

Senate Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

CHAPTER 31

# **SENATE BILL 1229**

AN ACT

AMENDING TITLE 15, CHAPTER 3, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-344.01; RELATING TO SCHOOL DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 3, article 3, Arizona Revised Statutes,  
3 is amended by adding section 15-344.01, to read:

4 15-344.01. Diabetes management; policies and procedures;  
5 administration of glucagon to diabetic pupils;  
6 civil immunity; definition

7 A. THE SCHOOL DISTRICT GOVERNING BOARD AND THE CHARTER SCHOOL  
8 GOVERNING BODY MAY ADOPT POLICIES AND PROCEDURES FOR PUPILS WHO HAVE BEEN  
9 DIAGNOSED WITH DIABETES BY A HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO  
10 TITLE 32, CHAPTER 13, 14, 17 OR 25 OR A NURSE PRACTITIONER WHO IS LICENSED  
11 PURSUANT TO TITLE 32, CHAPTER 15 TO MANAGE THEIR DIABETES IN THE CLASSROOM,  
12 ON SCHOOL GROUNDS AND AT SCHOOL SPONSORED ACTIVITIES AS AUTHORIZED BY THEIR  
13 PRIMARY HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13,  
14 14, 17 OR 25 OR A NURSE PRACTITIONER WHO IS LICENSED PURSUANT TO TITLE 32,  
15 CHAPTER 15. IF A SCHOOL DISTRICT OR CHARTER SCHOOL FOLLOWS THE POLICIES AND  
16 PROCEDURES ADOPTED PURSUANT TO THIS SECTION, THE EMPLOYEES OF THE SCHOOL  
17 DISTRICT OR CHARTER SCHOOL AND MEMBERS OF THE SCHOOL DISTRICT GOVERNING BOARD  
18 OR CHARTER SCHOOL GOVERNING BODY ARE IMMUNE FROM CIVIL LIABILITY WITH RESPECT  
19 TO THE ACTIONS TAKEN TO ADOPT POLICIES AND PROCEDURES PURSUANT TO THIS  
20 SECTION AND ALL DECISIONS MADE AND ACTIONS TAKEN THAT ARE BASED ON GOOD FAITH  
21 COMPLIANCE WITH POLICIES AND PROCEDURES ADOPTED PURSUANT TO THIS SECTION.

22 B. IF A SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING  
23 BODY ADOPTS POLICIES AND PROCEDURES PURSUANT TO SUBSECTION A, THE POLICIES  
24 AND PROCEDURES SHALL INCLUDE THE FOLLOWING COMPONENTS:

25 1. THE PARENT OR GUARDIAN SHALL ANNUALLY SUBMIT A DIABETES MEDICAL  
26 MANAGEMENT PLAN TO THE PUPIL'S SCHOOL THAT AUTHORIZES THE PUPIL TO CARRY  
27 APPROPRIATE MEDICATIONS AND MONITORING EQUIPMENT AND THAT ACKNOWLEDGES THAT  
28 THE PUPIL IS CAPABLE OF SELF-ADMINISTRATION OF THOSE MEDICATIONS AND  
29 EQUIPMENT. THE DIABETES MEDICAL MANAGEMENT PLAN PROVIDED BY THE PARENT OR  
30 GUARDIAN SHALL BE SIGNED BY A HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO  
31 TITLE 32, CHAPTER 13, 14, 17 OR 25 OR BY A NURSE PRACTITIONER WHO IS LICENSED  
32 PURSUANT TO TITLE 32, CHAPTER 15 AND SHALL STATE THAT THE PUPIL IS CAPABLE OF  
33 SELF-MONITORING BLOOD GLUCOSE AND SHALL LIST THE MEDICATIONS, MONITORING  
34 EQUIPMENT AND NUTRITIONAL NEEDS THAT ARE MEDICALLY APPROPRIATE FOR THE PUPIL  
35 TO SELF-ADMINISTER AND THAT HAVE BEEN PRESCRIBED OR AUTHORIZED FOR THAT  
36 PUPIL.

37 2. A REQUIREMENT THAT THE PUPIL BE ABLE TO PRACTICE PROPER SAFETY  
38 PRECAUTIONS FOR THE HANDLING AND DISPOSAL OF THE EQUIPMENT AND MEDICATIONS  
39 THAT THE PUPIL IS AUTHORIZED TO USE PURSUANT TO THIS SUBSECTION. THE PUPIL'S  
40 DIABETES MEDICAL MANAGEMENT PLAN SHALL SPECIFY A METHOD TO DISPOSE OF  
41 EQUIPMENT AND MEDICATIONS IN A MANNER AGREED ON BY THE PARENT OR GUARDIAN AND  
42 THE SCHOOL.

