

111TH CONGRESS
2^D SESSION

H. R. 4836

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 inhalers and spacers for emergency use, as necessary.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2010

Ms. SHEA-PORTER introduced the following bill; which was referred to the Committee on Education and Labor

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 inhalers and spacers 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 or asthma hospitalization
15 rates), to enable the school to—

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

18 “(B) purchase asthma inhalers or spacers,
19 or both, and appropriate supplies determined
20 necessary by the Secretary, for students, so
21 that every student served by the school who suf-
22 fers from asthma has access to the relief and
23 treatment the student needs during the school
24 day.

25 “(2) ALTERNATIVE GRANTEEES.—The Secretary
26 may award a grant under this section to a local

1 health or education department to carry out the ac-
2 tivities described in this section if the Secretary de-
3 termines that in such local area such department is
4 the entity that would routinely carry out such activi-
5 ties.

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

10 “(c) USE OF GRANT FUNDS.—A school or depart-
11 ment that receives a grant under this section shall develop
12 and implement a comprehensive school asthma manage-
13 ment plan, and may purchase asthma inhalers or spacers,
14 or both, for emergency use, for students served by the
15 school or department, as needed, as well as devices that
16 measure pulmonary function or asthma education tools,
17 or both. Such management plan shall include the fol-
18 lowing:

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

21 “(2) An asthma action plan for each student
22 with a diagnosis of asthma.

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

24 “(4) Access to medication and to methods to
25 administer medication, for all students served by the

1 school or department who have asthma, based on the
2 student’s prescription and individual needs.

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

5 “(6) Protocols and training to support clinical
6 management of acute symptoms of asthma and on-
7 going management of asthma.

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

11 “(8) A method to monitor the quality and out-
12 comes of the care provided to each student served by
13 the school or department who has asthma, including
14 how often treatment is needed and what treatment
15 students get.

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

18 “(1) utilize existing systems, when possible, in-
19 cluding the use of forms developed in accordance
20 with section 504 forms of the Rehabilitation Act of
21 1973 (20 U.S.C. 794);

22 “(2) find innovative ways—

23 “(A) to encourage bidirectional commu-
24 nication between schools and students’ physi-
25 cians in a rapid manner; and

1 “(B) to encourage adherence to asthma
2 treatment by students; and

3 “(3) ensure that a nurse or another individual
4 who is trained to administer emergency asthma care
5 is on staff.

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 \$100,000,000 for fiscal year 2010 and each of the 4 suc-
9 ceeding fiscal years.”.

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

“SUBPART 22—ASTHMA MANAGEMENT PLANS

“Sec. 5621. Asthma management plans.”.

○