

By Senator Wise

5-00379C-09

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1 A bill to be entitled
2 An act relating to the use of pancreatic enzyme
3 prescription supplements; amending s. 1002.20, F.S.;
4 authorizing certain K-12 students to use pancreatic
5 enzyme prescription supplements under certain
6 circumstances; requiring the State Board of Education
7 to adopt rules; providing for indemnification;
8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Paragraph (j) is added to subsection (3) of
13 section 1002.20, Florida Statutes, to read:

14 1002.20 K-12 student and parent rights.—Parents of public
15 school students must receive accurate and timely information
16 regarding their child's academic progress and must be informed
17 of ways they can help their child to succeed in school. K-12
18 students and their parents are afforded numerous statutory
19 rights including, but not limited to, the following:

20 (3) HEALTH ISSUES.—

21 (j) Use of pancreatic enzyme prescription supplements.—A
22 student who has experienced or is at risk for pancreatic
23 insufficiency or who has been diagnosed as having cystic
24 fibrosis may use a pancreatic enzyme supplement as prescribed
25 while in school, participating in school-sponsored activities,
26 or in transit to or from school or school-sponsored activities
27 if the school has been provided with parental and physician
28 authorization. The State Board of Education, in cooperation with
29 the Department of Health, shall adopt rules for the use of

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30 pancreatic enzyme prescription supplements which shall include
31 provisions to protect the safety of all students from the misuse
32 or abuse of the supplements. A school district, county health
33 department, public-private partner, and their employees and
34 volunteers shall be indemnified by the parent of a student
35 authorized to use pancreatic enzyme prescription supplements for
36 any and all liability with respect to the student's use of the
37 supplements under this paragraph.

38 Section 2. This act shall take effect July 1, 2009.