

1 ENGROSSED HOUSE  
2 BILL NO. 3236

By: Echols of the House

3 and

4 Rader of the Senate

5  
6 An Act relating to schools; creating the Seizure-Safe  
7 Schools Act; defining term; requiring school employee  
8 to have certain training; requiring school seizure  
9 training programs and guidelines meet certain  
10 criteria; requiring written parent authorization and  
11 plan for administration of certain medication;  
12 requiring school to maintain certain records;  
13 providing applicability of act; requiring schools to  
14 provide certain education programs; authorizing  
15 promulgation of rules; limiting liability; providing  
16 for codification; and declaring an emergency.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 1210.185 of Title 70, unless  
20 there is created a duplication in numbering, reads as follows:

21 A. This act shall be known and may be cited as the "Seizure-  
22 Safe Schools Act".

23 B. As used in the Seizure-Safe Schools Act, "seizure action  
24 plan" means a written, individualized health plan designed to  
acknowledge and prepare for the health care needs of a student  
diagnosed with a seizure disorder.

1 C. Beginning January 1, 2021, the board of each local public  
2 school district shall have at least one school employee at each  
3 school who has met the training requirements necessary to:

4 1. Administer or assist with the self-administration of a  
5 seizure rescue medication or medication prescribed to treat seizure  
6 disorder symptoms as approved by the United States Food and Drug  
7 Administration and any successor agency; and

8 2. Recognize the signs and symptoms of seizures and the  
9 appropriate steps to be taken to respond to these symptoms.

10 D. Any training programs or guidelines adopted by any state  
11 agency for the training of school personnel in the health care needs  
12 of any student diagnosed with a seizure disorder shall be fully  
13 consistent with training programs and guidelines developed by the  
14 Epilepsy Foundation of America and any successor organization.  
15 Notwithstanding any state agency requirement or other law to the  
16 contrary, for the purposes of this training, a local school district  
17 shall be permitted to use any adequate and appropriate training  
18 programs or guidelines for training of school personnel in the  
19 seizure disorder care tasks covered under this section.

20 E. Before a seizure rescue medication can be administered to a  
21 student to treat seizure disorder symptoms, the student's parent or  
22 legal guardian shall:

23 1. Provide the school with written authorization to administer  
24 the medication at school;

1           2. Provide a written statement from the student's health care  
2 provider that shall contain the following information:

- 3           a. the student's name,
- 4           b. the name and purpose of the medication,
- 5           c. the prescribed dosage,
- 6           d. the route of administration,
- 7           e. the frequency that the medication may be administered,
- 8           and
- 9           f. the circumstances under which the medication may be  
10 administered;

11           3. Provide the prescribed medication to the school in its  
12 unopened, sealed package with the label affixed by the dispensing  
13 pharmacy intact; and

14           4. Collaborate with school personnel to create a seizure action  
15 plan.

16           F. The statements and seizure action plan required in  
17 subsection E of this section shall be kept on file in the office of  
18 the school nurse or school administrator and shall be distributed to  
19 any school personnel or volunteers responsible for the supervision  
20 or care of the student.

21           G. The authorization for the administration of seizure rescue  
22 medications provided in subsection E of this section shall be  
23 effective for the school year in which it is granted and may be  
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1 renewed each following school year upon fulfilling the requirements  
2 of subsections E and F of this section.

3 H. The Seizure-Safe Schools Act shall apply only to a school  
4 that has a student enrolled who has a seizure disorder and has a  
5 seizure rescue medication or medication prescribed to treat seizure  
6 disorder symptoms approved by the United States Food and Drug  
7 Administration and any successor agency prescribed by the student's  
8 health care provider.

9 I. Every public school shall provide an age-appropriate seizure  
10 education program to all students on seizures and seizure disorders.  
11 The seizure education program shall be consistent with guidelines  
12 published by the Epilepsy Foundation of America and any successor  
13 organization. The State Board of Education may promulgate  
14 administrative rules for the development and implementation of the  
15 seizure education program and the procedures for the development and  
16 content of seizure action plans.

17 J. A school district, school district employee or agent acting  
18 in good faith and in substantial compliance with the student's  
19 individual health plan and the instructions of the student's  
20 licensed health care professional that provides assistance or  
21 services under this act shall not be liable in any criminal action  
22 or for civil damages in his or her individual or marital or  
23 governmental or corporate or other capacities as a result of the  
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1 services provided under this act to students with epilepsy or  
2 seizure disorders.

3 SECTION 2. It being immediately necessary for the preservation  
4 of the public peace, health or safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.

7 Passed the House of Representatives the 3rd day of March, 2020.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2020.

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Presiding Officer of the Senate

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