

1 A bill to be entitled

2 An act relating to care of students with epilepsy or
3 seizure disorders; creating s. 1006.0626, F.S.;
4 providing definitions; providing for the creation of
5 an individualized seizure action plan for a student
6 with epilepsy or seizure disorders to receive health
7 care at school; providing requirements for the
8 students' parent, school nurses, and appropriate
9 school employees; providing requirements for such
10 plans; requiring school nurses or appropriate school
11 employees to coordinate the care of such students and
12 provide training to certain school employees and
13 individuals relating to the care of the students;
14 providing requirements for such training; requiring
15 school districts to provide specified information and
16 training to school bus drivers who transport students
17 with epilepsy or seizure disorders; requiring school
18 nurses or appropriate school employees to obtain
19 specified releases relating to the medical information
20 and care of such students; providing immunity from
21 liability under certain conditions; providing an
22 effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:
25

26 Section 1. Section 1006.0626, Florida Statutes, is created
27 to read:

28 1006.0626 Care of students with epilepsy or seizure
29 disorders.-

30 (1) As used in this section, the term:

31 (a) "Individualized seizure action plan" means a document
32 developed and signed by a medical professional who provides
33 epilepsy or seizure disorder care to the student, in
34 consultation with the student's parent, who must also sign the
35 individualized seizure action plan, and reviewed by the school
36 nurse. The individualized seizure action plan must outline a set
37 of procedural guidelines that provide specific directions for
38 the health care services needed by the student at school and
39 what to do in a particular emergency situation.

40 (b) "Medical professional" means a physician licensed
41 under chapter 458, a physician assistant licensed under chapter
42 458 or chapter 459, or an advanced practiced registered nurse
43 licensed under s. 464.012 who provides epilepsy or seizure
44 disorder care to the student.

45 (c) "School" means a public school within the state.

46 (d) "School employee" means a person employed by the
47 school district at the student's school of enrollment or who has
48 contact with the student.

49 (e) "Student" means a student enrolled in kindergarten
50 through grade 12 in a public school who has been diagnosed with

51 epilepsy or a seizure disorder.

52 (2)(a) A student's parent who seeks epilepsy or seizure
53 disorder care for the student while at school or engaged in a
54 school-related activity must inform the school nurse or an
55 appropriate school employee and provide him or her with an
56 individualized seizure action plan. The parent must annually
57 provide written authorization to the school district for the
58 health care services provided through such plan.

59 (b) Individualized seizure action plans must be updated by
60 the medical professional before the beginning of each school
61 year and as necessary if there is a change in the health status
62 of the student.

63 (c) Each individualized seizure action plan must include
64 the following information:

65 1. Written orders from the student's medical professional
66 outlining the student's epilepsy or seizure disorder recommended
67 care.

68 2. The student's epilepsy or seizure disorder symptoms.

69 3. Whether the student can fully participate in physical
70 exercise or athletic competitions, any contraindications to such
71 exercise or competitions, or any accommodations that must be
72 made for the student for such exercise or competitions.

73 4. Any accommodations the student requires for school
74 trips, after-school programs and activities, class parties, and
75 any other school-related activities.

76 5. When and who to call for medical assistance.

77 6. The student's ability to manage, and the student's
 78 level of understanding of, his or her epilepsy or seizure
 79 disorder.

80 7. How to maintain communication with the student, the
 81 student's parent, and the student's health care team, school
 82 nurse, and educational staff.

83 8. Any rescue medication prescribed by the student's
 84 medical professional and how and when to administer the
 85 medication.

86 (3) The school nurse or an appropriate school employee
 87 shall:

88 (a) In accordance with s. 1006.062, coordinate the
 89 provision of epilepsy and seizure disorder care at his or her
 90 school for each student with an individualized seizure action
 91 plan, including administering anti-seizure and rescue
 92 medications to the student, as outlined in the student's
 93 individualized seizure action plan.

94 (b) Ensure that each school employee and individual
 95 working with school-sponsored programs outside of the regular
 96 school day are trained every 2 years in the care of students
 97 with epilepsy and seizure disorders, including how to recognize
 98 the symptoms of and provide care for epilepsy and seizure
 99 disorders. Such training must include a course of instruction
 100 provided by a nonprofit national organization that supports the

101 welfare of individuals with epilepsy and seizure disorders. The
102 instruction must be approved by the Department of Education and
103 may be provided online or in person. A training program that is
104 provided to a school district in an online format must be
105 provided by the nonprofit entity free of charge.

106 (4) If a school bus driver transports a student with
107 epilepsy or a seizure disorder, the school district shall
108 provide the driver with all of the following:

109 (a) A notice of the student's condition.

110 (b) Information on how to provide the recommended care for
111 the student if he or she shows symptoms of the epilepsy or
112 seizure disorder.

113 (c) The contact information for the student's parent and
114 emergency contacts.

115 (d) Epilepsy and seizure disorder first aid training every
116 2 years.

117 (5) The school nurse or an appropriate school employee
118 shall obtain a release from the student's parent to authorize
119 the sharing of medical information between himself or herself
120 and the student's health care providers. The release shall also
121 authorize the school nurse or an appropriate school employee to
122 share medical information with other school employees as
123 necessary.

124 (6) A school employee, including a school nurse, a school
125 bus driver, a school bus aide, or any other officer or agent of

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126 | the school district, acting in good faith is not liable for an
127 | act or omission consistent with this section. The Board of
128 | Nursing may not take action against a school nurse for any act
129 | or omission taken by a person trained by the school nurse
130 | pursuant to this section. For purposes of this section, "good
131 | faith" does not include willful misconduct, gross negligence, or
132 | recklessness.

133 | Section 2. This act shall take effect upon becoming a law.