

SB 71 – VERSION ADOPTED BY BOTH BODIES

2015 SESSION

15-0648
04/08

SENATE BILL

71

AN ACT

relative to the administration of glucagon injections for children in schools.

SPONSORS:

Sen. Stiles, Dist 24; Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Rep. Gargasz, Hills 27; Rep. J. Ward, Rock 19; Rep. Weber, Ches 1; Rep. P. Long, Hills 10

COMMITTEE:

Education

ANALYSIS

This bill allows glucagon injections to be provided by certain school employees.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the administration of glucagon injections for children in schools.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; School Health Services; Glucagon Injections. Amend RSA 200 by inserting after
2 section 40-a the following new section:

3 200:40-b Glucagon Injections.

4 I.(a) The state board of education, after consultation with the department of health and
5 human services, shall adopt rules pursuant to RSA 541-A for addressing incidents of hypoglycemia
6 resulting in unconsciousness, seizure and/or the inability to swallow in order to provide for the
7 health and safety of children who have been medically identified as having diabetes. The rules shall
8 provide that:

9 (1) A parent or legal guardian of any child may authorize a school employee, or
10 person employed on behalf of the school in cases where there is no school nurse immediately
11 available, to administer glucagon to a child in case of an emergency, while at school or a school
12 sponsored activity;

13 (2) The glucagon shall be kept in a conspicuous place, readily available; and

14 (3) Glucagon administration training may be provided by a licensed physician,
15 physician assistant, advanced practiced registered nurse, or registered nurse, however in no case
16 shall school nurses be required to provide training; and the school administration shall allow school
17 employees to voluntarily assist with the emergency administration of glucagon when authorized by a
18 parent or legal guardian.

19 (b) No school employee shall be subject to penalty or disciplinary action for refusing to be
20 trained in glucagon administration.

21 (c) A parent or legal guardian shall provide a diabetes management plan or physician's
22 order, signed by the student's health care provider, that prescribes the care and assistance needed by
23 the student including glucagon administration.

24 II. The state board of education, in conjunction with the American Diabetes Association, and
25 the New Hampshire chapter of American Academy of Pediatrics, shall develop standards and
26 guidelines for the training and supervision of personnel, other than the school nurse, who provide
27 emergency medical assistance to students under this section. Such personnel shall only be
28 authorized to provide such assistance upon successful completion of glucagon administration
29 training.

30 III. No school teacher, school administrator, school health care personnel, person employed
31 on behalf of the school, any other school personnel, nor any local educational authority shall be liable

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1 for civil damages which may result from acts or omissions in use of glucagon which may constitute
2 ordinary negligence. This immunity shall not apply to acts or omissions constituting gross
3 negligence or willful or wanton conduct.

4 IV. Training on the administration of glucagon for school personnel, or those employed on
5 behalf of the school, shall not be considered the delegation of nursing practice.

6 V. The administration of glucagon by school personnel, or those employed on behalf of the
7 school, shall not be considered the practice of nursing.

8 2 Effective Date. This act shall take effect 60 days after its passage.