A Summary of H.B. 984
Care of Students with Diabetes

A. Diabetes Management and Treatment Plan

1. A Diabetes Management and Treatment Plan must be developed and implemented for each student with diabetes who will seek care **while at school or while participating in a school activity.**
2. The plan shall be developed by the student's parent or guardian and the physician responsible for the student's diabetes treatment.
3. The Diabetes Management and Treatment Plan **must**:
    a. Identify the health care services to be received at school.
    b. Evaluate the student's ability to manage and level of understanding of the student's diabetes.
    c. Be signed by the student's parent or guardian and the physician.
4. The Diabetes Management and Treatment Plan **must be submitted to and reviewed by the school:**
    a. before or at the beginning of the school year;
    b. upon enrollment of the student;
    c. as soon as possible after the diagnosis of diabetes is made.

B. Individualized Health Plan (IHP)

1. An Individualized Health Plan must be developed for each student with diabetes who will seek care for diabetes **while at school or while participating in a school activity.** The school principal and the school nurse will develop the plan in collaboration with the student's parent/guardian and, to the extent possible, the physician responsible for diabetes treatment, and with one or more of the child's teachers.
2. The IHP **must** incorporate all the components of the student's Diabetes Management and Treatment Plan.

C. Unlicensed Diabetes Care Assistants (UDCA)

1. At each school in which a child with diabetes is enrolled, the school principal shall:
    a. Seek school employees who are not health care professionals to serve as unlicensed diabetes care assistants (UDCA). The principal must ensure that the school has at least:
        1) one UDCA if a full time nurse is assigned to the school; and
        2) three UDCAs if a full time nurse is not assigned to the school.
2. A UDCA shall serve under the supervision of the principal.
3. A school employee may not be subject to any penalty or disciplinary action refusing to serve as a UDCA.

D. Training for Unlicensed Diabetes Care Assistant (UDCA)

1. The Texas Diabetes Council will develop guidelines, with assistance of several other Texas health and nursing organizations, for the training of the UDCA.
2. If a school nurse is assigned to a campus, the nurse shall coordinate the training of the school employee(s) acting as an UDCA.
3. Training must be provided by a health care professional with expertise in the care of persons with diabetes or by the school nurse. Training must be provided before the beginning of the school year, or as soon as practical following:
    a. enrollment of a student with diabetes at a campus that previously had no students with diabetes,
    b. a new diagnosis for a student at a campus that previously did not have any diabetic students.
4. Training must include:
    a. recognizing the symptoms of hypoglycemia and hyperglycemia;
    b. understanding the proper action to take if the blood glucose levels of a student with diabetes are outside the target ranges indicated by the student's diabetes management and treatment plan;
    c. understanding of the details of the student's individualized health plan;
    d. performing finger sticks to check blood glucose levels, checking urine ketone levels, and recording the results of those checks;
    e. properly administering glucagons and insulin and recording the results of the administration;
    f. recognizing complications that require seeking emergency assistance; and
    g. understanding the recommended schedules and food intake for meals and snacks for a student with diabetes, the effect of physical activity on blood glucose levels, and the proper actions to be taken if a student's schedule is disrupted.
5. The school nurse or principal shall maintain a copy of the training guidelines and any record associated with the training.

E. Required Information for Certain Employees

1. A school district shall provide to each district employee who is responsible for providing transportation for a student with diabetes or supervising a student with diabetes during an off-campus activity a one-page informational sheet that:
    a. identifies the student who has diabetes;
    b. identifies potential emergencies that may occur as a result of diabetes and the appropriate responses to such emergencies; and
    c. provides the telephone number of a contact person in case of an emergency involving the student with diabetes.

F. Required Care of Students with Diabetes

1. If a school nurse is assigned to the campus and is available, the nurse shall perform the tasks necessary to assist the student in accordance with the student's Individualized Health Plan (IHP). If the nurse is not available, then the UDCA will assist the student in accordance with the IHP and in compliance with the guidelines of the training received. An UDCA may **only** assist the student with diabetes if the parent / guardian signs agreement that:
    a. authorizes the UDCA to assist the student; and
    b. states that the parent/guardian understands that the UDCA is not liable for civil damages.
2. If a school nurse is not assigned to the campus:
    a. An UDCA must have access to an individual with expertise in the care of persons with diabetes, such as an MD, an RN, a Certified Diabetes Educator or al Licensed Dietitian; or
    b. The principal must have access to the physician responsible for the student's diabetes treatment.
3. Each school shall adopt a procedure to ensure that a school nurse or at least one UDCA is present and available to provide the required care to a student with diabetes during the regular school day.
4. A school may not restrict the assignment of a student with diabetes to a particular campus on the basis that the campus does not have the required UDCA.
5. An UDCA who assists a student with the IHP:
    a. is not considered to be engaging in the practice of professional or vocational nursing;
    b. and is exempt from any applicable state law or rule that restricts the activities that may be performed by someone who is not a health care professional.
6. An UDCA may exercise reasonable judgment in deciding whether to contact a health provider in the event of a medical emergency involving a student with diabetes.

G. Independent Monitoring and Treatment

1. In accordance with the student's IHP, a school nurse shall permit the student to attend to the management and care of the student's diabetes, which may include:
    a. performing blood glucose level checks;
    b. administering insulin through the insulin delivery system that the student uses;
    c. treating hypo/hyperglycemia;
    d. possessing on the student's person at any time any supplies or equipment necessary to monitor and care for the student's diabetes; and

e. otherwise attending to the management and care of the student's diabetes in the classroom, in any area of the school or school grounds, or at any school-related activity.

H. Immunity from Disciplinary Action or Liability

1. A school employee may not be subject to any disciplinary proceeding resulting from actions outlined in this bill. (Please see original Bill)
2. A school nurse is not responsible for and may not be subject to disciplinary action for actions performed by the UDCA.