

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the Student Access to Treatment Act of 2007 to require the responsible person submit to the school a seizure action plan of the purposes of receiving seizure treatment at school, permit a student with a seizure action plan to self-administer seizure treatment, require the Department of Health to offer training to school personnel on the treatment of seizure disorders, authorize trained school employees to administer seizure treatments to a student with a seizure action plan, require that a seizure action plan be made part of the student’s file and that it be made available for school personnel responsible for the student, and authorize a school to receive and store a student’s seizure treatment if the student has a seizure action plan.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Seizure Safe Schools Amendment Act of 2024”.

Sec. 2. The Student Access to Treatment Act of 2007, effective February 2, 2008 (D.C. Law 17-107; D.C. Official Code § 38-651.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 38-651.01) is amended as follows:

(1) Paragraphs (5A) and (5B) are redesignated as paragraphs (5C) and (5D).

(2) New paragraphs (5A) and (5B) are added to read as follows:

“(5A) “Seizure action plan” means a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student diagnosed with a seizure disorder.

“(5B) “Seizure treatment” means seizure medication, a Vagus Nerve Stimulator magnet, or other medical treatments prescribed by a physician for an individual diagnosed with a seizure disorder.”.

(3) Paragraph (7A) is redesignated as paragraph (8).

(b) Section 3(a) (D.C. Official Code § 38-651.02(a)) is amended as follows:

(1) The lead-in language is amended as follows:

(A) Strike the phrase “medication at” and insert the phrase “medication or non-medication seizure treatment at” in its place.

(B) Strike the phrase “in order to treat asthma, anaphylaxis, or other illness” and insert the phrase “in order to treat asthma, anaphylaxis, a seizure disorder, or other illness” in its place.

(2) Paragraph (1) is amended by striking the phrase “medication action plan” and inserting the phrase “medication action plan or seizure action plan” in its place.

(c) A new section 4a is added to read as follows:

“Sec. 4a. Seizure action plan and training requirements.

“(a) The responsible person shall submit a seizure action plan to the school for a student diagnosed with a seizure disorder.

“(b) A valid seizure action plan shall include:

“(1) A written statement or authorization, signed by the student’s health care provider, that states:

“(A) The name of the student;

“(B) Emergency contact information for the responsible person, or, if the student is 18 years of age or older, another adult suitable to serve as an emergency contact;

“(C) Contact information for the health care provider;

“(D) The name, purpose, and prescribed dosage of the seizure treatment prescribed to the student;

“(E) The method of administration for the seizure treatment;

“(F) The frequency that the seizure treatment is to be administered;

“(G) The symptoms necessitating administration of the seizure treatment;

“(H) The possible side effects of the seizure treatment as listed on the label;

“(I) Special instructions or emergency procedures; and

“(J) In the case of self-administered seizure treatment, confirmation that the student has been instructed in the proper technique of self-administration of the seizure treatment and has demonstrated the ability to self-administer the seizure treatment effectively;

“(2) Written authorization, signed by the responsible person, that states:

“(A) A trained employee or agent of the school may administer seizure treatment to the student in accordance with the student’s seizure action plan;

“(B) In the case of self-administration, the student may possess and self-administer the seizure treatment in accordance with the student’s seizure action plan; and

“(C) The name of the student and their seizure action plan may be distributed to school staff or agents who may encounter the student during their time at school; and

“(3) Written acknowledgment that the District, a school, or an employee or agent of a school, who has received training in the administration of seizure treatment, shall be immune from civil liability for the good-faith performance of responsibilities under this act; except, that no immunity shall extend to criminal acts, intentional wrongdoing, gross negligence, or wanton or willful misconduct.

“(c) Any school staff or agent who receives personally identifiable health information through a seizure action plan pursuant to subsection (b) of this section shall keep this information confidential.

“(d) Beginning on June 1, 2025, the Department of Health shall offer a voluntary training on seizure awareness at least 3 times during each school year for school personnel and agents, which shall include recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to those symptoms.

“(e) Schools shall notify, at minimum, all school personnel with direct contact with students with seizure action plans of the availability of the training offered under subsection (d) of this section and authorize personnel to attend this training.”.

(d) Section 6 (D.C. Official Code § 38-651.05) is amended as follows:

(1) The existing language is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

“(b)(1) An employee or agent trained pursuant to rules promulgated by the Mayor may administer a seizure treatment to a student with a valid seizure action plan; provided, that the responsible person has delivered the seizure treatment to be administered to the school.

“(2) A trained employee or agent need not be certified in order to administer seizure treatment.”.

(e) Section 9 (D.C. Official Code § 38-651.08) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “medication action plans” and inserting the phrase “medication action plans or seizure action plans” in its place.

(2) Subsection (b) is amended by striking the phrase “medication action plans,” and inserting the phrase “medication action plans or seizure action plans,” in its place.

(3) Subsection (d) is amended by striking the phrase “medication was administered” and inserting the phrase “medication or seizure treatment was administered” in its place.

(f) Section 10(b) (D.C. Official Code § 38-651.09(b)) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

“(b)(1) A school may receive medication or seizure treatment to store for the treatment of asthma, anaphylaxis, a seizure disorder, or other illness from the responsible person for a student with a valid medication action plan or seizure action plan.”.

(2) Paragraph (2) is amended by striking the word “medication” and inserting the phrase “medication or seizure treatment” in its place.

(3) A new paragraph (4) is added to read as follows:

“(4) For a student with a seizure action plan, this subsection shall apply to any seizure treatment, including a Vagus Nerve Stimulator magnet.”.

(g) Section 11(a) (D.C. Official Code § 38-651.10(a)) is amended by striking the phrase “medication action plan” and inserting the phrase “medication action plan or seizure action plan” in its place.

**ENROLLED ORIGINAL**

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia