

HB5588



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5588

by Rep. Aaron M. Ortiz

SYNOPSIS AS INTRODUCED:

New Act

Creates the Individualized Student Emergency Health Care Act. Provides that the parent or guardian of a student with a seizure disorder who seeks seizure disorder care while at school shall inform the school nurse, who shall develop an individualized health care plan and an individualized emergency health care plan for the student, provided that the parent or guardian of the student annually provides to the school board written authorization for the provision of seizure disorder care as may be outlined in the individualized plans. Sets forth provisions concerning transport by a school bus driver, parent or guardian authorization, and liability. Effective immediately.

LRB101 17265 CMG 66669 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Individualized Student Emergency Health Care Act.

6 Section 5. Definition. As used in this Act:

7 "Individualized emergency health care plan" means a
8 document developed by a school nurse, in consultation with the
9 parent or guardian of a student with a seizure disorder and
10 other appropriate medical professionals, that is consistent
11 with the recommendations of the student's health care
12 providers, outlines a set of procedural guidelines that provide
13 specific directions about what to do in a particular emergency
14 situation, and is signed by the parent or guardian and the
15 school nurse.

16 "Individualized health care plan" means a document
17 developed by a school nurse, in consultation with the parent or
18 guardian of a student with a seizure disorder and other
19 appropriate medical professionals who may be providing seizure
20 disorder care to the student, that is consistent with the
21 recommendations of the student's health care providers, sets
22 out the health services needed by the student at school, and is
23 signed by the parent or guardian and the school nurse.

1 "School" means a public elementary or secondary public
2 school located within this State.

3 "School employee" means a person employed by a school
4 district.

5 Section 10. Seizure disorder health care plans.

6 (a) The parent or guardian of a student with a seizure
7 disorder who seeks seizure disorder care while at school shall
8 inform the school nurse, who shall develop an individualized
9 health care plan and an individualized emergency health care
10 plan for the student, provided that the parent or guardian of
11 the student annually provides to the school board written
12 authorization for the provision of seizure disorder care as may
13 be outlined in the individualized plans.

14 (b) The individualized health care plan and individualized
15 emergency health care plan developed in accordance with
16 subsection (a) shall be updated by the school nurse prior to
17 the beginning of each school year and as necessary if there is
18 a change in the health status of the student.

19 (c) Each individualized health care plan shall include and
20 each individualized emergency health care plan may include the
21 following information:

22 (1) written orders from the student's physician or
23 advanced practice registered nurse outlining the seizure
24 disorder care;

25 (2) the symptoms of the seizure disorder for that

1 particular student and recommended care;

2 (3) full participation in exercise and sports and any
3 contraindications to exercise or accommodations that must
4 be made for that particular student;

5 (4) accommodations for school trips, after-school
6 activities, class parties, and other school-related
7 activities;

8 (5) education of all school personnel about seizure
9 disorders, how to recognize and provide care for seizure
10 disorders, and when to call for assistance;

11 (6) medical and treatment issues that may affect the
12 educational process of the student with the seizure
13 disorder;

14 (7) the student's ability to manage and the student's
15 level of understanding of the student's seizure disorder;
16 and

17 (8) how to maintain communication with the student, the
18 student's parent or guardian and health care team, the
19 school nurse, and the educational staff.

20 (d) The school nurse assigned to a particular school shall
21 coordinate the provision of seizure disorder care at that
22 school and ensure that all staff are trained in the care of
23 students with seizure disorders, including staff working with
24 school-sponsored programs outside of the regular school day, as
25 provided in the individualized health care plan and the
26 individualized emergency health care plan.

1 The training required pursuant to this subsection shall
2 include an online course of instruction provided by a nonprofit
3 national foundation that supports the welfare of individuals
4 with seizure disorders, such as the Epilepsy Foundation, and
5 approved by the State Board of Education. A seizure training
6 program approved by the State Board that is provided to a
7 school district on portable media shall be provided by the
8 nonprofit entity free of charge.

9 Section 15. Transport by school bus driver. If a school bus
10 driver transports a student with a seizure disorder, a school
11 district shall provide the driver with the following:

- 12 (1) a notice of the student's condition;
13 (2) information on how to provide care for the seizure
14 disorder;
15 (3) emergency contact information; and
16 (4) parent contact information.

17 Section 20. Parent or guardian authorization. The school
18 nurse shall obtain a release from the parent or guardian of a
19 student with a seizure disorder to authorize the sharing of
20 medical information between the student's physician or
21 advanced practice registered nurse and other health care
22 providers. The release shall also authorize the school nurse to
23 share medical information with other staff members of the
24 school district as necessary.

1 Section 25. Liability. No school employee, including a
2 school nurse, a school bus driver, a school bus aide, or any
3 other officer or agent of a school board, shall be held liable
4 for any good faith act or omission consistent with the
5 provisions of this Act, nor shall an action lie against a
6 school nurse for any such action taken by a person trained in
7 good faith by the school nurse pursuant to this Act. Good faith
8 shall not include willful misconduct, gross negligence, or
9 recklessness.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.