

SUBJECT: Requiring public schools to develop a seizure action plan when necessary

COMMITTEE: Public Education — committee substitute recommended

VOTE: 10 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, M. González, Meyer, Talarico, VanDeaver

0 nays

3 absent — Dutton, K. King, Sanford

WITNESSES: For — Sindi Rosales, Epilepsy Foundation Central & South Texas; Gabriela Crunelle and Shari Dudo, Purple Warriors of Texas; Makayla Benkula; Katie Graham; Loree LaChance; Pedro Solis; (*Registered, but did not testify*: Jacquie Benestante, Autism Society of Texas; Chris Masey, Coalition of Texans with Disabilities; Alyssa Thomason, Doctors for Change; Robert Peeler, Greenwich Biosciences; Claudia Crunelle and Kevin Dudo, Purple Warriors of Texas; Christine Broughal, Texans For Special Education Reform; Linda Litzinger, Texas Parent to Parent; Darren Grissom, Texas PTA; Amy Whited, Union Chimique Belge; and six individuals)

Against — (*Registered, but did not testify*: Adam Cahn, Cahnman's Musings; Dax Gonzalez, Texas Association of School Boards)

On — (*Registered, but did not testify*: Monica Martinez, Texas Education Agency; Lisa Dawn-Fisher, Texas State Teachers Association)

DIGEST: CSHB 684 would require school districts and open-enrollment charter schools to train any school employee who may have responsibility for the supervision or care of a student with epilepsy or a seizure disorder on how to identify and manage seizures, provide related first aid, and administer or help the student with the self-administration of prescribed seizure rescue medications.

Employees selected for training would be required to complete a program

approved by the Texas Education Agency (TEA). The agency would be authorized to select a training program provided by a nonprofit so long as the program was offered free of charge.

A parent or guardian of a student with epilepsy or a seizure disorder could provide that student's school with written authorization for the development of a seizure action plan. The authorization would have to be given on a form adopted by TEA and contain:

- the student's name;
- the name and purpose of the prescribed and federally approved medication to be administered or self-administered;
- the prescribed dosage, method of administration, and frequency with which the medication could be administered; and
- the circumstances under which the medication could be administered under the prescription.

Parents or guardians would be required to provide the medication identified in the written authorization to the student's school district or charter school in an unopened, sealed package that was clearly labeled by the dispensing pharmacy.

A school district or charter school that received this written authorization would be required to develop a seizure action plan for the student in collaboration with the person who provided the authorization. Seizure action plans would have to be developed in accordance with federal law and renewed at the beginning of each school year. A student's plan could provide for a school employee that had completed the training required by the bill to administer or assist the student to self-administer the medication identified in the written authorization.

School districts would be required to keep a plan developed for an enrolled student on file in the office of a school nurse or administrator and to distribute a copy of the plan to each employee that would supervise or care for the student.

A school employee who in good faith acted or failed to act in administering medication, helping with the self-administration of medication, or otherwise providing for the care of a student under a seizure action plan would be immune from liability.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019. The bill would apply beginning with the 2020-2021 school year.

**SUPPORTERS
SAY:**

CSHB 684 would help keep Texas students living with epilepsy or a seizure disorder safe in school by equipping nurses, teachers, bus drivers, and other school personnel with the training and skills necessary to appropriately and efficiently intervene in an emergency situation when a student experienced a seizure.

The training and education provided to school staff would be free and easily incorporated into staff development. Because required training could be provided by a nonprofit organization such as the Epilepsy Foundation, it would not be a burden on schools to implement. Training school personnel to better serve students with epilepsy would increase the educational community's awareness of the disorder, which affects thousands of Texas students. It also would help protect students by instructing personnel to respond appropriately when a student or other person experienced a seizure, which is vital for reducing panic and preventing harmful or potentially fatal interventions.

CSHB 684 also would allow school districts and parents of students with epilepsy or other seizure disorders to develop seizure action plans tailored to each particular student's needs. Under these plans, teachers and other school staff could help administer life-saving medication to a student experiencing a seizure. This would help protect those with epilepsy, and having seizure action plans on file would better prepare school staff to support a student should the need arise.

OPPONENTS

CSHB 684 would mandate additional training for employees of school

SAY: districts and open-enrollment charter schools. Individual school districts and charter schools should be able to determine the best way to help their students living with epilepsy or a seizure disorder.