



State of Tennessee

PUBLIC CHAPTER NO. 614

SENATE BILL NO. 1445

By Dickerson, Haile, Harper

Substituted for: House Bill No. 1383

By Sexton, Eldridge, Lynn, Carter, Travis

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 5, relative to safe self-administration of medications.

WHEREAS, diabetes is a serious, chronic disease that impairs the body's ability to use food and must be managed twenty-four hours a day; and

WHEREAS, unmanaged diabetes can cause potentially life-threatening consequences which include blindness, amputation, heart disease and kidney failure; and

WHEREAS, well-managed blood glucose levels enable students with diabetes to be more productive and successful at school; and

WHEREAS, students with diabetes must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities; and

WHEREAS, diabetes is generally a self-managed disease and many students are able to perform most of their own diabetes care, but, some students, because of age, inexperience, or other factors, need help with some or all diabetes care tasks and all students will need help in the event of a diabetes emergency; and

WHEREAS, the school nurse has a central role in providing or facilitating care for a student with diabetes in the school setting; and

WHEREAS, many schools in Tennessee do not have a full-time nurse or a nurse available to provide direct care during the school day, during extracurricular activities, or on field trips; and

WHEREAS, when a school nurse is not present, a student with diabetes should receive the assistance they may need to care for their diabetes; and

WHEREAS, since diabetes management is needed at all times, nonmedical school personnel should also be trained to administer or assist children in administering insulin during the course of the school day when the school nurse may not be available; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-5-415(b), is amended by deleting the present language in its entirety and substituting the following:

(b) In addition to assistance with self-administration of medications provided for in subsection (a), school personnel who volunteer under no duress or pressure and who have been properly trained by a registered nurse employed or contracted by the LEA may administer glucagon in emergency situations and may administer daily insulin to a student based on that student's individual health plan (IHP). However, if a public school nurse is available and on site, the nurse shall provide this service to the student. The public school nurse may train as many school personnel as volunteer and are willing to assist with the care of students with diabetes but should seek to insure at least two (2) volunteers are available. The nurse shall be under no duress to qualify any volunteer unless such volunteer is trained and deemed by the nurse to be competent. In addition, in order to reduce the number of syringes present in schools, the nurse may encourage the use of an insulin pen, when available and deemed medically appropriate by the student's treating physician. The public school nurse employed or contracted by the LEA shall be responsible for updating and maintaining each IHP. The department of health and the department of education shall jointly amend current Guidelines for Use of Health Care Professionals and Health Procedures in a

School Setting to reflect the appropriate procedures for use by registered nurses in training volunteer school personnel to administer glucagon and insulin. The board of nursing shall be afforded the opportunity to review and comment on the guidelines before they take effect and any training begins. The guidelines developed shall be used uniformly by all LEAs that choose to allow volunteer school personnel to administer glucagon and insulin. Training pursuant to subdivision (d)(3) to administer glucagon and insulin shall be repeated annually and competencies shall be documented at least twice a year in the employee's personnel file. The provisions of subdivision (a)(3) regarding protection from liability shall apply also to the volunteers who provide services pursuant to this subsection (b) and the registered nurses who provide their training.

SECTION 2. Tennessee Code Annotated, Section 49-5-415(d)(1), is amended by deleting the language ", excluding insulin administration,".

SECTION 3. Tennessee Code Annotated, Section 49-5-415(d)(1)(B), is amended by deleting the subdivision in its entirety and substituting instead:

(B) The student's parent or guardian shall have given permission for the school's trained volunteer or school nurse to participate in the care of the student with diabetes. The written permission shall be kept in the student's school records.

SECTION 4. Tennessee Code Annotated, Section 49-5-415(d)(2)(A), is amended by deleting the present language in its entirety and substituting the following:

(A) Guidelines for recognition, management and treatment of hypoglycemia and hyperglycemia;

SECTION 5. Tennessee Code Annotated, Section 49-5-415(d)(2)(C), is amended by deleting the present language in its entirety and substituting the following:

(C) Guidelines for performing blood glucose monitoring, ketone checking and recording the results and also for performing insulin and glucagon administration.

SECTION 6. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2015, the public welfare requiring it.

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PASSED: March 13, 2014



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 4th day of April 2014



BILL HASLAM, GOVERNOR