

House Bill 984 from the TEA website:

Statute Amended or Added: Adds Chapter 168, Health and Safety Code

Summary: For students who have diabetes and who will seek care for the diabetes at school, HB 984 requires that the student's parents and physician develop a diabetes management and treatment plan. The plan must identify the health services the student may receive, evaluate the student's ability to manage their diabetes, evaluate the student's level of understanding of their diabetes, and be signed by the parent/guardian and physician. Before, or at the beginning of, the school year, or upon enrollment of the student, or following the diagnosis of diabetes, the parent/guardian must submit a copy of the plan to the school.

Upon receiving the student's diabetes management and treatment plan, the school principal, the school nurse (if the campus has a school nurse assigned to the campus), one of the student's teachers, and the student's parents must develop an individualized health plan for the student with diabetes if the student will need care for the diabetes while at school or while participating in a school activity. The plan will be developed in collaboration with the student's physician, to the extent practicable. The individualized health plan must incorporate components of the student's diabetes management and treatment plan.

In each school that has a student with diabetes enrolled, the principal shall seek school employees who are not health care professionals to serve as unlicensed diabetes care assistants. On campuses that have a full-time nurse assigned, the principal shall make efforts to ensure the campus has at least one unlicensed diabetes care assistant. If the campus does not have a full-time nurse assigned, the principal shall make efforts to ensure that there are at least three unlicensed diabetes care assistants.

Training for the unlicensed diabetes care assistants must be provided by a health care professional with expertise in the care of persons with diabetes or by the school nurse. The school nurse, if assigned to a campus, must coordinate the training. The training must be provided before the beginning of the school year or as soon as practicable upon enrollment of a student with diabetes or upon a diagnosis of a student with diabetes. The training must include recognizing the symptoms of hypoglycemia and hyperglycemia; understanding the proper action to take if the blood glucose levels of a student with diabetes are outside the target ranges indicated by the student's diabetes management and treatment plan; understanding the details of a student's individualized health plan; performing finger-sticks to check blood glucose levels, checking urine ketone levels, and recording the results of those checks; properly administering glucagons and insulin and recording the results of the administration; recognizing complications that require seeking emergency assistance; and understanding the recommended schedules and food intake for meals and snacks for a student with diabetes, the effect of physical activity on blood glucose levels, and the proper actions to be taken if a student's schedule is disrupted. The

principal or school nurse shall maintain a copy of the training guidelines and any records associated with the training.

Any school employee who is responsible for providing transportation for a student with diabetes or supervision of a student with diabetes during an off-campus activity shall be provided a one-page information sheet that identifies the student; identifies potential emergencies that may occur as a result of the diabetes and the appropriate response to the emergency and provides the telephone number of a contact person in case of an emergency involving the student with diabetes.

The student's individualized health plan will be implemented by a school nurse, if a nurse is assigned to the campus. If a school nurse is not assigned to the campus, an unlicensed diabetes care assistant shall perform the tasks in accordance with the individualized health plan if the student's parents have signed an agreement that authorizes the unlicensed assistant to assist the student and states that the parents understand that the assistant is not liable for civil damages as provided by Section 168.009. The unlicensed diabetes care assistant must have access to an individual with expertise in the care of persons with diabetes, such as a physician, registered nurse, certified diabetes educator, licensed dietician, or the principal must have access to the student's physician.

In accordance with the student's individualized health plan, the student may be permitted to attend to the management and care of their diabetes including, performing blood glucose level checks; administering insulin; treating hypoglycemia and hyperglycemia; possessing at any time any supplies or equipment necessary to monitor and care for the diabetes; and otherwise attend to the management and care of the diabetes in the classroom, in any area of the school or school grounds, or at any school activity.

Each school shall adopt a procedure to ensure that a school nurse or at least one unlicensed diabetes care assistant is present and available for the student's care during the regular school day.

A student's assignment to a campus may not be restricted on the basis that the campus does not have the required unlicensed diabetes care assistants.

Unlicensed diabetes care assistants, when assisting a student in compliance with the student's individualized health plan, is not considered to be practicing nursing and is exempt from any state law or rule that restricts the activities that may be performed by a person who is not a health care professional.

A school employee may not be subject to disciplinary proceeding, as defined by Section 22.0512(b) TEC, resulting from an action taken in compliance with this subchapter. A school nurse is not responsible for actions performed by an unlicensed diabetes care assistant.

Change from current law: New

Effective Date: June 18, 2005

Action required for 2005-2006 School Year: Districts that have a school nurse must develop with individualized health plans for students with diabetes. If a school district does not have a school nurse, the principal on each campus that has a student with diabetes, must seek staff to be trained as unlicensed diabetes care assistants. The training of those assistants must be provided by a health care professional. The district is also required to provide specific information regarding each student who has diabetes to employees who provide transportation.

Outstanding Issues: None

Does this bill create a new program? No

Does this bill require a new report? No

Rulemaking authority? No

Does this apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

For further information, please contact the Curriculum Division at 463-9581.

