

SB 161 – Seizure Rescue Medication in Schools

Sacramento. October 7. California Governor Jerry Brown's signed California Senate Bill 161 into law! The bill authorizes volunteer, trained, non-medical personnel in schools to administer emergency medication to students with epilepsy suffering from prolonged seizures. "This is significant progress for the epilepsy community," said Ann Kinkor, State Advocacy Coordinator for Epilepsy California... Appropriate emergency intervention at school, such as access to life saving medications like Diastat, is extremely time-sensitive because prolonged seizures can have devastating results including brain injury and death. Epilepsy California, comprised of the three California Epilepsy Foundation affiliates, worked extensively over the past two years with the bill's sponsor, Senator Bob Huff, and other legislators to help pass the bill. Thousands of parent and friend advocates joined with Epilepsy California and partner organizations, like the Epilepsy Alliance of Orange County, to help see this bill to the end. This would not have happened without the large show of support from the community. Ms. Kinkor ... thanked officials directly, "First and foremost, we thank Senator Huff for sponsoring this important bill. We also thank Senators Rubio and Lowenthal and Assembly Members Ma, Gatto, Brownley and Hall for their support." "It's crucially important to be able to administer appropriate emergency care quickly to anyone suffering an epileptic seizure," says Dr. Raman Sankar... "A prolonged seizure that is not treated appropriately and in a rapid manner can result in brain injury," says Dr. Arthur Partikian... "and that is why this bill was so important for our children." ■

To join Epilepsy California and stay updated on advocacy activities in California, please email your name, email, and home address (with zip code) to RHalliwell@End-Epilepsy.org. ■

MORE INFORMATION

SB 161 is effective January 2012. SB 161 authorizes school districts to provide school employees with voluntary emergency medical training to provide emergency medical assistance to pupils with epilepsy suffering from seizures. Specifically, this bill:

- 1) Authorizes a school district, in the absence of a credentialed school nurse or other licensed nurse onsite at the school, to provide school employees with voluntary emergency medical training to provide emergency medical assistance to pupils with epilepsy suffering from seizures.
- 2) Requires a school employee with voluntary emergency medical training to provide this emergency medical assistance in accordance with yet-to-be-established guidelines, and the performance instructions of the licensed health care provider of the pupil.
- 3) Prohibits a school employee from being required to provide emergency medical assistance unless that employee volunteers and has been trained pursuant to this bill.
- 4) Authorizes a parent of a pupil with epilepsy who has been prescribed Diastat by a health care provider to request that one or more school employees be trained to administer Diastat in the event of a seizure when a nurse is not available.
- 5) Requires a school, upon receipt of the parent's request, to notify the parent that his or her child may qualify for services or accommodations pursuant to Section 504 of the federal Rehabilitation Act. The school is also required to assist the parent with the exploration of that option (including the development of a seizure action plan pursuant to the parent's direction) and encourage the parent to adopt that option if it is determined that the child is eligible for a Section 504 plan. The school is required to renotify the parent about options pursuant to Section 504 if no school employees volunteer to be trained to administer Diastat.
- 6) Authorizes a school to create an individualized health plan, seizure action plan or other appropriate health plan designed to acknowledge and prepare for the child's health care needs in school if the parent does not choose to have the pupil assessed for a Section 504 plan.

- 7) Requires a school that chooses to train school personnel to distribute an electronic notice to all staff that states all of the following: a) The notice is a request for volunteers to administer Diastat to a pupil experiencing a severe epileptic seizure, in the absence of a school nurse. b) Diastat is an FDA-approved, pre-dosed, rectally administered gel that reduces the severity of epileptic seizures. c) A volunteer will receive training from a licensed health professional regarding the administration of Diastat. d) Any agreement by the employee to administer Diastat is voluntary and no employee of the school or district shall directly or indirectly use or attempt to use his or her authority or influence for the purpose of intimidating, threatening, coercing, or attempting to intimidate, threaten, or coerce any school employee who does not choose to volunteer.
- 8) Requires a school that chooses to train employees to have in place a plan which shall include, but not be limited to: a) Identification of existing licensed staff within the district or region who could be trained in the administration of Diastat and could be available to respond to an emergency need to administer Diastat. The school is to consult with the school district or county office of education to obtain this information. b) Identification of pupils who may require the administration of Diastat. c) Written authorization from the parent for a non-medical school employee to administer Diastat. d) The requirement that the parent notify the school if the pupil has had Diastat administered within the prior four hours. e) Notification to the parent that Diastat has been administered. f) A written statement from the pupil's health care practitioner, which shall include but not be limited to:
 - ★ The name of the pupil.
 - ★ The name and purpose of the medication.
 - ★ The prescribed dosage.
 - ★ Detailed seizure symptoms, including the frequency, type, or length of seizures that identify when the administration of Diastat becomes necessary.
 - ★ The method of administration.
 - ★ The frequency with which the medication may be administered.
 - ★ The circumstances under which the medication may be administered.
 - ★ Any potential adverse response of student; recommended mitigation actions, including when to call 911.
 - ★ A protocol for observing the pupil after a seizure, including but not limited to, whether the pupil should rest in the school office, may return to class, and the length of time the pupil should be under direct observation.
- 9) Requires a school that chooses to allow volunteers to administer Diastat to compensate a volunteer when the administration of Diastat and subsequent monitoring of a pupil requires a volunteer to work beyond his or her normally scheduled hours.
- 10) Encourages the Epilepsy Foundation to develop guidelines for the training and supervision of school employees. These guidelines may be developed in cooperation with the State Department of Education, the California School Nurses Organization, the California Medical Association, and the American Academy of Pediatrics.
- 11) Requires training to include, but not be limited to, all of the following:
 - ★ Recognition and treatment of different types of seizures.
 - ★ Administration of Diastat.
 - ★ Basic emergency follow-up procedures including, but not limited to, calling 911 and contacting parent.
 - ★ Techniques and procedures to ensure pupil privacy.
- 12) Requires training to be conducted by one or more of the following:
 - ★ A physician and surgeon.
 - ★ A physician and surgeon's assistant.
 - ★ A credentialed school nurse.
 - ★ A registered nurse.
 - ★ A certificated public health nurse.
- 13) Deems training in accordance with the manufacturer's instruction, the pupil's health care provider's instructions, and guidelines as adequate training.
- 14) Requires a school employee to notify the credentialed school nurse assigned to the school district if he or she administers Diastat to a pupil. The school employee is required to notify the superintendent of the school district if a credentialed school nurse is not assigned to the school district.
- 15) Requires the school to retain all records related to the administration of Diastat by school personnel.
- 16) Requires all materials necessary to administer Diastat to be provided by the pupil's parent. The law sunsets the provisions of this bill on January 1, 2017 and would have to be reauthorized by the legislature at that time.

Note: This information is intended to provide as much information as possible about SB161, but many operational aspects of the bill are still in development. This is a guide only.