who provides written authorization for his or her child's self-administration of a stress dose medication shall sign a statement:

(1) Acknowledging the public school district is not liable as a result of any injury arising from the self-administration of a stress dose medication by the public school student; and

(2) Indemnifying and holding harmless the public school employees and public school district in which his or her child is enrolled against any claims arising as a result of the self-administration of a stress

dose medication by the public school student.

(c) As used in this section:

(1) "Adrenal crisis" means a sudden, severe worsening of symptoms associated with adrenal insufficiency, which can lead to circulatory collapse, heart and organ failure, brain damage, and death;

(2)(A) "Adrenal insufficiency" means a chronic medical condition in which the adrenal glands do not produce enough of the necessary hormones to respond to stressors such as illness and injury.

(B) The hormones involved help maintain and regulate key functions of the body such as blood pressure, metabolism, the immune system, and how the body responds to stress; and

(3) "Stress dose medication" means oral hydrocortisone.

SECTION 2. Arkansas Code § 17-87-103, concerning exceptions to prohibited nursing practices, is amended to add an additional subdivision to read as follows:

(14)(A) The administration of an emergency dose medication to a public school student who is diagnosed with an adrenal insufficiency by volunteer public school personnel if the public school personnel are trained to administer an emergency dose medication using the appropriate delivery equipment when a public school nurse is unavailable.

(B) The administration of an emergency dose medication to a public school student with an adrenal insufficiency by trained public school personnel at school, on school grounds, or at a school-related activity may be permitted with the authorization of the parent, legal guardian, or person standing in loco parentis of the public school student if the public school student's parent, legal guardian, or person standing in loco parentis provides written authorization for trained public school personnel to administer an emergency dose medication while the public school student is at public school, an on-site school-related activity, or an off-site school-sponsored activity.

(C) The written authorization provided under subdivision (14)(B) of this section shall be:

(i) Valid only for the duration of the school year for which it is provided; and

(ii) Renewed:

(a) For each subsequent school year for which the parent, legal guardian, or person standing in loco parentis intends to authorize trained public school personnel to administer an emergency dose medication to his or her child; and

(b) If the public school student transfers to another public school in this state.

(D) A parent, legal guardian, or person standing in loco parentis who provides written authorization under subdivision (14)(B) of this section shall:

(i) Include with his or her written authorization written orders from his or her public school student's treating physician that the public school student requires the administration of an emergency dose medication under certain conditions; and

(ii) Sign an individualized healthcare plan developed by the school nurse for the public school in which his or her child with an adrenal insufficiency is enrolled that outlines the plan of care for his or her child and includes without limitation a description of the required care following the administration of an emergency dose medication while the public school student is at school, an on-site school-related activity, or an off-site school-sponsored activity.

(E) A parent, legal guardian, or person standing in loco parentis who provides written authorization for the administration by trained public school personnel of an emergency dose medication to his or her child shall sign a statement:

(i) Acknowledging the public school district is not liable as a result of any injury arising from the administration of an emergency dose medication by trained public school personnel; and

(ii) Indemnifying and holding harmless the public school employees and public school district in which his or her child is enrolled against any claims arising as a result of the administration of an emergency dose medication by trained public school personnel.

(F) Education and training on the treatment of adrenal insufficiency and adrenal crisis shall be conducted annually to public school personnel who volunteer to administer an emergency dose medication by the school nurse for the public school at which the public school personnel are employed and shall include without limitation:

(i) General information about adrenal insufficiency and the associated triggers;

(ii) Recognition of signs and symptoms of a public school student experiencing an adrenal crisis;

(iii) The types of medications for treating adrenal insufficiency and adrenal crisis; and

(iv) The proper administration of medication used to treat an adrenal crisis.

(G) The Division of Elementary and Secondary Education shall develop guidance and education for school nurses to train volunteer public school personnel as required under this subdivision (14).

(H) The division shall, in coordination with the Arkansas State Board of Nursing, promulgate rules necessary to implement this subdivision (14).

(I) As used in this subdivision (14):

(i) "Adrenal crisis" means a sudden, severe worsening of symptoms associated with adrenal insufficiency, which can lead to circulatory collapse, heart and organ failure, brain damage, and death;

(ii)(a) "Adrenal insufficiency" means a chronic medical condition in which the adrenal glands do not produce enough of the necessary hormones to respond to stressors such as illness and injury.

(b) The hormones involved help maintain and regulate key functions of the body such as blood pressure, metabolism, the immune system, and how the body responds to stress; and

(iii) "Emergency dose medication" means intramuscular hydrocortisone sodium succinate.

/s/Hester