

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 197
HOUSE BILL 2086

AN ACT

AMENDING SECTION 15-344.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL POLICIES.

(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
3 to read:

4 15-344.01. Diabetes management; policies and procedures;
5 civil 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
9 to title 32, chapter 13, 14, 17 or 25 or a nurse practitioner who is
10 licensed pursuant to title 32, chapter 15 to manage their diabetes in the
11 classroom, on school grounds and at ~~school-sponsored~~ SCHOOL-SPONSORED
12 activities as authorized by ~~their~~ THE primary health professional who is
13 licensed pursuant to title 32, chapter 13, 14, 17 or 25, ~~or a~~ nurse
14 practitioner who is licensed pursuant to title 32, chapter 15 OR
15 PHARMACIST WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 18 AND WHO IS
16 PRACTICING PURSUANT TO SECTION 32-1970. If a school district or charter
17 school follows the policies and procedures adopted pursuant to this
18 section, the employees of the school district or charter school and
19 members of the school district governing board or charter school governing
20 body are immune from civil liability with respect to the actions taken to
21 adopt policies and procedures pursuant to this section and all decisions
22 made and actions taken that are based on good faith compliance with
23 policies and procedures adopted pursuant to this section.

24 B. If a school district governing board or charter school governing
25 body adopts policies and procedures pursuant to subsection A OF THIS
26 SECTION, the policies and procedures shall include the following
27 components:

28 1. The parent or guardian shall annually submit a diabetes medical
29 management plan to the pupil's school that authorizes the pupil to carry
30 appropriate medications and monitoring equipment and that acknowledges
31 that the pupil is capable of self-administration of those medications and
32 equipment. The diabetes medical management plan provided by the parent or
33 guardian shall be signed by a health professional who is licensed pursuant
34 to title 32, chapter 13, 14, 17 or 25, ~~or by~~ a nurse practitioner who is
35 licensed pursuant to title 32, chapter 15 OR A PHARMACIST WHO IS LICENSED
36 PURSUANT TO TITLE 32, CHAPTER 18 AND WHO IS PRACTICING PURSUANT TO SECTION
37 32-1970, and shall state that the pupil is capable of self-monitoring
38 blood glucose and shall list the medications, monitoring equipment and
39 nutritional needs that are medically appropriate for the pupil to
40 self-administer and that have been prescribed or authorized for that
41 pupil.

42 2. A requirement that the pupil be able to practice proper safety
43 precautions for the handling and disposal of the equipment and medications
44 that the pupil is authorized to use pursuant to this subsection. The
45 pupil's diabetes medical management plan shall specify a method to dispose

1 of equipment and medications in a manner agreed on by the parent or
2 guardian and the school.

3 3. Procedures that enable ~~a~~ THE school district or charter school
4 to withdraw a pupil's authorization to monitor blood glucose and
5 self-administer diabetes medication pursuant to this subsection if the
6 pupil does not practice proper safety precautions as provided in paragraph
7 2 of this subsection.

8 4. A requirement that any medication administration services
9 specified in the child's diabetes medical management plan shall be
10 provided.

11 C. In addition to the policies and procedures adopted pursuant to
12 subsections A and B of this section, the school district governing board
13 and the charter school governing body may adopt policies and procedures to
14 designate two or more school employees to serve as voluntary diabetes care
15 assistants. The parent or guardian shall have final approval of the
16 voluntary diabetes care assistants. Voluntary diabetes care assistants
17 are allowed to administer insulin, assist the pupil with
18 self-administration of insulin, administer glucagon in an emergency
19 situation to a pupil or perform any combination of these actions if all of
20 the following conditions exist:

21 1. A school nurse or another health professional who is licensed
22 pursuant to title 32, chapter 13, 14, 17 or 25, ~~or~~ a nurse practitioner
23 who is licensed pursuant to title 32, chapter 15 OR A PHARMACIST WHO IS
24 LICENSED PURSUANT TO TITLE 32, CHAPTER 18 AND WHO IS PRACTICING PURSUANT
25 TO SECTION 32-1970 is not immediately available to attend to the pupil at
26 the time of the emergency.

27 2. If the voluntary diabetes care assistant is authorized to
28 administer glucagon, the parent or guardian of the pupil has provided to
29 the school an unexpired glucagon kit for the school year that is
30 prescribed for that pupil by a health professional who is licensed
31 pursuant to title 32, chapter 13, 14, 17 or 25, ~~or by~~ a nurse practitioner
32 who is licensed pursuant to title 32, chapter 15 OR A PHARMACIST WHO IS
33 LICENSED PURSUANT TO TITLE 32, CHAPTER 18 AND WHO IS PRACTICING PURSUANT
34 TO SECTION 32-1970.

35 3. The volunteer diabetes care assistant has provided to the school
36 a written statement signed by a health professional who is licensed
37 pursuant to title 32, chapter 13, 14, 15, 17, 18 or 25 that the voluntary
38 diabetes care assistant has received proper training in the administration
39 of glucagon.

40 4. If the voluntary diabetes care assistant is authorized to
41 administer insulin, the parent or guardian of the pupil has provided
42 insulin and all equipment and supplies that are necessary for insulin
43 administration by voluntary diabetes care assistants.

1 5. Notwithstanding any other law, the training provided by a health
2 professional who is licensed pursuant to title 32, chapter 13, 14, 15, 17,
3 18 or 25 must include all of the following:
4 (a) An overview of all types of diabetes.
5 (b) The symptoms and treatment of hyperglycemia and hypoglycemia.
6 (c) Techniques for determining the proper dose of insulin in a
7 specific situation based on instructions provided in the orders submitted
8 by the pupil's physician.
9 (d) Techniques for recognizing the symptoms that require the
10 administration of glucagon.
11 (e) Techniques on administering glucagon.
12 D. A school district or charter school employee ~~shall~~ IS not ~~be~~
13 subject to any penalty or disciplinary action for refusing to serve as a
14 voluntary diabetes care assistant pursuant to this section.
15 E. A school district, a charter school, employees of a school
16 district or a charter school and volunteer health professionals who are
17 licensed pursuant to title 32, chapter 13, 14, 15, 17, 18 or 25 ~~and nurse~~
18 ~~practitioners who are licensed pursuant to title 32, chapter 15~~ and who
19 train volunteer diabetes care assistants pursuant to subsection C OF THIS
20 SECTION are immune from civil liability for the consequences of the good
21 faith adoption and implementation of policies and procedures pursuant to
22 this section.

APPROVED BY THE GOVERNOR APRIL 12, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2018.