

House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 83

HOUSE BILL 2042

AN ACT

AMENDING SECTION 15-344.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT GOVERNING BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-344.01, Arizona Revised Statutes, is amended to
3 read:

4 15-344.01. Diabetes management; policies and procedures; civil
5 immunity

6 A. The school district governing board and the charter school
7 governing body may adopt policies and procedures for pupils who have been
8 diagnosed with diabetes by a health professional who is licensed pursuant to
9 title 32, chapter 13, 14, 17 or 25 or a nurse practitioner who is licensed
10 pursuant to title 32, chapter 15 to manage their diabetes in the classroom,
11 on school grounds and at school sponsored activities as authorized by their
12 primary health professional who is licensed pursuant to title 32, chapter 13,
13 14, 17 or 25 or a nurse practitioner who is licensed pursuant to title 32,
14 chapter 15. If a school district or charter school follows the policies and
15 procedures adopted pursuant to this section, the employees of the school
16 district or charter school and members of the school district governing board
17 or charter school governing body are immune from civil liability with respect
18 to the actions taken to adopt policies and procedures pursuant to this
19 section and all decisions made and actions taken that are based on good faith
20 compliance with policies and procedures adopted pursuant to this section.

21 B. If a school district governing board or charter school governing
22 body adopts policies and procedures pursuant to subsection A, the policies
23 and procedures shall include the following components:

24 1. The parent or guardian shall annually submit a diabetes medical
25 management plan to the pupil's school that authorizes the pupil to carry
26 appropriate medications and monitoring equipment and that acknowledges that
27 the pupil is capable of self-administration of those medications and
28 equipment. The diabetes medical management plan provided by the parent or
29 guardian shall be signed by a health professional who is licensed pursuant to
30 title 32, chapter 13, 14, 17 or 25 or by a nurse practitioner who is licensed
31 pursuant to title 32, chapter 15 and shall state that the pupil is capable of
32 self-monitoring blood glucose and shall list the medications, monitoring
33 equipment and nutritional needs that are medically appropriate for the pupil
34 to self-administer and that have been prescribed or authorized for that
35 pupil.

36 2. A requirement that the pupil be able to practice proper safety
37 precautions for the handling and disposal of the equipment and medications
38 that the pupil is authorized to use pursuant to this subsection. The pupil's
39 diabetes medical management plan shall specify a method to dispose of
40 equipment and medications in a manner agreed on by the parent or guardian and
41 the school.

42 3. Procedures that enable a school district or charter school to
43 withdraw a pupil's authorization to monitor blood glucose and self-administer
44 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 4. A REQUIREMENT THAT ANY MEDICATION ADMINISTRATION SERVICES SPECIFIED
4 IN THE CHILD'S DIABETES MEDICAL MANAGEMENT PLAN SHALL BE PROVIDED.

5 C. In addition to the policies and procedures adopted pursuant to
6 subsections A and B OF THIS SECTION, the school district governing board and
7 the charter school governing body may adopt policies and procedures to
8 designate two or more school employees to serve as voluntary diabetes care
9 assistants. The parent or guardian shall have final approval of the
10 voluntary diabetes care assistants. VOLUNTARY DIABETES CARE ASSISTANTS who
11 are allowed to administer INSULIN, ASSIST THE PUPIL WITH SELF-ADMINISTRATION
12 OF INSULIN, ADMINISTER glucagon in an emergency situation to a pupil OR
13 PERFORM ANY COMBINATION OF THESE ACTIONS if all of the following conditions
14 exist:

15 1. A school nurse or another health professional who is licensed
16 pursuant to title 32, chapter 13, 14, 17 or 25 or a nurse practitioner who is
17 licensed pursuant to title 32, chapter 15 is not immediately available to
18 attend to the pupil at the time of the emergency.

19 2. IF THE VOLUNTARY DIABETES CARE ASSISTANT IS AUTHORIZED TO
20 ADMINISTER GLUCAGON, the parent or guardian of the pupil has provided to the
21 school an unexpired glucagon kit for the school year that is prescribed for
22 that pupil by a health professional who is licensed pursuant to title 32,
23 chapter 13, 14, 17 or 25 or by a nurse practitioner who is licensed pursuant
24 to title 32, chapter 15.

25 3. The volunteer diabetes care assistant has provided to the school a
26 written statement signed by a health professional who is licensed pursuant to
27 title 32, chapter 13, 14, 15, 17 or 25 that the voluntary diabetes care
28 assistant has received proper training in the administration of glucagon.

29 4. IF THE VOLUNTARY DIABETES CARE ASSISTANT IS AUTHORIZED TO
30 ADMINISTER INSULIN, THE PARENT OR GUARDIAN OF THE PUPIL HAS PROVIDED INSULIN
31 AND ALL EQUIPMENT AND SUPPLIES THAT ARE NECESSARY FOR INSULIN ADMINISTRATION
32 BY VOLUNTARY DIABETES CARE ASSISTANTS.

33 4. 5. NOTWITHSTANDING ANY OTHER LAW, the training provided by a
34 health professional who is licensed pursuant to title 32, chapter 13, 14, 15,
35 17 or 25 must include all of the following:

36 (a) An overview of all types of diabetes.

37 (b) The symptoms and treatment of HYPERGLYCEMIA AND hypoglycemia.

38 (c) TECHNIQUES FOR DETERMINING THE PROPER DOSE OF INSULIN IN A
39 SPECIFIC SITUATION BASED ON INSTRUCTIONS PROVIDED IN THE ORDERS SUBMITTED BY
40 THE PUPIL'S PHYSICIAN.

41 (e) (d) Techniques for recognizing the symptoms that require the
42 administration of glucagon.

43 (d) (e) Techniques on administering glucagon.

1 D. A school district or charter school employee shall not be subject
2 to any penalty or disciplinary action for refusing to serve as a voluntary
3 diabetes care assistant pursuant to this section.

4 E. A school district, a charter school, employees of a school district
5 or a charter school and volunteer health professionals who are licensed
6 pursuant to title 32, chapter 13, 14, 17 or 25 and nurse practitioners who
7 are licensed pursuant to title 32, chapter 15 and who train volunteer
8 diabetes care assistants pursuant to subsection C are immune from civil
9 liability for the consequences of the good faith adoption and implementation
10 of policies and procedures pursuant to this section.

APPROVED BY THE GOVERNOR APRIL 11, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2013.

Passed the House March 5, 20 13

Passed the Senate April 9, 20 13

by the following vote: 55 Ayes,

by the following vote: 29 Ayes,

2 Nays, 3 Not Voting

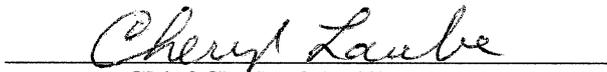
1 Nays, 0 Not Voting



Speaker of the House
Pro Tempore



President of the Senate



Cheryl Laube
Chief Clerk of the House



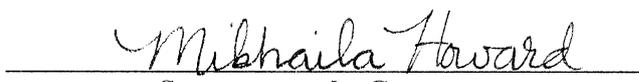
Chairman Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

10 day of April, 20 13

at 3:20 o'clock P M.

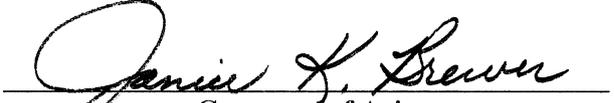


Mikhaela Howard
Secretary to the Governor

Approved this 11th day of

April

at 12:35 o'clock P. M.



Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 11th day of April, 20 13

at 4:34 o'clock P M.



Ken Blumeth
Secretary of State