SB52 ENROLLED



- 1 HGMT38-3
- 2 By Senator Orr
- 3 RFD: Education Policy
- 4 First Read: 07-Mar-23

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6 2023 Regular Session



1 Enrolled, An Act,

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- 4 Relating to the Alabama Safe at Schools Act; to add
- 5 Section 16-30A-3.1 to the Code of Alabama 1975 and to amend
- 6 Sections 16-30A-5 and 16-30A-7, Code of Alabama 1975; to
- 7 include adrenal insufficiency as a condition for which the
- 8 State Board of Education is required to develop guidelines to
- 9 train school employees under the act; to authorize certain
- 10 school employees to administer injectable medications to
- 11 students with an adrenal insufficiency; and to require local
- 12 boards of education to ensure that students with an adrenal
- 13 insufficiency have their medical needs met and are not
- 14 excluded from certain activities.
- 15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
- 16 Section 1. Section 16-30A-3.1 is added to the Code of
- 17 Alabama 1975, to read as follows:
- 18 \$16-30A-3.1
- 19 (a) For the purposes of this section, the term "adrenal
- 20 insufficiency" means a hormonal disorder that occurs when the
- 21 adrenal glands do not produce enough hormones.
- 22 (b) No later than the beginning of the 2024-2025 school
- 23 year, the State Board of Education, in consultation with the
- 24 Alabama Board of Nursing, shall develop guidelines for the
- 25 training of school employees in the necessary care for
- 26 students with medical needs related to an adrenal



- 27 insufficiency according to the student's Individual Health
- 28 Plan. The medical authorizations earned from the training
- 29 shall be limited to permitting the administration of
- 30 injectable medications specific to the adrenal insufficiency
- 31 of the student. The guidelines shall be developed in
- 32 consideration of the recommendations of the American Academy
- 33 of Pediatrics and other appropriate published medical
- 34 guidelines relating to adrenal insufficiency, as approved by
- 35 the State Board of Education and the Board of Nursing. Each
- 36 local board of education shall ensure that adrenal
- insufficiency training programs are provided for all school
- 38 nurses and unlicensed medication assistants at schools under
- 39 its jurisdiction.
- 40 (c)(1) The lead nurse of a school system, in
- 41 consultation with the local superintendent of education, may
- 42 recommend that school nurses be placed at particular schools
- 43 based on the Individual Health Plans of students with adrenal
- 44 insufficiency and the overall health needs of students.
- 45 (2) Each local board of education shall ensure that
- 46 each student in the school system with an adrenal
- 47 insufficiency receives appropriate care as specified in his or
- 48 her Individual Health Plan.
- (d) No school employee shall be required to serve as an
- 50 unlicensed medication assistant or be subject to any penalty



- 51 or disciplinary action for refusing to serve as an unlicensed 52 medication assistant. The decision of a school employee to serve or not to serve as an unlicensed medication assistant 53 54 may not be considered in any employment decision including, 55 but not limited to, termination, non-renewal of contract, 56 reduction-in-force, or transfer. No school administrator or supervisor shall threaten, harass, or otherwise coerce a 57 school employee into serving as an unlicensed medication 58 59 assistant.
- (e) The parent or guardian of each student who is
 identified as having an adrenal insufficiency shall submit an
 order to be considered in the development of the student's
 Individual Health Plan pursuant to Section 16-30A-4.
- (f) A private K-12 school may provide training for employees and care for students who have an adrenal insufficiency in accordance with this chapter.
- Section 2. Sections 16-30A-5 and 16-30A-7, Code of Alabama 1975, are amended to read as follows:
- 69 "\$16-30A-5
- 70 (a) The local board of education shall ensure that each
 71 student in the school or system with a diabetic condition<u>or</u>
 72 <u>an adrenal insufficiency</u> receives appropriate care as
 73 specified in his or her Individual Health Plan.
- 74 (b) The school nurse or a trained unlicensed medication



assistant, to the extent required by the student's Individual Health Plan, shall be on site and available to provide care to each student with diabetes or an adrenal insufficiency during regular school hours and school-sponsored before school and after school care programs, during field trips, extended off-site excursions, extracurricular activities in which the student is a direct participant, and on buses when the bus driver is not a trained unlicensed medication assistant."

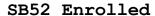
"\$16-30A-7

- (a) For the purposes of this section, the term "medical condition" refers to a diabetic condition or an adrenal insufficiency.
- (b) A student with diabetes a medical condition in public school may attend the school the student would otherwise attend if the student did not have diabetes that medical condition, and the diabetes medical care specified in Section 16-30A-5 shall be provided at the school. A school system may not restrict a student who has diabetes a medical condition from attending any school on the basis that the student has diabetes of that medical condition, that the school does not have a full-time school nurse, or that the school does not have trained unlicensed medication assistants. A student with diabetes a medical condition may participate in extracurricular and co-curricular activities to the same





99 extent as a student without diabetes a medical condition. In addition, a school shall not require or pressure parents or 100 101 guardians to provide care for a student with diabetes a 102 medical condition at school or at school-sponsored activities 103 in which the student is a direct participant as set forth in 104 Section 16-30A-5. However, if the parent or quardian of a student with diabetes a medical condition does not supply the 105 medication, the order from a physician, certified registered 106 107 nurse practitioner operating under a valid collaborative agreement, or physician assistant operating under a valid 108 109 supervisory agreement, supplies, or a signed parental and prescriber authorization, the parent or guardian shall be 110 responsible for providing diabetic medical care to the student 111 112 at school or at school-sponsored activities in which the 113 student is a direct participant." Section 3. This act shall become effective immediately 114 115 following its passage and approval by the Governor, or its 116 otherwise becoming law.





President and Presiding Officer of the Senate Speaker of the House of Representatives SB52 Senate 23-Mar-23 I hereby certify that the within Act originated in and passed the Senate, as amended. Patrick Harris, Secretary. House of Representatives Passed: 20-Apr-23 145 By: Senator Orr