

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 416 Session of  
2021

INTRODUCED BY QUINN, PICKETT, BROOKS, THOMAS, HOWARD, WARREN,  
O'MARA, BERNSTINE, LAWRENCE, GILLEN, KRUEGER AND HERRIN,  
FEBRUARY 4, 2021

SENATOR BROWNE, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, OCTOBER 26, 2021

## AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in school health services, providing  
6 for seizure recognition and related first aid training.

7 This act may be referred to as the DOMinate Epilepsy Law.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
11 as the Public School Code of 1949, is amended by adding a  
12 section to read:

13 Section 1414.11. Seizure Recognition and Related First Aid  
14 Training.--(a) Beginning with the school year 2021-2022 2022- <--  
15 2023 and each year thereafter:

16 (1) A school nurse may complete a Department of Health- <--  
17 approved HEALTH-APPROVED online course of instruction or in- <--  
18 person training for school nurses regarding management of a

1 student with seizures that includes information about seizure  
2 recognition, a seizure action plan and related first aid.

3 (2) A professional employe of a school entity, other than a  
4 school nurse, whose duties at the school entity include direct  
5 contact with students may complete a Department of Health-  
6 approved online course of instruction or in-person training  
7 regarding awareness of a student with seizures that includes  
8 information about seizure recognition and related first aid.

9 (3) Training under this section shall be provided at no cost  
10 and credited toward a professional educator's continuing  
11 professional education requirement under section 1205.2, any <--  
12 staff development requirements for paraprofessionals under 22-  
13 Pa. Code § 14.105 (relating to personnel) and a school or system  
14 leader's continuing professional education requirement under  
15 section 1205.5.

16 (4) Completion of seizure disorder training shall not be  
17 construed to obligate a professional employe to administer  
18 medication or provide medical care to a student with a seizure  
19 disorder.

20 (5) A professional employe acting in good faith and within  
21 the scope of the authority provided under this section shall not  
22 be liable for civil damages as a result of an act or omission in  
23 the course of any training or related first aid under this  
24 section.

25 (6) No later than June 30, ~~2021~~ 2022, the Department of <--  
26 Health, in consultation with the Department of Education, shall  
27 identify and approve an online course of instruction or in-  
28 person training provided by a nonprofit national foundation that  
29 supports the welfare of individuals with epilepsy and seizure  
30 disorders to satisfy the training required under this section.

1 (7) The Department of Health, in consultation with the  
2 Department of Education, shall adopt guidelines to administer  
3 this section.

4 (b) The following shall apply:

5 (1) The Department of Health shall provide a nonpublic  
6 school with access to the approved online course of instruction  
7 or in-person training regarding awareness of a student with  
8 seizures that includes information about seizure recognition and  
9 related first aid at no cost. The access to and completion of  
10 seizure disorder training by nonpublic school employes shall not  
11 be construed to do any of the following:

12 (i) Create, establish or expand any obligations on the part  
13 of a nonpublic school to comply with section 504 of the  
14 Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. § 794).

15 (ii) Create, establish, result in or expand any contractual  
16 obligations on the part of a nonpublic school.

17 (2) No nonpublic school employe or nonpublic school shall be  
18 liable for civil damages as a result of an act or omission in  
19 the course of any training or related first aid under this  
20 section except that an employe may be liable for willful  
21 misconduct.

22 (c) For purposes of this section, the following terms shall  
23 have the following meanings:

24 "Nonpublic school." A nonprofit school, other than a public  
25 school in this Commonwealth, wherein a resident of this  
26 Commonwealth may legally fulfill the compulsory school  
27 attendance requirements of this act and which meets the  
28 applicable requirements of Title VI of the Civil Rights Act of  
29 1964 (Public Law 88-352, 78 Stat. 241).

30 "Professional employe." The term shall have the meaning

1 given in section 1101.

2 "School entity." A school district, intermediate unit, area  
3 career and technical school, charter school, cyber charter  
4 school or regional charter school.

5 Section 2. This act shall take effect immediately.