

2021 -- H 5351

LC000694

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO EDUCATION -- SEIZURE SAFE SCHOOLS ACT

Introduced By: Representatives Cortvriend, Amore, Bennett, Carson, Cassar, Fogarty,  
and Kislak

Date Introduced: February 05, 2021

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is  
2 hereby amended by adding thereto the following section:

3 **16-21-37. Seizure safe schools act.**

4 (a) "Seizure Action Plan" means a written, individualized health plan designed to  
5 acknowledge and prepare for the health care needs of a student diagnosed with a seizure disorder.

6 (b)(1) Beginning July 1, 2022, the school board of each local public school district and the  
7 governing body of each private and parochial school or school district shall have at least one school  
8 employee at each school who has met the training requirements necessary to administer or assist  
9 with the self-administration of:

10 (i) A seizure rescue medication or medication prescribed to treat seizure disorder symptoms  
11 as approved by the United States Food and Drug Administration or any successor agency;

12 (ii) A manual dose of prescribed electrical stimulation using a vagus nerve stimulator  
13 (VNS) magnet as approved by the United States Food and Drug Administration or any successor  
14 agency.

15 (2) For those assigned the duties by this section, the training provided shall include  
16 instructions in administering seizure medications, and manual vagus nerve stimulation, as well as  
17 the recognition of the signs and symptoms of seizures and the appropriate steps to be taken to  
18 respond to these symptoms

19 (3) The presence of a registered nurse employed full-time by a school who assumes

1 responsibility for the administration of seizure medications, and the administration oversight of  
2 vagus nerve stimulation, shall fulfill the requirements of this section.

3 (4) Every public school shall provide training to principals, guidance counselors, teachers,  
4 and other relevant school personnel with direct contact and supervision of children, including bus  
5 drivers and classroom aides, on the recognition of the signs and symptoms of seizures and the  
6 appropriate steps for seizure first aid.

7 (5) Any training program or guideline adopted by any state agency for the training of school  
8 personnel in the health care needs of students diagnosed with a seizure disorder shall be fully  
9 consistent with training programs and guidelines developed by the Epilepsy Foundation of America  
10 or any successor organization. Notwithstanding any state agency requirement or other law to the  
11 contrary, for the purposes of this training a local school district shall be permitted to use any  
12 adequate and appropriate training program or guidelines for training of school personnel in the  
13 seizure disorder care tasks covered under this section.

14 (c)(1) Prior to administering a seizure rescue medication or medication prescribed to treat  
15 seizure disorder symptoms, the student's parent or guardian shall:

16 (i) Provide the school with a written authorization to administer the medication at school;

17 (ii) Provide a written statement from the student's health care practitioner, which shall  
18 contain the following information:

19 (A) Student's name;

20 (B) The name and purpose of the medication;

21 (C) The prescribed dosage;

22 (D) The route of administration;

23 (E) The frequency that the medication may be administered; and

24 (F) The circumstances under which the medication may be administered; and

25 (iii) Provide the prescribed medication to the school in its unopened, sealed package with  
26 the label affixed by the dispensing pharmacy intact.

27 (2) In addition to the statements required in subsection (c)(1)(ii) of this section, the parent  
28 or guardian of each student diagnosed with a seizure disorder shall collaborate with school  
29 personnel to create a seizure action plan. The department of elementary and secondary education  
30 shall promulgate administrative regulations establishing procedures for the development and  
31 content of seizure action plans.

32 (d)(1) The statements and seizure action plan required by this section shall be kept on file  
33 in the office of the school nurse or school administrator.

34 (2) The seizure action plan required by this section shall be distributed to any school

1 personnel or volunteers responsible for the supervision or care of the student with a seizure  
2 disorder.

3 (e) The permission for the administration of any of the medications listed under this section  
4 shall be effective for the school year in which it is granted and shall be renewed each following  
5 school year upon fulfilling the requirements of this section.

6 (f) The requirements of this section shall apply only to schools that have a student enrolled  
7 who has a seizure disorder or has a seizure rescue medication or medication prescribed to treat  
8 seizure disorder symptoms approved by the United States Food and Drug Administration or any  
9 successor agency prescribed by the student's health care provider.

10 (g) Every public school shall provide an age-appropriate seizure education program to all  
11 students on seizures and seizure disorders. The seizure education program shall be consistent with  
12 guidelines published by the Epilepsy Foundation of America or any successor organization. The  
13 department of elementary and secondary education shall promulgate administrative regulations for  
14 the development and implementation of the seizure education program.

15 (h) A school district, school district employee, or agent acting in good faith and in  
16 substantial compliance with the student's individual health plan and the instructions of the student's  
17 licensed health care professional, that provides assistance or services under this section shall not be  
18 liable for civil damages in his or her individual, marital, governmental, corporate, or other  
19 capacities as a result of the services provided under this section to students with epilepsy or seizure  
20 disorders.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- SEIZURE SAFE SCHOOLS ACT

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1           This act would require all elementary and secondary schools to have at least one school  
2 employee trained to administer or assist with the self-administering of seizure rescue medication  
3 prescribed to treat seizure disorder systems and the use of prescribed electrical stimulation and  
4 would also establish guidelines to authorize the administering of seizure medication in school.

5           This act would take effect upon passage.

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