

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1116, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, delete lines 40 through 42.
- 2 Page 3, delete lines 1 through 2.
- 3 Page 3, line 3, delete "2." and insert "1."
- 4 Page 3, line 4, delete "7" and insert "12".
- 5 Page 3, between lines 5 and 6, begin a new paragraph and insert:
- 6 **"Sec. 2. As used in this chapter, "health care services" has the**
- 7 **meaning set forth in IC 27-8-11-1."**
- 8 Page 3, line 10, delete "a nurse practitioner." and insert "**an**
- 9 **individual who:**
- 10 **(1) is licensed to provide health care services; and**
- 11 **(2) has prescriptive authority;**
- 12 **under IC 25.**
- 13 **Sec. 5. As used in this chapter, "physician" refers to an**
- 14 **individual who is licensed under IC 25-22.5.**
- 15 **Sec. 6. As used in this chapter, "registered nurse" refers to an**
- 16 **individual who is licensed as a registered nurse under IC 25-23.**
- 17 **Sec. 7. As used in this chapter, "school" refers to a public**
- 18 **school, including a charter school."**
- 19 Page 3, line 11, delete "5." and insert "8."
- 20 Page 3, line 13, after "public school" insert "**, including a charter**

- 1 **school,".**
- 2 Page 3, line 18, delete "6." and insert "**9. As used in this chapter,**
- 3 **"school nurse" refers to an individual who:**
- 4 (1) **is employed by a school;**
- 5 (2) **is licensed as a registered nurse under IC 25-23; and**
- 6 (3) **meets the requirements set forth in 515 IAC 8-1-47.**
- 7 **Sec. 10."**
- 8 Page 3, between lines 19 and 20, begin a new paragraph and insert:
- 9 **"Sec. 11. As used in this chapter, "volunteer health aide" means**
- 10 **a school employee who:**
- 11 (1) **is not licensed or authorized to provide health care**
- 12 **services under IC 25;**
- 13 (2) **volunteers to act in the capacity of a volunteer health aide;**
- 14 **and**
- 15 (3) **has successfully completed the training described in**
- 16 **section 14 of this chapter."**
- 17 Page 3, line 20, delete "7." and insert "**12."**
- 18 Page 3, line 21, delete "whose" and insert "**for use during school**
- 19 **hours or at a school related activity."**
- 20 Page 3, delete line 22.
- 21 Page 3, line 23, delete "school or participating in a school activity."
- 22 Page 3, run in lines 21 through 23.
- 23 Page 3, delete line 25.
- 24 Page 3, line 26, delete "(2)" and insert "**(1)**".
- 25 Page 3, line 26, delete "licensed physician or".
- 26 Page 3, line 27, delete "." and insert "**; and**
- 27 **(2) the student's parent or legal guardian."**
- 28 Page 3, line 29, after "services" insert "**or procedures"**.
- 29 Page 3, line 29, delete "may" and insert "**should"**.
- 30 Page 3, line 35, after "parent" insert "**or legal guardian"**.
- 31 Page 3, line 36, delete "physician or licensed".
- 32 Page 3, line 38, after "parent" insert "**or legal guardian"**.
- 33 Page 3, line 38, delete "who seeks care for the student's" and insert
- 34 **"with"**.
- 35 Page 3, line 39, delete "while the student is at school or participating
- 36 in a school".
- 37 Page 3, line 40, delete "activity".
- 38 Page 3, line 41, delete "school." and insert "**school nurse."**

- 1 Page 3, line 42, delete "school:" and insert "**school nurse:**".
- 2 Page 4, line 6, delete "8." and insert "**13.**".
- 3 Page 4, line 7, delete "whose parent seeks care for" and insert
- 4 "**with**".
- 5 Page 4, line 9, delete "principal and nurse, if the school has a nurse,"
- 6 and insert "**nurse**".
- 7 Page 4, delete line 11.
- 8 Page 4, line 12, delete "(2)" and insert "**(1)**".
- 9 Page 4, line 12, delete "licensed physician or".
- 10 Page 4, line 14, delete "and", begin a new line block indented and
- 11 insert:
- 12 **(2) the school principal;**
- 13 **(3) the student's parent or legal guardian; and**".
- 14 Page 4, line 15, delete "(3)" and insert "**(4)**".
- 15 Page 4, line 18, delete "A school shall develop a student's
- 16 individualized health plan".
- 17 Page 4, delete lines 19 through 20.
- 18 Page 4, line 21, delete "9." and insert "**14.**".
- 19 Page 4, line 22, delete "principal" and insert "**principal, after**
- 20 **consultation with the school nurse,**".
- 21 Page 4, line 23, delete "care assistants;" and insert "**volunteer**
- 22 **health aides;**".
- 23 Page 4, line 24, delete "has:" and insert "**has an adequate number**
- 24 **of volunteer health aides to care for students.**".
- 25 Page 4, delete lines 25 through 28.
- 26 Page 4, line 29, delete "care assistant" and insert "**volunteer health**
- 27 **aide**".
- 28 Page 4, line 31, delete ", if the school has a nurse." and insert "**in**
- 29 **accordance with the requirements that apply to the school nurse**
- 30 **under IC 25-23.**".
- 31 Page 4, line 32, after "(c)" insert "**A volunteer health aide must**
- 32 **have access to the school nurse, in person or by telephone, during**
- 33 **the hours that the volunteer health aide serves as a volunteer**
- 34 **health aide.**
- 35 **(d)**".
- 36 Page 4, line 33, delete "care assistant." and insert "**volunteer health**
- 37 **aide. The school shall inform school employees that participation**
- 38 **as a volunteer health aide is voluntary. A school employee who**

