



SENATE BILL 695: Statewide Medical Action Plan for Schools.

2021-2022 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	May 6, 2021
Introduced by:	Sens. Jarvis, Lee, Ballard	Prepared by:	Drupti Chauhan
Analysis of:	Second Edition		Committee Counsel

OVERVIEW: *Senate Bill 695 requires medical condition action plans for certain public school students.*

CURRENT LAW: Under G.S. 115C-375.1 it is within the scope of duty of teachers and public school employees, when authorized by the local board of education or its designee, to (i) administer any drugs or medication prescribed by a doctor upon written request of the parents, (ii) give emergency health care when reasonably apparent circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of the student, and (iii) to perform any other first aid or lifesaving techniques in which the employee has been trained in a program approved by the SBE. No employee can be required to administer drugs or medication or attend lifesaving techniques programs.

Individuals authorized to act are not liable in civil damages for any authorized act or for any omission relating to that act unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Persons serving in voluntary positions with the consent of the local board of education or its designee who have the authority to act to give emergency health care when delays would worsen the condition of the student are also not liable in civil damages for any authorized act or for any omission relating to the act unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Principals must determine which persons will participate in the medical care program at the school.

There are specific statutes that requires policies and guidelines regarding students with asthma, school supplies of epinephrine auto-injectors, and supports and assistance to students with diabetes.

BILL ANALYSIS: Senate Bill 695 directs the State Board of Education (SBE) to adopt a rule establishing a medical condition action plan that public school units would have to implement for students at-risk for medical emergencies as diagnosed by a doctor. The medical condition action plan must include the following:

- A standard medical condition action plan form.
- Detailed instructions in the medical condition action plan form for all designated individuals on how provide medical emergency care for a student at-risk for a medical emergency.
- Information detailing the method by which and by whom any medical emergency will be handled when the at-risk student is at a school-sponsored activity that is not on the campus of the school.

The bill also directs that local boards of education, charter schools, regional schools, laboratory schools, and the renewal school system implement the medical condition action plan adopted by the SBE.

EFFECTIVE DATE: The bill would be effective when it becomes law and applies beginning with the 2021-2022 school year.

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