

ACT 214

H.B. NO. 10

A Bill for an Act Relating to Education.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 302A-1164, Hawaii Revised Statutes, is amended as follows:

1. By amending its title to read:

“§302A-1164 Self-administration of medication by student and emergency administration; self-testing and self-management of diabetes by student; assistance with diabetes testing; permitted.”

2. By amending subsections (a) and (b) to read:

“(a) The department shall permit:

- (1) The self-administration of medication by a student for asthma, anaphylaxis, ~~diabetes~~, or other potentially life-threatening illnesses; and
- (2) Department employees and agents to volunteer to administer ~~glucagon~~:

(A) Insulin or assist a student in administering insulin via the insulin delivery system that the student uses;

(B) Glucagon in an emergency situation to students with diabetes[-]; or

(C) Auto-injectable epinephrine in an emergency situation to students with anaphylaxis.

- (b) The student’s parent or guardian shall provide the department with:

- (1) Written authorization for the self-administration of medication or the emergency administration of glucagon[;] or auto-injectable epinephrine;

- (2) In the case of self-administration of medication[-written]:

(A) Written certification from the student’s physician, advanced practice registered nurse, or physician assistant stating that the student with diabetes may perform the student’s own blood glucose checks, administer insulin through the student’s insulin delivery system, and otherwise attend to the care and management of the student’s diabetes during any school-related activity, and that the student may possess on the student’s person all necessary supplies and equipment to perform the diabetes monitoring and treatment activities, if applicable; and

(B) Written certification from the student’s physician, advanced practice registered nurse, or physician assistant stating that the student:

~~(A)~~ (i) Has asthma, anaphylaxis, or another potentially life-threatening illness; and

~~(B)~~ (ii) Is capable of, and has been instructed in, the proper method of self-administration of medication; and

- (3) In the case of administration of insulin or emergency administration of glucagon to a student with diabetes[;] or auto-injectable epinephrine to a student with anaphylaxis, written certification from the student’s physician, advanced practice registered nurse, or physician assistant stating that the student has medical orders that insulin, glucagon, or auto-injectable epinephrine may be administered by a volunteer.”

3. By amending subsection (g) to read:

“(g) Any employee or agent who volunteers to administer insulin or glucagon in an emergency situation to a student with diabetes or auto-injectable epinephrine to a student with anaphylaxis shall receive instruction in the proper administration of insulin, glucagon, or auto-injectable epinephrine by a qualified health care professional. A “qualified health care professional” means a licensed physician, physician assistant, advanced practice registered nurse or registered nurse, or certified diabetes educator. The student’s parent or guardian shall supply the school with the glucagon kit required to administer the glucagon[-].

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any supplies necessary to administer insulin, or with auto-injectable epinephrine supplies to administer epinephrine. The school shall store the glucagon kit, insulin supplies, or auto-injectable epinephrine supplies in a secure but accessible location.”

SECTION 2. No later than twenty days prior to the convening of the regular session of 2016, the department of education shall submit a report to the legislature that includes:

- (1) The status of the implementation of section 1 of this Act;
- (2) Any cost factors and considerations for the implementation of section 1 of this Act;
- (3) The training needs of the department of education to meet the requirements of section 1 of this Act; and
- (4) Any proposed legislation.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2015.

(Approved July 2, 2015.)