

By: Senator(s) Boyd, McCaughn

To: Education

SENATE BILL NO. 2333
(As Passed the Senate)

1 AN ACT TO PROVIDE THAT BEGINNING ON JULY 1, 2024, EACH PUBLIC
2 SCHOOL BOARD SHALL HAVE AT LEAST ONE EMPLOYEE OR VENDOR AT EACH
3 SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO
4 ADMINISTER SEIZURE RESCUE MEDICATION FOR PERSONS EXPERIENCING
5 SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO
6 BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION
7 OF AMERICA OR SIMILAR SUCCESSOR ORGANIZATION; TO REQUIRE THE
8 PARENTS, LEGAL GUARDIANS OR OTHER RESPONSIBLE ADULT OF CHILDREN
9 WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN
10 AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY
11 MEDICATION, ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S
12 MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S
13 SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR
14 SCHOOL ADMINISTRATOR; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD
15 FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL
16 HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE
17 EPISODE FROM CIVIL AND CRIMINAL LIABILITY; AND FOR RELATED
18 PURPOSES.

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

20 **SECTION 1.** As used in this act, the term "seizure action
21 plan" means a written, individualized health plan designed to
22 acknowledge and prepare for the health care needs of a student or
23 employee diagnosed with a seizure disorder.

24 **SECTION 2.** (1) (a) Beginning on July 1, 2024, the local
25 school board of each public school district shall have at least
26 one (1) school employee or vendor at each school who has met the



27 training requirements necessary to administer or assist with the
28 self-administration of a seizure rescue medication or medication
29 prescribed to treat seizure disorder symptoms as approved by the
30 United States Food and Drug Administration and any successor
31 agency.

32 (b) For those assigned the duties under paragraph (a)
33 of this subsection, the training provided shall include
34 instructions in administering seizure medications as well as the
35 recognition of the signs and symptoms of seizures and the
36 appropriate steps to be taken to respond to these symptoms.

37 (c) The presence of a registered nurse employed full
38 time by a school who assumes responsibility for the administration
39 of seizure medications may fulfill requirements of paragraphs (a)
40 and (b) of this subsection.

41 (d) The Mississippi Department of Education shall
42 provide webinar training at no cost and shall make such training
43 available to all public and charter schools in the state. Public
44 and charter schools shall provide training to all relevant
45 personnel who have direct contact and supervision of children, on
46 the recognition of the signs and symptoms of seizures and the
47 appropriate steps for seizure first aid.

48 (e) A local school district shall be permitted to use
49 any adequate and appropriate training program or guidelines for
50 training of school personnel in the seizure disorder care tasks
51 covered under this section.



52 (2) (a) Before administering a seizure rescue medication or
53 medication prescribed to treat seizure disorder symptoms, the
54 student's parent, guardian or responsible adult shall:

55 (i) Provide the school with a written
56 authorization to administer the medication at school;

57 (ii) Provide a written statement from the person's
58 health care practitioner, which shall contain the following
59 information:

60 1. Full name;
61 2. The name and purpose of the medication;
62 3. The prescribed dosage;
63 4. The route of administration;
64 5. The frequency that the medication may be
65 administered; and

66 6. The circumstances under which the
67 medication may be administered;

68 (iii) Provide the prescribed medication to the
69 school in its unopened, sealed package with the label affixed by
70 the dispensing pharmacy intact.

71 (b) In addition to the statements required in paragraph
72 (a) of this subsection, the parent or guardian, or adult shall
73 collaborate with school personnel to create a seizure action plan.

74 (3) The statements and seizure action plan required in
75 subsection (2) of this section shall be kept on file in the office
76 of the school nurse or school administrator.



77 (4) The permission for the administration of any of the
78 medications authorized under subsection (1)(a) of this section
79 shall be effective for the school year in which it is granted and
80 shall be renewed each following school year upon fulfilling the
81 requirements of subsections (2) through (4) of this section.

82 (5) The requirements of this section shall apply only to
83 schools that have an adult employee or enrolled student who has a
84 seizure disorder, a seizure rescue medication or medication
85 prescribed to treat seizure disorder symptoms approved by the
86 United States Food and Drug Administration and any successor
87 agency prescribed by the student's health care provider.

88 **SECTION 3.** A school district, school district employee or
89 agent acting in good faith and in substantial compliance with the
90 student's individual health plan and the instructions of the
91 student's licensed health care professional, that provides
92 assistance or services under this act shall be immune from
93 criminal prosecution and shall not be liable in any criminal
94 action for civil damages in his or her individual, marital,
95 governmental, corporate or other capacities as a result of the
96 services provided under this act to students with epilepsy or
97 seizure disorders.

98 **SECTION 4.** This act shall take effect and be in force from
99 and after July 1, 2023.

