

Senate Amendments to House Bill No. 346

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

25 SECTION 1. (1) This act shall be known and may be cited as
26 the "Seizure Safe Schools Act."

27 (2) As used in this act, the term "seizure action plan"
28 means a written, individualized health plan designed to
29 acknowledge and prepare for the health care needs of a student
30 diagnosed with a seizure disorder.

31 SECTION 2. (1) (a) Beginning on July 1, 2025, the local
32 school board of each public school district and the governing body
33 of each nonpublic school shall have at least one (1) school
34 employee at each school who has met the training requirements
35 necessary to administer or assist with the self-administration of:

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

40 (ii) A manual dose of prescribed electrical
41 stimulation using a vagus nerve stimulator (VNS) magnet as

42 approved by the United States Food and Drug Administration and any
43 successor agency.

44 (b) For those assigned the duties under paragraph (a)
45 of this subsection, the training provided shall include
46 instructions in administering seizure medications and manual vagus
47 nerve stimulation, as well as the recognition of the signs and
48 symptoms of seizures and the appropriate steps to be taken to
49 respond to these symptoms.

50 (c) The presence of a registered nurse employed
51 full-time by a school and assumes responsibility for the
52 administration of seizure medications and the administration and
53 oversight of vagus nerve stimulation, shall fulfill requirements
54 of paragraphs (a) and (b) of this subsection.

55 (d) Every public and charter school shall, and
56 nonpublic school is encouraged to, provide training every two (2)
57 years to principals, guidance counselors, teachers and other
58 relevant school personnel with direct contact and supervision of
59 children, including bus drivers and classroom aids, on the
60 recognition of the signs and symptoms of seizures and the
61 appropriate steps for seizure first aid.

62 (e) Any training programs or guidelines adopted by any
63 state agency for the training of school personnel in the health
64 care needs of students diagnosed with a seizure disorder shall be
65 fully consistent with training programs and guidelines developed
66 by the Epilepsy Foundation of America and any successor
67 organization that supports the welfare of individuals with

68 epilepsy and seizure disorders. Notwithstanding any state agency
69 requirement or other law to the contrary, for the purposes of this
70 training, a local school district shall be permitted to use any
71 adequate and appropriate training program or guidelines for
72 training of school personnel in the seizure disorder care tasks
73 covered under this section. The instruction must be approved by
74 the State Department of Education or relevant state agency, may be
75 provided online or in-person, and must be provided by the
76 nonprofit entity free of charge.

77 (2) (a) Before administering a seizure rescue medication or
78 medication prescribed to treat seizure disorder symptoms, the
79 student's parent or guardian shall:

80 (i) Provide the school with a written
81 authorization to administer the medication at school;

82 (ii) Provide a written statement from the
83 student's health care practitioner, which shall contain the
84 following information:

- 85 1. Student's name;
- 86 2. The name and purpose of the medication;
- 87 3. The prescribed dosage;
- 88 4. The route of administration;
- 89 5. The frequency that the medication may be
90 administered; and
- 91 6. The circumstances under which the
92 medication may be administered; and

93 (iii) Provide the prescribed medication to the
94 school in its unopened, sealed package with the label affixed by
95 the dispensing pharmacy intact.

96 (b) In addition to the statements required in paragraph
97 (a) of this subsection, the parent or guardian of each student
98 diagnosed with a seizure disorder shall collaborate with school
99 personnel to create a seizure action plan. The State Board of
100 Education shall promulgate administrative regulations establishing
101 procedures for the development and content of seizure action
102 plans.

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

106 (b) The seizure action plan requirement in paragraph
107 (b) of subsection (2) of this section shall be distributed to any
108 school personnel or volunteers responsible for the supervision or
109 care of the student.

110 (4) The permission for the administration of any of the
111 medications authorized under subsection (1)(a) of this section
112 shall be effective for the school year in which it is granted and
113 shall be renewed each following school year upon fulfilling the
114 requirements of subsections (2) through (4) of this section.

115 (5) The requirements of subsections (1) through (5) of this
116 section shall apply only to schools that have a student enrolled
117 who has a seizure disorder, a seizure rescue medication or
118 medication prescribed to treat seizure disorder symptoms approved

119 by the United States Food and Drug Administration and any
120 successor agency prescribed by the student's health care provider.

121 **SECTION 3.** Every public and charter school shall, and
122 nonpublic school is encouraged to, provide an age-appropriate
123 seizure education program to all students on seizures and seizure
124 disorders. The seizure education program shall be consistent with
125 guidelines published by the Epilepsy Foundation of America and any
126 successor organization. The State Board of Education shall
127 promulgate administrative regulations for the development and
128 implementation of the seizure education program.

129 **SECTION 4.** A school district, school district employee or
130 agent acting in good faith and in substantial compliance with the
131 student's individual health plan and the instructions of the
132 student's licensed health care professional, that provides
133 assistance or services under this act shall not be liable in any
134 criminal action for civil damages in his or her individual,
135 marital, governmental, corporate or other capacities as a result
136 of the services provided under this act to students with epilepsy
137 or seizure disorders.

138 **SECTION 5.** This act shall take effect and be in force from
139 and after July 1, 2024, and shall stand repealed on June 30, 2024.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO ESTABLISH THE SEIZURE SAFE SCHOOLS ACT; TO PROVIDE
2 THAT BEGINNING ON JULY 1, 2025, EACH PUBLIC SCHOOL BOARD AND THE
3 GOVERNING BODY OF EACH NONPUBLIC SCHOOL SHALL HAVE AT LEAST ONE
4 EMPLOYEE AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS

5 NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION OR PERFORM
6 MANUAL VAGUS NERVE STIMULATION FOR PERSONS EXPERIENCING SEIZURE
7 DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE
8 CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION OF
9 AMERICA OR SIMILAR SUCCESSOR ORGANIZATION, TO REQUIRE THE TRAINING
10 TO OCCUR EVERY TWO YEARS FOR THOSE EMPLOYEES OF THE SCHOOL WITH
11 DIRECT CONTACT OR SUPERVISION OF CHILDREN; TO REQUIRE THE PARENTS
12 OR LEGAL GUARDIANS OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER
13 SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE
14 ADMINISTRATION OF NECESSARY MEDICATION ALONG WITH A WRITTEN
15 STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE
16 WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT
17 ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO AUTHORIZE
18 SCHOOLS TO PROVIDE AGE-APPROPRIATE SEIZURE EDUCATION PROGRAMS TO
19 ALL STUDENTS ON SEIZURES AND SEIZURE DISORDERS; TO EXEMPT SCHOOL
20 EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH
21 A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD
22 EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY;
23 AND FOR RELATED PURPOSES.

SS08\HB346A.J

Amanda White
Secretary of the Senate