

REFERENCE TITLE: schools; seizure management; treatment plans

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1654

Introduced by
Senator Kerr: Representative Dunn

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-160.02; RELATING TO SCHOOL SAFETY REQUIREMENTS.

(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 1, article 5, Arizona Revised
3 Statutes, is amended by adding section 15-160.02, to read:

4 15-160.02. Seizure management and treatment plans;
5 requirements; immunity; online instruction;
6 rules

7 A. BEGINNING IN THE 2022-2023 SCHOOL YEAR, THE PARENT OR GUARDIAN
8 OF A STUDENT WHO HAS A SEIZURE DISORDER AND WHO IS ENROLLED IN A SCHOOL
9 THAT IS OPERATED BY A SCHOOL DISTRICT OR A CHARTER SCHOOL IN THIS STATE
10 MAY SUBMIT TO THE SCHOOL DISTRICT OR CHARTER SCHOOL IN WHICH THE STUDENT
11 IS ENROLLED A COPY OF A SEIZURE MANAGEMENT AND TREATMENT PLAN FOR SCHOOL
12 PERSONNEL TO USE IF THE STUDENT SUFFERS A SEIZURE AT SCHOOL OR WHILE
13 PARTICIPATING IN A SCHOOL-SPONSORED ACTIVITY. THE PLAN MUST BE DEVELOPED
14 BY THE STUDENT'S PARENT OR GUARDIAN AND THE PHYSICIAN RESPONSIBLE FOR THE
15 STUDENT'S SEIZURE TREATMENT. THE PLAN MUST BE SUBMITTED TO AND REVIEWED
16 BY THE SCHOOL DISTRICT OR CHARTER SCHOOL:

17 1. BEFORE OR AT THE BEGINNING OF THE SCHOOL YEAR.

18 2. IF THE STUDENT ENROLLS IN THE SCHOOL DISTRICT OR CHARTER SCHOOL
19 AFTER THE BEGINNING OF THE SCHOOL YEAR, WHEN THE STUDENT ENROLLS.

20 3. AS SOON AS PRACTICABLE FOLLOWING A DIAGNOSIS OF THE STUDENT'S
21 SEIZURE DISORDER.

22 B. A SEIZURE MANAGEMENT AND TREATMENT PLAN MUST MEET ALL OF THE
23 FOLLOWING REQUIREMENTS:

24 1. OUTLINE PROCEDURES RECOMMENDED BY THE PHYSICIAN RESPONSIBLE FOR
25 THE STUDENT'S SEIZURE TREATMENT TO MANAGE AN ACTIVE SEIZURE IF THE STUDENT
26 SUFFERS A SEIZURE AT SCHOOL OR WHILE PARTICIPATING IN A SCHOOL-SPONSORED
27 ACTIVITY.

28 2. OUTLINE OTHER HEALTH CARE SERVICES AVAILABLE AT THE SCHOOL THAT
29 THE STUDENT MAY RECEIVE TO HELP TO MANAGE THE STUDENT'S SEIZURE DISORDER
30 AT SCHOOL OR WHILE PARTICIPATING IN A SCHOOL-SPONSORED ACTIVITY.

31 3. BE SIGNED BY THE STUDENT'S PARENT OR GUARDIAN AND THE PHYSICIAN
32 RESPONSIBLE FOR THE STUDENT'S SEIZURE TREATMENT.

33 C. A SCHOOL NURSE WHO IS EMPLOYED BY OR UNDER CONTRACT WITH A
34 SCHOOL DISTRICT OR CHARTER SCHOOL SHALL REVIEW EACH SEIZURE MANAGEMENT AND
35 TREATMENT PLAN. IF A SCHOOL NURSE IS NOT AVAILABLE, THE SCHOOL DISTRICT
36 OR CHARTER SCHOOL SHALL DESIGNATE AN EMPLOYEE WHO IS RESPONSIBLE FOR
37 REVIEWING SEIZURE MANAGEMENT AND TREATMENT PLANS.

