

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 7, 2011
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB11-012 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 3, strike lines 15 and 16 and substitute:

2 "(2) (a) IF A SCHOOL DISTRICT BOARD OF EDUCATION ADOPTS AND
3 IMPLEMENTS A POLICY DESCRIBED BY SUBSECTION (1) OF THIS SECTION, A
4 PARENT OR LEGAL GUARDIAN OF A STUDENT WHO IS ENROLLED IN A
5 SCHOOL OF THE SCHOOL DISTRICT AND FOR WHOM".

6 Page 3, strike lines 24 through 27 and substitute:

7 "(b) IF A SCHOOL'S ADMINISTRATION RECEIVES NOTICE FROM A
8 STUDENT'S PARENT OR LEGAL GUARDIAN THAT THE STUDENT MAY BE IN
9 POSSESSION OF HIS OR HER PRESCRIBED MEDICATIONS, THE SCHOOL'S
10 ADMINISTRATION SHALL ENSURE THAT SUCH NOTICE IS PROVIDED TO THE
11 STUDENT'S TEACHERS AND THE SCHOOL NURSE OR OTHER PERSON WHO IS
12 DESIGNATED TO PROVIDE HEALTH SERVICES TO STUDENTS AT THE SCHOOL.

13 (c) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE
14 ABILITY OF A PUBLIC SCHOOL TO REQUIRE A PARENT OR LEGAL GUARDIAN
15 OF A STUDENT WHO HAS MEDICATION PRESCRIBED FOR A
16 LIFE-THREATENING CONDITION TO PROVIDE TO THE SCHOOL A SUFFICIENT
17 SUPPLY OF THE MEDICATION TO BE STORED AT THE SCHOOL TO BE
18 ADMINISTERED TO THE STUDENT IN THE EVENT OF A HEALTH EMERGENCY.

19 (3) (a) A POLICY ADOPTED BY A SCHOOL DISTRICT BOARD OF
20 EDUCATION PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL
21 INCLUDE, BUT NEED NOT BE LIMITED TO:

1 (I) A PROCESS BY WHICH A SCHOOL MAY RESTRICT A STUDENT
2 FROM POSSESSING AND SELF-ADMINISTERING ON SCHOOL GROUNDS, ON A
3 SCHOOL BUS, OR AT A SCHOOL-SPONSORED EVENT A MEDICATION THAT IS
4 PRESCRIBED BY A LICENSED HEALTH CARE PRACTITIONER TO BE USED BY
5 THE STUDENT. THE PROCESS SHALL REQUIRE THE SCHOOL
6 ADMINISTRATION TO MAKE A DETERMINATION AS TO WHETHER A
7 STUDENT'S POSSESSION OR SELF-ADMINISTRATION OF THE MEDICATION
8 POSES A SIGNIFICANT RISK OF HARM TO THE STUDENT OR TO OTHER
9 STUDENTS.

10 (II) A REQUIREMENT THAT IF A STUDENT HAS MEDICATION
11 PRESCRIBED FOR".

12 Page 4, strike lines 1 through 10.

13 Page 4, strike lines 16 through 19 and substitute:

14 "(b) A STUDENT WHO POSSESSES A PRESCRIBED MEDICATION ON
15 SCHOOL GROUNDS, UPON A SCHOOL BUS, OR AT A SCHOOL-SPONSORED
16 EVENT IN ACCORDANCE WITH A POLICY ADOPTED BY A SCHOOL DISTRICT
17 PURSUANT TO THIS SECTION MAY POSSESS ONLY ENOUGH OF HIS OR HER
18 PRESCRIBED MEDICATION TO RENDER A SUFFICIENT DOSAGE TO THE
19 STUDENT TO ADEQUATELY TREAT THE STUDENT'S CONDITION FOR A SINGLE
20 DAY OR FOR THE DURATION OF THE EVENT, WHICHEVER IS APPROPRIATE;
21 EXCEPT THAT, THIS PROVISION SHALL NOT APPLY TO A STUDENT WHO
22 REQUIRES AND POSSESSES AN INSULIN PUMP OR OTHER MEDICAL DEVICE
23 THAT DELIVERS DOSAGES OF PRESCRIBED MEDICATION TO THE STUDENT
24 OVER A PERIOD OF TIME THAT EXCEEDS A SINGLE DAY OR THE DURATION
25 OF THE EVENT."

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