

HOUSE No. 417

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act improving students' access to life saving treatments.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>

HOUSE No. 417

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 417) of Louis L. Kafka and others that students with diabetes attending public or private schools be permitted to possess certain medical supplies and administer necessary treatments . Education.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act improving students’ access to life saving treatments.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting in section
2 54B by striking out the last paragraph and replacing therein the following:-

3 Notwithstanding any general or special law to the contrary, a student with diabetes who
4 attends public or private primary, elementary, middle or high school shall be permitted to possess
5 and administer any medical supplies reasonably required to perform blood glucose testing and to
6 administer insulin and glucose or substitute, in any area within or on the grounds of the school or
7 at a school related activity, at any time determined to be necessary by the student for the
8 purposes of monitoring and treating their diabetes, provided that the parent or legal guardian of
9 the student submits in writing to the principal, head of the school, and the school nurse that they
10 give their permission for the student to test their blood glucose and to administer insulin and
11 glucose or substitute, certify that the student agrees to take appropriate safeguards to prevent
12 others in the school from being exposed to sharps or blood, and certify, along with a clinician

13 who regularly treats the student for diabetes, that the student is competent to test their blood
14 glucose and to administer insulin and glucose or substitute.

15 The Department of Education and Department of Public Health shall jointly promulgate
16 regulations, within 180 days of the passage of this act, to allow for the administration of
17 glucagon by a member(s) of the school staff when a nurse is not present and the student exhibits
18 symptoms of severe hypoglycemia resulting in unconsciousness or seizures, provided, that the
19 parent or legal guardian of the student submits in writing their permission for such emergency
20 treatment to be rendered; provided further that a member of the school staff who, in good faith,
21 administers glucagon to a student who exhibits symptoms of severe hypoglycemia resulting in
22 unconsciousness or seizure shall not be held liable in a suit for damages as a result of his acts or
23 omissions, nor shall such person be subject to any disciplinary action for such emergency aid.”