

2025 -- H 5491

LC001557

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Fogarty, Carson, Shallcross Smith, Tanzi, Bennett,
Dawson, Cortvriend, Noret, Kazarian, and Donovan

Date Introduced: February 13, 2025

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is
2 hereby amended by adding thereto the following sections:

3 **16-21-43. Seizure safe schools.**

4 (a) "Seizure action plan" means a standardized written, individualized health plan designed
5 to acknowledge and prepare for the healthcare needs of a student diagnosed with a seizure disorder.
6 The parent or guardian of each student diagnosed with a seizure disorder shall collaborate with
7 their child's physician as well as the school nurse teacher to create an individualized seizure action
8 plan. The seizure action plan shall include:

9 (1) Assurance of access and administration of any medication prescribed to treat seizure
10 disorder symptoms as approved by the United States Food and Drug Administration or any
11 successor agency; and

12 (2) Physician instructions in administering seizure medications, and manual vagus nerve
13 stimulation, as well as the recognition of the signs and symptoms of seizures and the appropriate
14 steps to be taken to respond to these symptoms

15 (b) Prior to administering medication prescribed to treat seizure disorder symptoms, the
16 student's parent or guardian shall:

17 (1) Provide the school with a written authorization to administer the medication at school;

18 (2) Provide a written statement from the student's healthcare practitioner, which shall
19 contain the following information:

- 1 (i) Student's name;
2 (ii) The name and purpose of the medication;
3 (iii) The prescribed dosage;
4 (iv) The route of administration;
5 (v) The frequency that the medication may be administered; and
6 (vi) The circumstances under which the medication may be administered; and
7 (3) Provide the prescribed medication to the school in its unopened, sealed package with
8 the label affixed by the dispensing pharmacy intact.
9 (c) The department of elementary and secondary education shall promulgate administrative
10 regulations establishing procedures for the development and content of seizure action plans.

11 **16-21-44. Requirements for administration of seizure rescue medications in a school**
12 **setting.**

13 (a) The department of elementary and secondary education and the department of health
14 shall incorporate into their policies, rules and regulations for administration of seizure rescue
15 medications that are applied via nasal route to provide for the health and safety of children who
16 have been medically identified as having epilepsy/seizure disorder. The policies, rules and
17 regulations shall include procedures whereby:

18 (1) A parent or legal guardian of any child may expressly authorize school employees or
19 those employed on behalf of the school, for when there is no school nurse immediately available,
20 to administer a United States Food and Drug Administration (FDA) approved seizure rescue
21 medication on such child in case of an emergency, while at school or school sponsored activities.
22 Any school employee or those employed on behalf of the school who are authorized to administer
23 seizure rescue medications shall be trained in seizure first aid using the Epilepsy Foundation
24 Seizure Training for School Personnel Program and American Heart Association or American Red
25 Cross CPR certification;

26 (2) The pre-dosed and pre-packaged seizure rescue medication shall be kept in a locked,
27 secure, designated area, readily available;

28 (3) Seizure rescue medication administration training may be provided by a licensed
29 physician, physician assistant, advanced practiced registered nurse, or registered nurse; provided
30 however, in no case shall school nurse teachers be required to provide training; and

31 (4) The school administration shall allow staff to voluntarily assist with the emergency
32 administration of a seizure rescue medication when authorized by a parent or legal guardian.

33 (b) A school employee, including administrative staff, shall not be subject to penalty or
34 disciplinary action for refusing to be trained in the administration of a seizure rescue medication.

1 (c) A parent or legal guardian shall provide a seizure action plan or physician's order,
2 signed by the student's healthcare provider, that prescribes the care and assistance needed by the
3 student including administration of seizure rescue medications.

4 (d) The statements and seizure action plan required by this section shall be kept on file in
5 the office of the school nurse and/or school administrator and with the individual authorized to
6 administer the seizure rescue medication.

7 (e) The seizure action plan required by this section shall be distributed to any school
8 personnel or volunteers, identified in the seizure action plan, who is responsible for the supervision
9 or care of the student with a seizure disorder. A student's parent/guardian shall distribute the
10 authorized seizure action plan required by this section to any non-school personnel identified in the
11 seizure action plan, who is responsible for the supervision or care of the student with a seizure
12 disorder.

13 (f) The presence of a registered nurse employed full-time by a school who assumes
14 responsibility for the administration of seizure medications, and the administration oversight of
15 vagus nerve stimulation, shall fulfill the requirements of this section.

16 (g)(1) Every public, private and parochial school or school district shall provide training to
17 principals, guidance counselors, teachers, and other relevant school personnel with direct contact
18 and supervision of children, including bus drivers and classroom aides, on the recognition of the
19 signs and symptoms of seizures and the appropriate steps for seizure first aid.

20 (2) Any training program or guideline adopted by any state agency for the training of school
21 personnel in the healthcare needs of students diagnosed with a seizure disorder shall be fully
22 consistent with training programs and guidelines developed by the Epilepsy Foundation of America
23 or any successor organization. Notwithstanding any state agency requirement or other law to the
24 contrary, for the purposes of this training, a local school district shall be permitted to use any
25 adequate and appropriate training program or guidelines for training of school personnel in the
26 seizure disorder care tasks covered under this section.

27 (h) The permission for the administration of any of the medications listed under this section
28 shall be effective for the school year in which it is granted and shall be renewed each following
29 school year upon fulfilling the requirements of this section.

30 (i) The requirements of this section shall apply only to schools that have a student enrolled
31 who has a seizure disorder or has a seizure medication prescribed to treat seizure disorder symptoms
32 approved by the FDA or any successor agency prescribed by the student's healthcare provider.

33 (j) Every public, private and parochial school or school district shall provide an age-
34 appropriate seizure education program to all students on seizures and seizure disorders. The seizure

1 education program shall be consistent with guidelines published by the Epilepsy Foundation of
2 America or any successor organization. The department of elementary and secondary education
3 shall promulgate administrative rules and regulations for the development and implementation of
4 the seizure education program.

5 (k) A school district, school district employee, or agent acting in good faith and in
6 substantial compliance with the student's individual health plan, including a seizure action plan,
7 and the instructions of the student's licensed healthcare professional, that provides assistance or
8 services under this section shall not be liable for civil damages in their individual, marital,
9 governmental, corporate, or other capacities as a result of the services provided under this section
10 to students with epilepsy or seizure disorders.

11 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

1 This act would require the department of elementary and secondary education and the
2 department of health to adopt policies, rules and regulations for the administration of seizure rescue
3 medications administered via nasal route for students who have been medically identified as having
4 epilepsy/seizure disorder.

5 This act would take effect upon passage.

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