

114TH CONGRESS  
1ST SESSION

# S. 1065

To amend title IV of the Elementary and Secondary Education Act of 1965 to provide grants for the development of asthma management plans and the purchase of asthma inhalers and spacers for emergency use, as necessary.

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IN THE SENATE OF THE UNITED STATES

APRIL 23, 2015

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend title IV of the Elementary and Secondary Education Act of 1965 to provide grants 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 “School Asthma Man-  
5 agement Plan Act”.

1 **SEC. 2. SCHOOL ASTHMA MANAGEMENT PLANS.**

2 (a) AMENDMENT.—Title IV of the Elementary and  
3 Secondary Education Act of 1965 (20 U.S.C. 7101 et  
4 seq.) is amended by adding at the end the following:

5 **“PART D—SCHOOL ASTHMA MANAGEMENT**  
6 **PLANS**

7 **“SEC. 4401. SCHOOL ASTHMA MANAGEMENT PLANS.**

8 “(a) GRANTS AUTHORIZED.—

9 “(1) IN GENERAL.—The Secretary is authorized  
10 to award grants to local educational agencies to en-  
11 able public elementary schools and secondary schools  
12 served by the local educational agencies to—

13 “(A) develop and implement a school asth-  
14 ma management plan; and

15 “(B) if the school chooses, purchase drugs  
16 and devices for emergency use that are ap-  
17 proved or cleared by the Food and Drug Ad-  
18 ministration, including bronchodilators, spacers,  
19 and inhalers, and other supplies determined  
20 necessary by the Secretary, for students served  
21 by the school, as needed, as well as devices that  
22 measure pulmonary function or asthma edu-  
23 cation tools, or both.

24 “(2) ALTERNATIVE GRANTEES.—The Secretary  
25 may award a grant under this section to a local  
26 health or education department to carry out the ac-

1 activities described in this section if the Secretary de-  
2 termines that in such local area such department is  
3 the entity that would routinely carry out such activi-  
4 ties.

5 “(b) APPLICATION.—A local educational agency or  
6 department that desires to receive a grant under this sec-  
7 tion shall submit an application at such time, in such man-  
8 ner, and accompanied by such information as the Sec-  
9 retary may require.

10 “(c) PRIORITY.—In awarding grants under this sec-  
11 tion, the Secretary shall give a priority to—

12 “(1) any local educational agency that will use  
13 grant funds to assist a public elementary school or  
14 secondary school that has a high burden of asthma,  
15 as determined by the Secretary; and

16 “(2) if the Secretary elects to award grants de-  
17 scribed in subsection (a)(2), any department that  
18 proposes to carry out the grant activities at a school  
19 described in paragraph (1).

20 “(d) USE OF GRANT FUNDS.—A local educational  
21 agency or department that receives a grant under this sec-  
22 tion shall develop and implement a comprehensive school  
23 asthma management plan based on national guidelines at  
24 each school to be served under the grant, and may pur-  
25 chase drugs and devices for emergency use that are ap-

1 proved or cleared by the Food and Drug Administration,  
2 including bronchodilators, spacers, and inhalers, and other  
3 supplies determined necessary by the Secretary, for stu-  
4 dents served by the school or department, as needed, as  
5 well as devices that measure pulmonary function or asth-  
6 ma education tools, or both. Such management plan shall  
7 include the following:

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

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

12           “(3) Asthma education for all school staff, such  
13           as education regarding asthma basics, asthma man-  
14           agement, trigger management, and comprehensive  
15           emergency responses to asthma attacks.

16           “(4) Access to medication and to methods to  
17           administer medication, for all students served by the  
18           school or department who have asthma, based on the  
19           student’s prescription and individual needs.

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

22           “(6) Protocols and training to support clinical  
23           management of acute symptoms of asthma and on-  
24           going management of asthma.

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

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

9           “(9) Successful completion of the Environ-  
10 mental Protection Agency’s Indoor Air Quality Tools  
11 for Schools Indoor Air Quality Profile.

12          “(e) GRANT RECIPIENT ACTIONS.—A school or de-  
13 partment that receives a grant under this section shall—

14           “(1) utilize existing systems, when possible, in-  
15 cluding the use of forms developed in accordance  
16 with section 504 of the Rehabilitation Act of 1973  
17 (20 U.S.C. 794);

18           “(2) find innovative ways—

19           “(A) to encourage bidirectional commu-  
20 nication between schools and students’ physi-  
21 cians in a rapid manner; and

22           “(B) to encourage adherence to asthma  
23 treatment by students;

1           “(3) ensure that a nurse or another individual  
2           who is trained to administer emergency asthma care  
3           is on staff;

4           “(4) ensure that all student asthma action  
5           plans include asthma triggers, both allergens and ir-  
6           ritants, for the student; and

7           “(5) ensure that each school served under the  
8           grant report asthma emergency events involving stu-  
9           dents to the State health department by school iden-  
10          tifier.

11          “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
12          are authorized to be appropriated to carry out this section  
13          such sums as may be necessary for fiscal year 2016 and  
14          each of the 4 succeeding fiscal years.”.

15          (b) TABLE OF CONTENTS.—The table of contents in  
16          section 2 of such Act is amended by inserting after the  
17          item relating to section 4304 the following:

“PART D—SCHOOL ASTHMA MANAGEMENT PLANS

“Sec. 4401. School asthma management plans.”.

