

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Health Professions &
2 Programs Subcommittee

3 Representative Smith offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 31-102 and insert:

7 (j) *Diabetes management.*—

8 1. As used in this paragraph, the term:

9 a. "Authorized health care practitioner" means a physician
10 licensed under chapter 458 or chapter 459, a physician assistant
11 licensed under chapter 458 or chapter 459, or an advanced
12 practice registered nurse licensed under chapter 464.

13 b. "Participating school" means a public school which
14 maintains a supply of undesignated glucagon pursuant to this
15 paragraph.

Amendment No. 1

16 c. "Undesignated glucagon" means a glucagon rescue therapy
17 approved by the United States Food and Drug Administration that
18 does not require reconstitution for the treatment of severe
19 hypoglycemia in a dosage form that can be rapidly administered
20 to the patient in an emergency, including prefilled injectable
21 or nasally administered glucagon, and is prescribed in the name
22 of a public school pursuant to this paragraph.

23 2. A school district may not restrict the assignment of a
24 student who has diabetes to a particular school on the basis
25 that the student has diabetes, that the school does not have a
26 full-time school nurse, or that the school does not have trained
27 diabetes personnel. Diabetic students whose parent and physician
28 provide their written authorization to the school principal may
29 carry diabetic supplies and equipment on their person and attend
30 to the management and care of their diabetes while in school,
31 participating in school-sponsored activities, or in transit to
32 or from school or school-sponsored activities to the extent
33 authorized by the parent and physician and within the parameters
34 set forth by State Board of Education rule. The written
35 authorization shall identify the diabetic supplies and equipment
36 that the student is authorized to carry and shall describe the
37 activities the child is capable of performing without
38 assistance, such as performing blood-glucose level checks and
39 urine ketone testing, administering insulin through the insulin-

Amendment No. 1

40 delivery system used by the student, and treating hypoglycemia
41 and hyperglycemia.

42 a. The State Board of Education, in cooperation with the
43 Department of Health, shall adopt rules to encourage every
44 school in which a student with diabetes is enrolled to have
45 personnel trained in routine and emergency diabetes care. The
46 State Board of Education, in cooperation with the Department of
47 Health, shall also adopt rules for the management and care of
48 diabetes by students in schools that include provisions to
49 protect the safety of all students from the misuse or abuse of
50 diabetic supplies or equipment.

51 b. A school district, county health department, and
52 public-private partner, and the employees and volunteers of
53 those entities, shall be indemnified by the parent of a student
54 authorized to carry diabetic supplies or equipment for any and
55 all liability with respect to the student's use of such supplies
56 and equipment pursuant to this paragraph.

57 3. A public school may acquire and maintain a supply of
58 undesignated glucagon for the purpose of treating a student
59 experiencing a hypoglycemic emergency. Undesignated glucagon
60 must be stored in a secure location on the school's premises
61 that is immediately accessible to a school nurse or other school
62 personnel trained to administer glucagon pursuant to this
63 paragraph. Undesignated glucagon must be stored in accordance
64 with the manufacturer's instructions.

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Published On: 3/12/2025 8:25:19 PM

Amendment No. 1

65 a. A public school may acquire and stock a supply of
66 glucagon from a wholesale distributor as defined in s. 499.003
67 or may enter into an arrangement with a wholesale distributor or
68 manufacturer as defined in s. 499.003 for glucagon at fair-
69 market, free, or reduced prices pursuant to a prescription
70 issued in accordance with this section.

71 b. A public school may accept donated or transferred
72 glucagon if it is new, unexpired, manufacturer-sealed, not
73 subject to recall, unadulterated, and in compliance with
74 relevant regulations adopted by the United States Food and Drug
75 Administration. A public school may also obtain monetary
76 donations or apply for grants to purchase glucagon.

77 c. A public school may request a prescription for glucagon
78 from a county health department.

79 4. An authorized health care practitioner may prescribe
80 glucagon in the name of a public school for use in accordance
81 with this section, and a licensed pharmacist may dispense
82 glucagon pursuant to a prescription issued in the name of a
83 public school for use in accordance with this paragraph.

84 5. A participating school must adopt a protocol developed
85 by a physician licensed under chapter 458 or chapter 459 for the
86 administration of glucagon by school personnel who are trained
87 to recognize symptoms of hypoglycemia and to administer
88 glucagon. The protocol must provide guidance for administering
89 glucagon to a student with diabetes who experiences a

Amendment No. 1

90 hypoglycemic emergency or whose prescribed glucagon is not
91 available on site or has expired.

92 6. A participating school must make available undesignated
93 glucagon that is able to be administered as ordered in a
94 student's diabetes medical management plan.

95 7. A school nurse or trained school personnel shall only
96 administer glucagon to students if they have successfully
97 completed training and believe in good faith that the student is
98 experiencing a hypoglycemic emergency.

99 8. Immediately after undesignated glucagon has been
100 administered to a student, an employee of the public school
101 shall call for emergency assistance, notify the school nurse,
102 and notify the student's parent or guardian or emergency
103 contact.

104 9. The State Board of Education, in cooperation with the
105 Department of Health, shall adopt rules to implement the
106 provisions of this paragraph.

107 10. Notwithstanding any other provision of law to the
108 contrary, a school nurse or school personnel of a school
109 district trained in the administration of glucagon who
110 administers or attempts to administer glucagon in compliance
111 with this section and s. 768.13 and the school district that
112 employs the school nurse or the trained school personnel are
113 immune from civil or criminal liability as a result of such
114 administration or attempted administration of glucagon.

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