

# HOUSE BILL No. 1072

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-34-10.

**Synopsis:** Seizure preparedness. Provides that, not later than July 1, 2019, each school corporation, charter school, or nonpublic school with at least one employee shall designate at least one employee at each school operated by the school corporation, charter school, or nonpublic school to administer or assist with the self-administration of a seizure rescue medication or medication that is prescribed to treat seizure disorder symptoms to students who have a seizure action plan (plan). Provides that a parent of a student diagnosed with a seizure disorder by the student's physician may collaborate with school personnel to establish a plan for the student. Provides that, as part of the plan, the student's parent may authorize the school's designated employee to administer a seizure rescue medication or medication prescribed by the student's physician to treat seizure disorder symptoms. Provides that each public school shall annually provide an age appropriate seizure education program to all students of the school relating to seizures and seizure disorders. Provides that, in addition to professional development or collegial planning activities required of a teacher under state law, each teacher employed by a school corporation, charter school, or nonpublic school with at least one employee shall, at a minimum, annually complete one hour of self-study review of seizure disorder materials prescribed by the department.

**Effective:** Upon passage.

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## Frizzell

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January 3, 2019, read first time and referred to Committee on Education.

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First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1072

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-34-10 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]:

4 **Chapter 10. Seizure Safe Schools**  
5 **Sec. 1. As used in this chapter, "seizure action plan" means a**  
6 **written, individualized health plan established under section 3 of**  
7 **this chapter that is designed to acknowledge and prepare for the**  
8 **health care needs of a student diagnosed with a seizure disorder by**  
9 **a physician.**

10 **Sec. 2. (a) Not later that July 1, 2019, each governing body (or**  
11 **the equivalent) of each school corporation, charter school, or**  
12 **nonpublic school with at least one (1) employee shall designate at**  
13 **least one (1) employee at each school operated by the school**  
14 **corporation, charter school, or nonpublic school who has met the**  
15 **training requirements under this section to treat seizure disorder**  
16 **symptoms for students who have a seizure action plan under**  
17 **section 3 of this chapter.**



1           **(b) An employee designated under subsection (a) shall obtain**  
2 **training, in a manner prescribed by the department, regarding the:**

3           **(1) administration of seizure medications; and**

4           **(2) recognition of the signs and symptoms of seizures and the**  
5 **appropriate steps to be taken to respond to these symptoms.**

6 **The training requirements prescribed by the department must be**  
7 **consistent with training programs and guidelines developed by the**  
8 **Epilepsy Foundation of America or a successor organization.**

9           **Sec. 3. (a) A parent of a student diagnosed with a seizure**  
10 **disorder by the student's physician may collaborate with school**  
11 **personnel to establish a seizure action plan for the student. The**  
12 **seizure action plan shall be kept on file in either the office of the**  
13 **school nurse (as defined in IC 20-34-4.5-0.8) or school**  
14 **administrator and copies provided to each teacher responsible for**  
15 **supervision or care of the student.**

16           **(b) As part of the seizure action plan established under**  
17 **subsection (a), the student's parent may authorize the employee**  
18 **designated under section 2 of this chapter to administer a seizure**  
19 **rescue medication or medication prescribed by the student's**  
20 **physician to treat seizure disorder symptoms. The medication must**  
21 **be a seizure rescue medication or medication prescribed to treat**  
22 **seizure disorder symptoms approved by the federal Food and Drug**  
23 **Administration or a successor agency. The authorization required**  
24 **under this subsection shall include the following information:**

25           **(1) The student's name.**

26           **(2) The name and purpose of the medication to be**  
27 **administered to the student.**

28           **(3) The prescribed dosage of the medication.**

29           **(4) The route of administration of the medication.**

30           **(5) The frequency at which the medication may be**  
31 **administered.**

32           **(6) The circumstances under which the medication may be**  
33 **administered to the student.**

34 **The authorization provided by the parent under this subsection**  
35 **shall be effective for the school year in which the authorization is**  
36 **made and shall be renewed each school year.**

37           **(c) The parent that authorizes the administration of medication**  
38 **under subsection (b) shall provide the prescribed medication to the**  
39 **school in the medication's unopened, sealed package with the label**  
40 **affixed by the dispensing pharmacy intact.**

41           **(d) The state board shall adopt rules under IC 4-22-2 necessary**  
42 **to administer this section.**



1       **Sec. 4. (a) Each public school shall annually provide an age**  
2 **appropriate seizure education program to all students of the school**  
3 **relating to seizures and seizure disorders. The seizure education**  
4 **program shall be consistent with guidelines published by the**  
5 **Epilepsy Foundation of America or any successor organization.**

6       **(b) The state board shall adopt rules under IC 4-22-2 necessary**  
7 **to implement this section.**

8       **Sec. 5. In addition to professional development or collegial**  
9 **planning activities required of a teacher under state law, each**  
10 **teacher employed by a school corporation, charter school, or**  
11 **nonpublic school with at least one (1) employee shall, at a**  
12 **minimum, annually complete one (1) hour of self-study review of**  
13 **seizure disorder materials prescribed by the department.**

14       **SECTION 2. An emergency is declared for this act.**

