

113TH CONGRESS  
1ST SESSION

# H. R. 1007

To amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants to schools for the development of asthma management plans and the purchase of asthma medications and devices for emergency use, as necessary.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2013

Mr. GRIMM (for himself and Mr. BISHOP of New York) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants to schools for the development of asthma management plans and the purchase of asthma medications and devices for emergency use, as necessary.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Asthma Management  
5 Plans in School Act”.

1 **SEC. 2. ASTHMA MANAGEMENT PLANS.**

2 (a) AMENDMENT.—Part D of title V of the Elemen-  
3 tary and Secondary Education Act of 1965 (20 U.S.C.  
4 7241 et seq.) is amended by adding at the end the fol-  
5 lowing:

6 **“Subpart 22—Asthma Management Plans**

7 **“SEC. 5621. ASTHMA MANAGEMENT PLANS.**

8 “(a) GRANTS AUTHORIZED.—

9 “(1) IN GENERAL.—The Secretary is authorized  
10 to award a grant to a school that receives funding  
11 under part A of title I and is located in an area that  
12 the Secretary determines has a high prevalence of  
13 asthma (using such indicators as emergency depart-  
14 ment visits due to asthma, asthma hospitalization  
15 rates, or the Behavioral Risk Factor Surveillance  
16 System), to enable the school to—

17 “(A) develop and implement an asthma  
18 management plan; and

19 “(B) purchase asthma inhalers, nebulizer  
20 machines, valved holding chambers (VHCs),  
21 spacers, and auto-injectable epinephrine and ap-  
22 propriate supplies determined necessary by the  
23 Secretary, for students, so that every student  
24 served by the school who suffers from asthma  
25 has access to the relief and treatment the stu-  
26 dent needs during the school day.

1           “(2) ALTERNATIVE GRANTEEES.—The Secretary  
2           may award a grant under this section to a local  
3           health or education department to carry out the ac-  
4           tivities described in this section if the Secretary de-  
5           termines that in such local area such department is  
6           the entity that would routinely carry out such activi-  
7           ties.

8           “(b) APPLICATION.—A school or department that de-  
9           sires to receive a grant under this section shall submit an  
10          application at such time, in such manner, and accom-  
11          panied by such information as the Secretary may require.

12          “(c) USE OF GRANT FUNDS.—A school or depart-  
13          ment that receives a grant under this section shall develop  
14          and implement a comprehensive school asthma manage-  
15          ment plan, and may purchase asthma inhalers, nebulizer  
16          machines, valved holding chambers (VHCs), spacers, and  
17          auto-injectable epinephrine for emergency use, for stu-  
18          dents served by the school or department, as needed, as  
19          well as devices that measure pulmonary function or asth-  
20          ma education tools, or both. Such management plan shall  
21          include the following:

22                  “(1) A method to identify all students with a  
23                  diagnosis of asthma.

24                  “(2) An asthma action plan for each student  
25                  with a diagnosis of asthma, developed in coordina-

1       tion with the family, primary care provider, and oth-  
2       ers as necessary.

3               “(3) Asthma education for all school staff.

4               “(4) Access to medication and to methods to  
5       administer medication, for all students served by the  
6       school or department who have asthma, based on the  
7       student’s prescription and individual needs.

8               “(5) Asthma medication and emergency policies  
9       that are specific to the school.

10              “(6) Protocols and training to support clinical  
11       management of acute symptoms of asthma and on-  
12       going management of asthma.

13              “(7) A system to support ongoing coordination  
14       of asthma care with the family, the primary care  
15       provider, and others as necessary.

16              “(8) A method to monitor the quality and out-  
17       comes of the care provided to each student served by  
18       the school or department who has asthma, including  
19       how often treatment is needed and what treatment  
20       the students receives.

21              “(d) GRANT RECIPIENT ACTIONS.—A school or de-  
22       partment that receives a grant under this section shall—

23                      “(1) utilize existing systems, when possible, in-  
24       cluding the use of forms developed in accordance

1 with section 504 forms of the Rehabilitation Act of  
2 1973 (20 U.S.C. 794);

3 “(2) find innovative ways—

4 “(A) to encourage bidirectional commu-  
5 nication between schools and students’ physi-  
6 cians in a rapid manner; and

7 “(B) to encourage students and their fami-  
8 lies to ensure continued adherence to asthma  
9 treatment by students; and

10 “(3) ensure that a nurse or another individual  
11 who is trained to administer emergency asthma care  
12 is on staff.”.

13 (b) TABLE OF CONTENTS.—The table of contents in  
14 section 2 of such Act is amended by inserting after the  
15 item relating to section 5618 the following:

“SUBPART 22—ASTHMA MANAGEMENT PLANS

“Sec. 5621. Asthma management plans.”.

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