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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/19/2010	.	
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The Committee on Education Pre-K - 12 Appropriations (Siplin) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 385.203, Florida Statutes, is amended to read:

385.203 Diabetes Advisory Council; creation; function; membership.-

(3) The council shall be composed of 26 ~~25~~ citizens of the state who have knowledge of, or work in, the area of diabetes mellitus as follows:

(a) Five interested citizens, three of whom are affected by



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13 diabetes.

14 (b) Twenty-one ~~Twenty~~ members, who must include one  
15 representative from each of the following areas: nursing with  
16 diabetes-educator certification; dietary with diabetes educator  
17 certification; podiatry; ophthalmology or optometry; psychology;  
18 pharmacy; adult endocrinology; pediatric endocrinology; the  
19 American Diabetes Association (ADA); the Juvenile Diabetes  
20 Foundation (JDF); the Florida Academy of Family Physicians; a  
21 community health center; a county health department; an American  
22 Diabetes Association recognized community education program;  
23 each medical school in the state; an osteopathic medical school;  
24 the insurance industry; a Children's Medical Services diabetes  
25 regional program; and an employer.

26 (c) One or more representatives from the Department of  
27 Health, who shall serve on the council as ex officio members.

28 Section 2. Paragraph (j) is added to subsection (3) of  
29 section 1002.20, Florida Statutes, to read:

30 1002.20 K-12 student and parent rights.—Parents of public  
31 school students must receive accurate and timely information  
32 regarding their child's academic progress and must be informed  
33 of ways they can help their child to succeed in school. K-12  
34 students and their parents are afforded numerous statutory  
35 rights including, but not limited to, the following:

36 (3) HEALTH ISSUES.—

37 (j) Diabetes management.—A school district shall not  
38 restrict the assignment of a student who has diabetes to a  
39 particular school on the basis that the student has diabetes,  
40 that the school does not have a full-time school nurse, or that  
41 the school does not have trained diabetes personnel. Diabetic



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42 students whose parent and physician provide their written  
43 authorization to the school principal may carry diabetic  
44 supplies and equipment on their person and attend to the  
45 management and care of their diabetes while in school,  
46 participating in school-sponsored activities, or in transit to  
47 or from school or school-sponsored activities to the extent  
48 authorized by the parent and physician and within the parameters  
49 set forth by State Board of Education rule. The written  
50 authorization shall identify the diabetic supplies and equipment  
51 that the student is authorized to carry and shall describe the  
52 activities the child is capable of performing without  
53 assistance, such as performing blood-glucose level checks and  
54 urine ketone testing, administering insulin through the insulin-  
55 delivery system used by the student, and treating hypoglycemia  
56 and hyperglycemia. The State Board of Education, in cooperation  
57 with the Department of Health, shall adopt rules to ensure every  
58 school in which a student with diabetes is enrolled to have  
59 personnel trained in routine and emergency diabetes care. The  
60 State Board of Education, in cooperation with the Department of  
61 Health, shall also adopt rules for the management and care of  
62 diabetes by students in schools that include provisions to  
63 protect the safety of all students from the misuse or abuse of  
64 diabetic supplies or equipment. A school district, county health  
65 department, and public-private partner, and the employees and  
66 volunteers of those entities, shall be indemnified by the parent  
67 of a student authorized to carry diabetic supplies or equipment  
68 for any and all liability with respect to the student's use of  
69 such supplies and equipment pursuant to this paragraph.

70 Section 3. This act shall take effect July 1, 2010.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled  
An act relating to the treatment of diabetes; amending  
s. 385.203, F.S.; revising the Diabetes Advisory  
Council membership; amending s. 1002.20, F.S.;  
prohibiting school districts from restricting the  
assignment of diabetic students to certain schools for  
certain reasons; authorizing a student to manage  
diabetes while at school, at school-sponsored  
activities, or in transit to or from school or school-  
sponsored activities with written authorization from  
the parent and physician; requiring the State Board of  
Education to adopt rules; providing for  
indemnification of specified employees, volunteers,  
and entities; providing an effective date.