

By the Committee on Health Regulation; and Senator Wise

588-02376-09

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1 A bill to be entitled
2 An act relating to the use of prescribed pancreatic
3 enzyme supplements; amending s. 1002.20, F.S.;
4 authorizing certain K-12 students to use prescribed
5 pancreatic enzyme 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 prescribed pancreatic enzyme 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 carry and self-administer a prescribed pancreatic
25 enzyme supplement while in school, participating in school-
26 sponsored activities, or in transit to or from school or school-
27 sponsored activities if the school has been provided with
28 parental and physician authorization. The State Board of
29 Education, in cooperation with the Department of Health, shall

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

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