



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0822

by Rep. Michael Halpin

SYNOPSIS AS INTRODUCED:

105 ILCS 145/10
105 ILCS 145/20
105 ILCS 145/25
105 ILCS 145/27 new

Amends the Care of Students with Diabetes Act. Provides that a school may maintain a supply of glucagon medication in any secure location that is accessible before, during, or after school where a student is most at risk, including, but not limited to, a classroom or the nurse's office; defines "glucagon medication" and "undesignated glucagon medication". Provides that a physician, a physician assistant who has prescriptive authority, or an advanced practice registered nurse who has prescriptive authority may prescribe undesignated glucagon medication in the name of the school to be maintained for use when necessary. Allows a delegated care aide to carry undesignated glucagon medication. Provides that within 24 hours after the administration of undesignated glucagon medication, a school must notify the school nurse and the student's parent or guardian or emergency contact, if known, and health care provider of its use. Effective immediately.

LRB101 06850 AXK 51881 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Care of Students with Diabetes Act is
5 amended by changing Sections 10, 20, and 25 and by adding
6 Section 27 as follows:

7 (105 ILCS 145/10)

8 Sec. 10. Definitions. As used in this Act:

9 "Delegated care aide" means a school employee who has
10 agreed to receive training in diabetes care and to assist
11 students in implementing their diabetes care plan and has
12 entered into an agreement with a parent or guardian and the
13 school district or private school.

14 "Diabetes care plan" means a document that specifies the
15 diabetes-related services needed by a student at school and at
16 school-sponsored activities and identifies the appropriate
17 staff to provide and supervise these services.

18 "Glucagon medication" means any medication used to treat
19 low blood sugar that contains the hormone glucagon.

20 "Health care provider" means a physician licensed to
21 practice medicine in all of its branches, advanced practice
22 registered nurse who has a written agreement with a
23 collaborating physician who authorizes the provision of

1 diabetes care, or a physician assistant who has a written
2 supervision agreement with a supervising physician who
3 authorizes the provision of diabetes care.

4 "Principal" means the principal of the school.

5 "School" means any primary or secondary public, charter, or
6 private school located in this State.

7 "School employee" means a person who is employed by a
8 public school district or private school, a person who is
9 employed by a local health department and assigned to a school,
10 or a person who contracts with a school or school district to
11 perform services in connection with a student's diabetes care
12 plan. This definition must not be interpreted as requiring a
13 school district or private school to hire additional personnel
14 for the sole purpose of serving as a designated care aide.

15 "Undesignated glucagon medication" means glucagon
16 medication prescribed in the name of a school.

17 (Source: P.A. 100-513, eff. 1-1-18.)

18 (105 ILCS 145/20)

19 Sec. 20. Delegated care aides.

20 (a) Delegated care aides shall perform the duties necessary
21 to assist a student with diabetes in accordance with his or her
22 diabetes care plan and in compliance with any guidelines
23 provided during training under Section 25 of this Act.

24 (b) In accordance with the diabetes care plan or when an
25 unexpected snack or meal requires a dose of insulin not

1 anticipated by a student's diabetes care plan, the delegated
2 care aide shall consult with the parent or guardian, school
3 nurse, where available, or health care provider to confirm that
4 the insulin dosage is appropriate given the number of
5 carbohydrates to be taken and the student's blood glucose level
6 as determined by a glucometer reading. A delegated care aide
7 may carry undesignated glucagon medication on his or her person
8 while in school or at a school-sponsored activity.

9 (c) The principal shall facilitate compliance with the
10 provisions of a diabetes care plan.

11 (d) Delegated care aides are authorized to provide
12 assistance by a student's parents or guardian and the school
13 district or private school.

14 (Source: P.A. 96-1485, eff. 12-1-10.)

15 (105 ILCS 145/25)

16 Sec. 25. Training for school employees and delegated care
17 aides.

18 (a) In schools that have a student with diabetes, all
19 school employees shall receive training in the basics of
20 diabetes care, how to identify when a student with diabetes
21 needs immediate or emergency medical attention, and whom to
22 contact in the case of an emergency during regular inservice
23 training under Section 3-11 of the School Code.

24 (b) Delegated care aides shall be trained to perform the
25 tasks necessary to assist a student with diabetes in accordance

1 with his or her diabetes care plan, including training to do
2 the following:

3 (1) check blood glucose and record results;

4 (2) recognize and respond to the symptoms of
5 hypoglycemia according to the diabetes care plan;

6 (3) recognize and respond to the symptoms of
7 hyperglycemia according to the diabetes care plan;

8 (4) estimate the number of carbohydrates in a snack or
9 lunch;

10 (5) administer insulin according to the student's
11 diabetes care plan and keep a record of the amount
12 administered; and

13 (6) respond in an emergency, including administering
14 ~~how to administer~~ glucagon medication and calling ~~call~~ 911.

15 (c) The school district shall coordinate staff training.

16 (d) Initial training of a delegated care aide shall be
17 provided by a licensed healthcare provider with expertise in
18 diabetes or a certified diabetic educator and individualized by
19 a student's parent or guardian. Training must be consistent
20 with the guidelines provided by the U.S. Department of Health
21 and Human Services in the guide for school personnel entitled
22 "Helping the Student with Diabetes Succeed". The training shall
23 be updated when the diabetes care plan is changed and at least
24 annually.

25 (e) School nurses, where available, or health care
26 providers may provide technical assistance or consultation or

1 both to delegated care aides.

2 (f) An information sheet shall be provided to any school
3 employee who transports a student for school-sponsored
4 activities. It shall identify the student with diabetes,
5 identify potential emergencies that may occur as a result of
6 the student's diabetes and the appropriate responses to such
7 emergencies, and provide emergency contact information.

8 (Source: P.A. 96-1485, eff. 12-1-10; 97-559, eff. 8-25-11.)

9 (105 ILCS 145/27 new)

10 Sec. 27. Glucagon medication. A school may maintain a
11 supply of glucagon medication in any secure location that is
12 accessible before, during, or after school where a student is
13 most at risk, including, but not limited to, a classroom or the
14 nurse's office. A physician, a physician assistant who has
15 prescriptive authority under Section 7.5 of the Physician
16 Assistant Practice Act of 1987, or an advanced practice
17 registered nurse who has prescriptive authority under Section
18 65-40 of the Nurse Practice Act may prescribe undesignated
19 glucagon medication in the name of the school to be maintained
20 for use when necessary. Any supply of undesignated glucagon
21 medication must be maintained in accordance with the
22 manufacturer's instructions. Within 24 hours after the
23 administration of undesignated glucagon medication, a school
24 must notify the school nurse and the student's parent or
25 guardian or emergency contact, if known, and health care

1 provider of its use.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.