Caring for Students with Diabetes in School

This Act directs the state department of education and the state association of school nurses to develop guidelines to train school nurses and other employees in the care needed for students with diabetes.

This Act requires parents or guardians who seek diabetes care for their children at school to submit diabetes medical management plans to the schools their children attend. It generally permits students who have diabetes to possess supplies and equipment to monitor their glucose levels and administer insulin at school. It generally directs a school nurse or other trained personnel to help students manage their diabetes at school and to respond to diabetic emergencies such as when a student’s blood glucose levels are outside their target range.

The Act limits the liability of school nurses and school employees who perform activities authorized by the Act.

Submitted as:
Georgia
HB 879 (AS PASSED HOUSE AND SENATE)
Status: Enacted into law in 2012.

Suggested State Legislation

(Title, enacting clause, etc.)

Section 1. [Short Title.] An Act relating to student health in elementary and secondary education, and other purposes.

Section 2. [Findings.] Insert findings clause.

Section 3. [Requirements for diabetic students.]

(a) As used in this Code section, the term:

(1) 'Diabetes medical management plan' means a document developed by the student's physician or other health care provider that sets out the health services, including the student's target range for blood glucose levels, needed by the student at school and is signed by the student's parent or guardian.

(2) 'School' means any primary or secondary public school located within this state.

(3) 'School employee' means any person employed by a local board of education or state chartered special school or any person employed by a local health department who is assigned to a public school.

(4) 'Trained diabetes personnel' means a school employee who volunteers to be trained in accordance with this Code section. Such employee shall not be required to be a health care professional.

(b)(1) No later than [insert date], the Department of Education, in conjunction with the [insert state] Association of School Nurses, shall develop guidelines for the training of school employees in the care needed for students with diabetes. The training guidelines shall include instruction in:

(A) Recognition and treatment of hypoglycemia and hyperglycemia;

(B) Understanding the appropriate actions to take when blood glucose levels are outside of the target ranges indicated by a student's diabetes medical management plan;
(C) Understanding physician instructions concerning diabetes medication dosage, frequency, and the manner of administration;

(D) Performance of finger-stick blood glucose checking, ketone checking, and recording the results;

(E) Administration of insulin and glucagon, an injectable used to raise blood glucose levels immediately for severe hypoglycemia, and the recording of results;

(F) Performance of basic insulin pump functions;

(G) Recognizing complications that require emergency assistance; and

(H) Recommended schedules and food intake for meals and snacks, the effect of physical activity upon blood glucose levels, and actions to be implemented in the case of schedule disruption.

(2) Each local board of education and state chartered special school shall ensure that the training outlined in paragraph (1) of this subsection is provided to a minimum of two school employees at each school attended by a student with diabetes.

(3) A school employee shall not be subject to any penalty or disciplinary action for refusing to serve as trained diabetes personnel.

(4) The training outlined in paragraph (1) of this subsection shall be coordinated and provided by a school nurse or may be contracted out to be provided by another health care professional with expertise in diabetes. Such training shall take place prior to the commencement of each school year, or as needed when a student with diabetes is newly enrolled at a school or a student is newly diagnosed with diabetes. The school nurse or other contracted health care professional shall provide follow-up training and supervision.

(5) Each local school system and state chartered special school shall provide information in the recognition of diabetes related emergency situations to all bus drivers responsible for the transportation of a student with diabetes.

(c) The parent or guardian of each student with diabetes who seeks diabetes care while at school shall submit to the school a diabetes medical management plan which upon receipt shall be reviewed and implemented by the school.

(d)(1) In accordance with the request of a parent or guardian of a student with diabetes and the student's diabetes medical management plan, the school nurse or, in the absence of the school nurse, trained diabetes personnel shall perform functions including, but not limited to, responding to blood glucose levels that are outside of the student's target range; administering glucagon; administering insulin, or assisting a student in administering insulin through the insulin delivery system the student uses; providing oral diabetes medications; checking and recording blood glucose levels and ketone levels, or assisting a student with such checking and recording; and following instructions regarding meals, snacks, and physical activity.

(2) The school nurse or at least one trained diabetes personnel shall be on site at each school and available during regular school hours to provide care to each student with diabetes as identified pursuant to subsection (c) of this Code section. For purposes of field trips, the parent or guardian, or designee of such parent or guardian, of a student with diabetes may accompany such student on a field trip.

(3) There shall be trained diabetes personnel at each school where a student with diabetes is enrolled, and a student's school choice shall in no way be restricted because the student has diabetes.

(4) The activities set forth in paragraph (1) of this subsection shall not constitute the practice of nursing and shall be exempted from all applicable statutory and regulatory provisions that restrict what activities can be delegated to or performed by a person who is not a licensed health care professional.

(e) Upon written request of a student's parent or guardian and if authorized by the student's
diabetes medical management plan, a student with diabetes shall be permitted to perform blood
glucose checks, administer insulin through the insulin delivery system the student uses, treat
hypoglycemia and hyperglycemia, and otherwise attend to the monitoring and treatment of his or her
diabetes in the classroom, in any area of the school or school grounds, and at any school related
activity, and he or she shall be permitted to possess on his or her person at all times all necessary
supplies and equipment to perform such monitoring and treatment functions.

(f) No physician, nurse, school employee, local school system, or state chartered special
school shall be liable for civil damages or subject to disciplinary action under professional licensing
regulations or school disciplinary policies as a result of the activities authorized or required by this
Code section when such acts are committed as an ordinarily reasonably prudent physician, nurse,
school employee, local school system, or state chartered special school would have acted under the
same or similar circumstances.

(g) A private school which complies with the requirements of this Code section shall have
the same limited liability for such school and its employees in the same manner as for public
schools as provided for in subsection (f) of this Code section.”

Section 4. [Severability.] Insert severability clause.

Section 5. [Repealer.] Insert repealer clause.

Section 6. [Effective Date.] Insert effective date.