43 3. PROCEDURES THAT ENABLE A SCHOOL DISTRICT OR CHARTER SCHOOL TO  
44 WITHDRAW A PUPIL'S AUTHORIZATION TO MONITOR BLOOD GLUCOSE AND SELF-ADMINISTER  
45 DIABETES MEDICATION PURSUANT TO THIS SUBSECTION IF THE PUPIL DOES NOT

1 PRACTICE PROPER SAFETY PRECAUTIONS AS PROVIDED IN PARAGRAPH 2 OF THIS  
2 SUBSECTION.

3 C. IN ADDITION TO THE POLICIES AND PROCEDURES ADOPTED PURSUANT TO  
4 SUBSECTIONS A AND B, THE SCHOOL DISTRICT GOVERNING BOARD AND THE CHARTER  
5 SCHOOL GOVERNING BODY MAY ADOPT POLICIES AND PROCEDURES TO DESIGNATE TWO OR  
6 MORE SCHOOL EMPLOYEES TO SERVE AS VOLUNTARY DIABETES CARE ASSISTANTS. THE  
7 PARENT OR GUARDIAN SHALL HAVE FINAL APPROVAL OF THE VOLUNTARY DIABETES CARE  
8 ASSISTANTS WHO ARE ALLOWED TO ADMINISTER GLUCAGON IN AN EMERGENCY SITUATION  
9 TO A PUPIL IF ALL OF THE FOLLOWING CONDITIONS EXIST:

10 1. A SCHOOL NURSE OR ANOTHER HEALTH PROFESSIONAL WHO IS LICENSED  
11 PURSUANT TO TITLE 32, CHAPTER 13, 14, 17 OR 25 OR A NURSE PRACTITIONER WHO IS  
12 LICENSED PURSUANT TO TITLE 32, CHAPTER 15 IS NOT IMMEDIATELY AVAILABLE TO  
13 ATTEND TO THE PUPIL AT THE TIME OF THE EMERGENCY.

14 2. THE PARENT OR GUARDIAN OF THE PUPIL HAS PROVIDED TO THE SCHOOL AN  
15 UNEXPIRED GLUCAGON KIT FOR THE SCHOOL YEAR THAT IS PRESCRIBED FOR THAT PUPIL  
16 BY A HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13,  
17 14, 17 OR 25 OR BY A NURSE PRACTITIONER WHO IS LICENSED PURSUANT TO TITLE 32,  
18 CHAPTER 15.

19 3. THE VOLUNTEER DIABETES CARE ASSISTANT HAS PROVIDED TO THE SCHOOL A  
20 WRITTEN STATEMENT SIGNED BY A HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO  
21 TITLE 32, CHAPTER 13, 14, 17 OR 25 THAT THE VOLUNTARY DIABETES CARE ASSISTANT  
22 HAS RECEIVED PROPER TRAINING IN THE ADMINISTRATION OF GLUCAGON.

23 4. THE TRAINING PROVIDED BY A HEALTH PROFESSIONAL WHO IS LICENSED  
24 PURSUANT TO TITLE 32, CHAPTER 13, 14, 17 OR 25 MUST INCLUDE ALL OF THE  
25 FOLLOWING:

- 26 (a) AN OVERVIEW OF ALL TYPES OF DIABETES.
- 27 (b) THE SYMPTOMS AND TREATMENT OF HYPOGLYCEMIA.
- 28 (c) TECHNIQUES FOR RECOGNIZING THE SYMPTOMS THAT REQUIRE THE  
29 ADMINISTRATION OF GLUCAGON.
- 30 (d) TECHNIQUES ON ADMINISTERING GLUCAGON.

31 D. A SCHOOL DISTRICT OR CHARTER SCHOOL EMPLOYEE SHALL NOT BE SUBJECT  
32 TO ANY PENALTY OR DISCIPLINARY ACTION FOR REFUSING TO SERVE AS A VOLUNTARY  
33 DIABETES CARE ASSISTANT PURSUANT TO THIS SECTION.

34 E. A SCHOOL DISTRICT, A CHARTER SCHOOL, EMPLOYEES OF A SCHOOL DISTRICT  
35 OR A CHARTER SCHOOL AND VOLUNTEER HEALTH PROFESSIONALS WHO ARE LICENSED  
36 PURSUANT TO TITLE 32, CHAPTER 13, 14, 17 OR 25 AND NURSE PRACTITIONERS WHO  
37 ARE LICENSED PURSUANT TO TITLE 32, CHAPTER 15 AND WHO TRAIN VOLUNTEER  
38 DIABETES CARE ASSISTANTS PURSUANT TO SUBSECTION C ARE IMMUNE FROM CIVIL  
39 LIABILITY FOR THE CONSEQUENCES OF THE GOOD FAITH ADOPTION AND IMPLEMENTATION  
40 OF POLICIES AND PROCEDURES PURSUANT TO THIS SECTION.

APPROVED BY THE GOVERNOR APRIL 14, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 14, 2008.