

HOUSE BILL NO. HB0141

Seizure safe schools.

Sponsored by: Representative(s) Duncan, Barlow, Connolly,
Hallinan, Kirkbride and Wilson and
Senator(s) Baldwin and Steinmetz

A BILL

for

1 AN ACT relating to public schools; imposing requirements on
2 school districts relating to students with seizure
3 disorders; creating associated authority for the department
4 of education; creating civil immunity as specified; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 21-4-317 is created to read:

10

11 **21-4-317. Seizure Safe Schools Act.**

12

13 (a) This section may be cited as the "Seizure Safe
14 Schools Act."

15

1 (b) Each school district shall provide appropriate
2 training to all teachers, principals, counselors, classroom
3 aides, bus drivers and other school personnel with direct
4 contact and supervision of students to recognize the signs
5 and symptoms of seizures and administer seizure first aid.

6

7 (c) The department of education may develop training
8 programs and guidelines for use by school districts in the
9 health care needs of students diagnosed with a seizure
10 disorder. The programs and guidelines shall be consistent
11 with training programs and guidelines developed by a
12 nationally recognized epilepsy organization. No school
13 district shall be mandated to use the training programs or
14 guidelines developed by the department of education.

15

16 (d) In addition to the requirements of subsection (b)
17 of this section, beginning July 1, 2021, each school
18 district board shall ensure that in each school within the
19 district there is at least one (1) school employee who has
20 been trained to administer, or assist with the
21 self-administration of, a medication prescribed to treat a
22 seizure or seizure disorder symptoms approved by the United

1 States food and drug administration. A person shall meet
2 this requirement if the person has been trained to:

3

4 (i) Recognize the signs and symptoms of
5 seizures; and

6

7 (ii) Take appropriate action to respond to
8 seizure symptoms, including:

9

10 (A) Administer seizure medication; and

11

12 (B) Perform manual vagus nerve stimulation.

13

14 (e) A registered nurse or a licensed practical nurse
15 employed by a school district as a school nurse who is
16 present at a school shall be deemed to satisfy the
17 requirement of subsection (d) of this section if the nurse
18 is assigned to administer seizure medications and perform
19 vagus nerve stimulation when necessary.

20

21 (f) Prior to administering a seizure medication to a
22 student who has a seizure disorder and who has been
23 prescribed a medication to treat the seizure disorder or

1 seizure symptoms approved by the United States food and
2 drug administration, the student's parent or guardian shall
3 do all of the following:

4

5 (i) Provide the student's school with written
6 authorization to administer the medication at school;

7

8 (ii) Provide a written statement from the
9 student's health care practitioner, which shall contain the
10 following information:

11

12 (A) The student's name;

13

14 (B) The name and purpose of the medication;

15

16 (C) The prescribed dosage;

17

18 (D) The route of administration;

19

20 (E) The frequency that the medication may
21 be administered; and

22

1 (F) The circumstances under which the
2 medication may be administered.

3

4 (iii) Provide the prescribed medication to the
5 school in its unopened, sealed package with the label
6 affixed by the dispensing pharmacy intact; and

7

8 (iv) Collaborate with school personnel to create
9 a seizure action plan for the student.

10

11 (g) The written documents and the seizure action plan
12 required under subsection (f) of this section shall be kept
13 on file in an office of the school nurse or school
14 administrator. The written documents and the seizure action
15 plan shall be valid for one (1) school year and shall be
16 renewed annually.

17

18 (h) To the extent possible under federal law, the
19 seizure action plan shall be distributed to any school
20 personnel or volunteer responsible for the supervision of
21 the student.

22

1 (j) The department of education may develop
2 guidelines for the development and content of seizure
3 action plans.

4

5 (k) A school district and those persons specified in
6 this subsection shall not be liable for damages for any
7 injuries that result from the administration of,
8 self-administration of, or failure to administer seizure
9 medication or treatment that may constitute ordinary
10 negligence. This immunity applies regardless of whether
11 authorization was provided by the student's parent or
12 guardian or by the student's health care provider. This
13 immunity does not apply to acts or omissions constituting
14 gross, willful or wanton negligence. The administration of
15 seizure medication or treatment in accordance with this
16 section is not the practice of medicine. The immunity from
17 liability provided under this section is in addition to and
18 not in lieu of that provided under W.S. 1-1-120. The
19 immunity provided in this subsection extends to:

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21 (i) A district board, school nurses, employees,
22 agents and volunteers of the district;

23

1 (ii) An authorized health care provider who
2 prescribes seizure medication; and

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4 (iii) An individual or entity that conducts the
5 training described in this section.

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7 (m) Nothing in this section shall be held to limit or
8 affect the authorization for self-administration of
9 medication under W.S. 21-4-310.

10

11 **Section 2.** This act is effective July 1, 2020.

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(END)