

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/Senate Bill No. 152, Page 12, Section 166.456, Line 7,

2 by inserting after all of said line the following:

3 "167.625. 1. This section shall be known and may be  
4 cited as "Will's Law".

5 2. As used in this section, the following terms mean:

6 (1) "Individualized emergency health care plan", a  
7 document developed by a school nurse, in consultation with a  
8 student's parent and other appropriate medical  
9 professionals, that is consistent with the recommendations  
10 of the student's health care providers, that describes  
11 procedural guidelines that provide specific directions about  
12 what to do in a particular emergency situation, and that is  
13 signed by the parent and the school nurse or the school  
14 administrator or the administrator's designee in the absence  
15 of the school nurse;

16 (2) "Individualized health care plan", a document  
17 developed by a school nurse, in consultation with a  
18 student's parent and other appropriate medical professionals  
19 who may be providing epilepsy or seizure disorder care to  
20 the student, that is consistent with the recommendations of  
21 the student's health care providers, that describes the  
22 health services needed by the student at school, and that is  
23 signed by the parent and the school nurse or the school  
24 administrator or the administrator's designee in the absence  
25 of the school nurse;

26           (3) "Parent", a parent, guardian, or other person  
27 having charge, control, or custody of a student;

28           (4) "School", any public elementary or secondary  
29 school or charter school;

30           (5) "School employee", a person employed by a school;

31           (6) "Student", a student who has epilepsy or a seizure  
32 disorder and who attends a school.

33           3. (1) The parent of a student who seeks epilepsy or  
34 seizure disorder care while at school shall inform the  
35 school nurse or the school administrator or the  
36 administrator's designee in the absence of the school  
37 nurse. The school nurse shall develop an individualized  
38 health care plan and an individualized emergency health care  
39 plan for the student. The parent of the student shall  
40 annually provide to the school written authorization for the  
41 provision of epilepsy or seizure disorder care as described  
42 in the individualized plans.

43           (2) The individualized plans developed under  
44 subdivision (1) of this subsection shall be updated by the  
45 school nurse before the beginning of each school year and as  
46 necessary if there is a change in the health status of the  
47 student.

48           (3) Each individualized health care plan shall, and  
49 each individualized emergency health care plan may, include  
50 but not be limited to the following information:

51           (a) A notice about the student's condition for all  
52 school employees who interact with the student;

53           (b) Written orders from the student's physician or  
54 advanced practice nurse describing the epilepsy or seizure  
55 disorder care;

56           (c) The symptoms of the epilepsy or seizure disorder  
57 for that particular student and recommended care;

58 (d) Whether the student may fully participate in  
59 exercise and sports, and any contraindications to exercise  
60 or accommodations that shall be made for that particular  
61 student;

62 (e) Accommodations for school trips, after-school  
63 activities, class parties, and other school-related  
64 activities;

65 (f) Information for such school employees about how to  
66 recognize and provide care for epilepsy and seizure  
67 disorders, epilepsy and seizure disorder first aid training,  
68 when to call for assistance, emergency contact information,  
69 and parent contact information;

70 (g) Medical and treatment issues that may affect the  
71 educational process of the student;

72 (h) The student's ability to manage, and the student's  
73 level of understanding of, the student's epilepsy or seizure  
74 disorder; and

75 (i) How to maintain communication with the student,  
76 the student's parent and health care team, the school nurse  
77 or the school administrator or the administrator's designee  
78 in the absence of the school nurse, and the school employees.

79 4. (1) The school nurse assigned to a particular  
80 school or the school administrator or the administrator's  
81 designee in the absence of the school nurse shall coordinate  
82 the provision of epilepsy and seizure disorder care at that  
83 school and ensure that all school employees are trained  
84 every two years in the care of students with epilepsy and  
85 seizure disorders including, but not limited to, school  
86 employees working with school-sponsored programs outside of  
87 the regular school day, as provided in the student's  
88 individualized plans.

89 (2) The training required under subdivision (1) of  
90 this subsection shall include an online or in-person course

91 of instruction approved by the department of health and  
92 senior services that is provided by a reputable, local,  
93 Missouri-based health care or nonprofit organization that  
94 supports the welfare of individuals with epilepsy and  
95 seizure disorders.

96 5. The school nurse or the school administrator or the  
97 administrator's designee in the absence of the school nurse  
98 shall obtain a release from a student's parent to authorize  
99 the sharing of medical information between the student's  
100 physician or advanced practice nurse and other health care  
101 providers. The release shall also authorize the school  
102 nurse or the school administrator or the administrator's  
103 designee in the absence of the school nurse to share medical  
104 information with other school employees in the school  
105 district as necessary. No sharing of information under this  
106 subsection shall be construed to be a violation of the  
107 federal Health Insurance Portability and Accountability Act  
108 of 1996 (HIPAA) (Pub. L. 104-191), as amended, if a  
109 student's parent has provided a release under this  
110 subsection.

111 6. No school employee including, but not limited to, a  
112 school nurse, a school bus driver, a school bus aide, or any  
113 other officer or agent of a school shall be held liable for  
114 any good faith act or omission consistent with the  
115 provisions of this section, nor shall an action before the  
116 state board of nursing lie against a school nurse for any  
117 such action taken by a school employee trained in good faith  
118 by the school nurse under this section. "Good faith" shall  
119 not be construed to include willful misconduct, gross  
120 negligence, or recklessness.

121 Section B. Because immediate action is necessary to  
122 provide individualized care plans for students with epilepsy  
123 or seizure disorders who attend public schools, the repeal

124 and reenactment of section 167.625 of section A of this act  
125 is deemed necessary for the immediate preservation of the  
126 public health, welfare, peace and safety, and is hereby  
127 declared to be an emergency act within the meaning of the  
128 constitution, and the repeal and reenactment of section  
129 167.625 of section A of this act shall be in full force and  
130 effect upon its passage and approval."; and

131 Further amend the title and enacting clause accordingly.