38 D. SCHOOL DISTRICTS, CHARTER SCHOOLS, EMPLOYEES OF SCHOOL DISTRICTS
39 OR CHARTER SCHOOLS AND NURSES WHO ARE UNDER CONTRACT WITH A SCHOOL
40 DISTRICT OR CHARTER SCHOOL ARE IMMUNE FROM CIVIL LIABILITY WITH RESPECT TO
41 ALL DECISIONS MADE AND ACTIONS TAKEN THAT ARE BASED ON GOOD FAITH
42 IMPLEMENTATION OF A SEIZURE MANAGEMENT AND TREATMENT PLAN SUBMITTED
43 PURSUANT TO THIS SECTION, INCLUDING AN ACTION OR FAILURE TO ACT IN
44 ADMINISTERING A MEDICATION, ASSISTING WITH SELF-ADMINISTRATION OR

1 OTHERWISE PROVIDING FOR THE CARE OF A STUDENT UNDER A SEIZURE MANAGEMENT
2 AND TREATMENT PLAN SUBMITTED FOR THE STUDENT UNDER THIS SECTION, EXCEPT IN
3 CASES OF GROSS NEGLIGENCE, WILFUL MISCONDUCT OR INTENTIONAL WRONGDOING.
4 E. A SCHOOL NURSE WHO IS EMPLOYED BY OR UNDER CONTRACT WITH A
5 SCHOOL DISTRICT OR CHARTER SCHOOL SHALL COMPLETE AN ONLINE COURSE OF
6 INSTRUCTION FOR SCHOOL NURSES REGARDING MANAGING STUDENTS WITH SEIZURE
7 DISORDERS. THE COURSE MUST BE APPROVED BY THE STATE BOARD OF EDUCATION
8 AND INCLUDE INFORMATION ABOUT SEIZURE RECOGNITION AND RELATED FIRST AID.
9 F. A SCHOOL DISTRICT OR CHARTER SCHOOL EMPLOYEE, OTHER THAN A
10 SCHOOL NURSE, WHOSE DUTIES AT THE SCHOOL INCLUDE REGULAR CONTACT WITH
11 STUDENTS SHALL COMPLETE AN ONLINE COURSE OF INSTRUCTION FOR SCHOOL
12 PERSONNEL REGARDING AWARENESS OF STUDENTS WITH SEIZURE DISORDERS. THE
13 COURSE MUST BE APPROVED BY THE STATE BOARD OF EDUCATION AND INCLUDE
14 INFORMATION ABOUT SEIZURE RECOGNITION AND RELATED FIRST AID.
15 G. A SCHOOL DISTRICT OR CHARTER SCHOOL COMPLIES WITH THIS SECTION
16 IF A STUDENT REQUIRES AN EDUCATIONAL ACCOMMODATION UNDER SECTION 504 OF
17 THE REHABILITATION ACT OF 1973 (P.L. 93-112; 87 STAT. 355; 29 UNITED
18 STATES CODE SECTION 794) AND THE STUDENT'S ACCOMMODATION PLAN INCLUDES A
19 SEIZURE MANAGEMENT AND TREATMENT PLAN.
20 H. NOT LATER THAN DECEMBER 1, 2022, THE STATE BOARD OF EDUCATION
21 SHALL APPROVE AN ONLINE COURSE OF INSTRUCTION THAT IS PROVIDED FREE OF
22 CHARGE BY A NONPROFIT NATIONAL FOUNDATION AND THAT SUPPORTS THE WELFARE OF
23 INDIVIDUALS WITH EPILEPSY AND SEIZURE DISORDERS TO SATISFY THE TRAINING
24 REQUIRED BY SUBSECTIONS E AND F OF THIS SECTION.
25 I. THE STATE BOARD OF EDUCATION SHALL ADOPT RULES AS NECESSARY TO
26 ADMINISTER THIS SECTION.