

2013 -- H 5118

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS - EMERGENCY  
GLUCAGON ADMINISTRATION

Introduced By: Representatives Kennedy, McNamara, Valencia, Walsh, and Azzinaro

Date Introduced: January 22, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is  
2 hereby amended by adding thereto the following section:  
3           **16-21-22.1. Diabetic children - Emergency glucagon administration - Immunity for**  
4 **those administering.** – (a) The department of elementary and secondary education and the  
5 department of health shall incorporate into their policies, rules, and regulations pertaining to  
6 school health programs a procedure for addressing incidents of diabetic shock in order to provide  
7 for the health and safety of children who have been medically identified as being prone to  
8 diabetic shock or who show evidence of diabetic shock. The policies, rules, and regulations shall  
9 include a procedure whereby a parent or legal guardian of any child may expressly authorize the  
10 school department and school bus drivers and monitors to administer glucagon on his or her child  
11 in case of an emergency and ensures that the glucagon is kept in a conspicuous place, readily  
12 available and that their proper use is made known to school personnel. School bus drivers and  
13 monitors shall receive training in the administration of glucagon. To treat a case of diabetic  
14 shock, trained school bus drivers and/or monitors shall administer the glucagon to an identified  
15 student.  
16           (b) The policies, rules and regulations shall also include a procedure to allow children to  
17 carry and use prescription glucagon, while in school, at a school sanctioned function or event, or  
18 in transit to and from school or school sanctioned function or event by the school bus service

1 provider; when prescribed by a licensed individual with prescriptive privileges. Children who  
2 need to carry prescription glucagon shall provide the school and the school bus service provider  
3 with medical documentation that the glucagon has been legitimately prescribed and that the child  
4 needs to carry it on his or her person due to a medical condition but no child shall be disciplined  
5 solely for failure to provide this documentation in advance.

6 (c) Parents shall provide a doctor's letter or prescription notifying the school and the  
7 school bus service provider of their child's diabetes and the need to administer glucagon in an  
8 emergency.

9 (d) No school teacher, school administrator, or school health care personnel, school bus  
10 driver, school bus monitor or any other school personnel shall be liable for civil damages which  
11 may result from acts or omissions in use of the glucagon which may constitute ordinary  
12 negligence; nor shall the school personnel mentioned in this subsection be liable for civil  
13 damages which may result from acts or omissions in the use of prescription glucagon by children  
14 which may constitute ordinary negligence or willful or wanton conduct. For the purposes of  
15 determining immunity from liability under subsection (d) only, the term "other school personnel"  
16 shall include any private entity providing school bus services and individual school bus drivers  
17 and monitors employed or otherwise engaged by such school bus entities.

18 (e) School physicians may execute standing orders and prescriptions for school nurses to  
19 use glucagon when there are symptoms of diabetic shock.

20 (f) The student's parent or guardian is responsible for supplying and replacing when  
21 necessary all prescription medication that is authorized pursuant to this section.

22 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS - EMERGENCY  
GLUCAGON ADMINISTRATION

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- 1 This act would provide for emergency glucagon administration to treat diabetic shock in
- 2 schools and school buses.
- 3 This act would take effect upon passage.

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