

An Act

ENROLLED SENATE
BILL NO. 147

By: Hicks of the Senate

and

Dempsey and Fugate of the
House

An Act relating to the Diabetes Management in Schools Act; amending 70 O.S. 2021, Section 1210.196.3, which relates to diabetes medical management plans; directing plans to indicate whether written consent has been given for administration of glucagon in certain circumstances; allowing a school district board of education to stock glucagon to treat a student with diabetes under certain circumstances; requiring the board to adopt certain policy; providing contents of policy; establishing length of effectiveness for certain written consent and waiver of liability; allowing certain licensed physician to write a prescription for glucagon to a school district; providing certain construction; requiring certain notification upon certain event; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Glucagon

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2021, Section 1210.196.3,
is amended to read as follows:

Section 1210.196.3. A. A diabetes medical management plan shall be developed for each student with diabetes who will seek care

for diabetes while at school or while participating in a school activity. The plan shall be developed by the personal health care team of each student. The personal health care team shall consist of the principal or designee of the principal, the school nurse, if a school nurse is assigned to the school, the parent or legal guardian of the student, and to the extent practicable, the physician responsible for the diabetes treatment of the student.

B. The diabetes medical management plan shall indicate whether the parent or legal guardian of the student with diabetes has given written consent for a school nurse, a school employee trained by a health care professional, or a volunteer diabetes care assistant, as defined by Section 1210.196.2 of this title, to provide diabetes care in accordance with Section 1210.196.5 of this title including but not limited to the administration of glucagon to a student experiencing a hypoglycemic emergency.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.196.9 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. A school district board of education may elect to stock glucagon to treat a student with diabetes who experiences a hypoglycemic emergency or if the student's prescribed glucagon is not available on site or has expired. A board of education that elects to stock glucagon shall adopt a policy that requires:

1. The school district to inform, in writing, the parent or legal guardian of each student who has a diabetes medical management plan pursuant to Section 1210.196.3 of Title 70 of the Oklahoma Statutes that a school nurse, a school employee trained by a health care professional, or a volunteer diabetes care assistant, as defined by Section 1210.196.2 of Title 70 of the Oklahoma Statutes, may administer, with parent or legal guardian written consent but without a health care provider order, glucagon to a student with diabetes whom the school nurse, trained employee, or volunteer diabetes care assistant in good faith believes is having a hypoglycemic emergency or if the student's prescribed glucagon is not available on site or has expired;

2. A waiver of liability executed by a parent or legal guardian be on file with the school district prior to administration of glucagon; and

3. The school district to designate the employee responsible for obtaining the glucagon at each school site.

B. Written consent and a waiver of liability executed pursuant to subsection A of this section shall be effective for the school year for which it is granted and shall be renewed each subsequent school year.

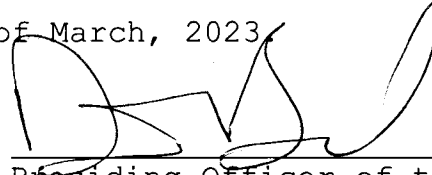
C. A licensed physician who has prescriptive authority may write a prescription for glucagon to a school district in the name of the district as a body corporate specified in Section 5-105 of Title 70 of the Oklahoma Statutes, which shall be maintained at each school site in accordance with the manufacturer's instructions. Provided, however, that nothing in this section shall be construed as creating or imposing a duty on a school district to maintain glucagon at a school site or sites.

D. In the event a student is believed to be having a hypoglycemic emergency, a school employee shall contact 911 and shall contact the student's parent or legal guardian as soon as possible.

SECTION 3. This act shall become effective July 1, 2023.

SECTION 4. It being immediately necessary for the preservation of the public peace, health, or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 23rd day of March, 2023.



Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2023.



Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

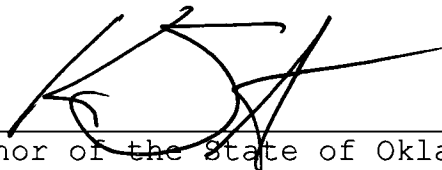
Received by the Office of the Governor this 26th

day of April, 20 23, at 12:35 o'clock pm M.

By: James Curry

Approved by the Governor of the State of Oklahoma this 2nd

day of May, 20 23, at 11:50 o'clock am M.


Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 2nd

day of May, 20 23, at 1:49 o'clock p M.

By: Paula P. Jenkins