

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.