- 1 **volunteers as a volunteer health aide may elect to perform only**
2 **those functions that the school employee:**
3 **(1) chooses to perform; and**
4 **(2) is trained to perform in the training program described in**
5 **section 15 of this chapter."**
6 Page 4, line 34, delete "10." and insert "15."
7 Page 4, line 34, delete "state department of health," and insert
8 **"department,"**.
9 Page 4, line 34, after "assistance" insert **"of physicians or**
10 **registered nurses who are qualified in the area of diabetes training**
11 **and the state department of health, shall provide annual diabetes**
12 **training programs to school nurses. The training must include**
13 **technological advances, current standards of practice for diabetes**
14 **management and training, and"**.
15 Page 4, delete line 35.
16 Page 4, run in lines 34 through 36.
17 Page 4, line 37, after "(1)" insert **"Developing individualized**
18 **health plans for students with diabetes that follow the orders of a**
19 **licensed health care practitioner.**
20 **(2)".**
21 Page 4, line 37, after "Recognizing" insert **"and treating"**.
22 Page 4, line 39, delete "(2)" and insert **"(3)"**.
23 Page 4, line 39, after "Understanding" insert **"the current**
24 **standards of practice and"**.
25 Page 5, delete lines 1 through 2.
26 Page 5, line 3, delete "finger sticks" and insert **"tests"**.
27 Page 5, line 3, delete "blood glucose" and insert **"glucose and**
28 **ketone"**.
29 Page 5, line 4, delete "checking urine ketone levels,".
30 Page 5, line 4, delete "results of the" and insert **"results."**.
31 Page 5, delete line 5.
32 Page 5, line 6, delete "glucagon and insulin," and insert **"glucagon,**
33 **insulin, or other emergency treatments prescribed by the licensed**
34 **health care practitioner,"**.
35 Page 5, line 7, delete "results of the administration." and insert
36 **"results."**.
37 Page 5, line 15, delete "If a school nurse is assigned to a school, the"
38 and insert **"The department, with the assistance of physicians and**

1 registered nurses who are qualified in the area of diabetes training
 2 and the state department of health, shall develop and provide a
 3 diabetes training program for volunteer health aides, which
 4 includes the most current standards of practice and technology for
 5 diabetes, and treatment. The training must include the following:

6 (1) Implementing the orders of a licensed health care
 7 practitioner.

8 (2) Recognizing and treating the symptoms of hypoglycemia
 9 and hyperglycemia consistent with the orders of the licensed
 10 health care practitioner.

11 (3) Performing tests to check glucose and ketone levels, and
 12 recording the results.

13 (4) Properly administering glucagon, insulin, or other
 14 emergency treatments as prescribed, and recording the
 15 results.

16 (5) Recognizing complications that require emergency
 17 medical assistance.

18 (6) Understanding:

19 (A) recommended schedules and food intake for meals and
 20 snacks;

21 (B) the effect of physical activity on blood glucose levels;
 22 and

23 (C) the proper action to be taken if a student's schedule is
 24 disrupted.

25 (c) The".

26 Page 5, line 16, delete "coordinate" and insert "**coordinate:**

27 (1)".

28 Page 5, line 16, delete "care" and insert "**volunteer health aides,**".

29 Page 5, line 17, delete "assistants,".

30 Page 5, line 18, delete "(a)." and insert "**(b); and**

31 **(2) the record keeping and monitoring of a volunteer health**
 32 **aide acting under this chapter.**".

33 Page 5, line 19, delete "(c)" and insert "**(d)**".

34 Page 5, line 19, delete "care assistants" and insert "**volunteer health**
 35 **aides**".

36 Page 5, line 28, delete "(d)" and insert "**(e)**".

37 Page 5, line 29, delete "by the" and insert "**by**".

38 Page 5, line 31, delete "11." and insert "**16.**".

- 1 Page 5, line 31, delete "If a school nurse is assigned to a school and
2 the nurse".
- 3 Page 5, line 32, delete "is available, the" and insert "**The school**".
- 4 Page 5, line 34, delete "If a school nurse is not assigned to a school
5 or the nurse is" and insert "**When necessary, a volunteer health aide**
6 **may**".
- 7 Page 5, line 35, delete "not available, a care assistant shall".
- 8 Page 5, line 38, delete "10" and insert "**15**".
- 9 Page 5, line 38, delete "A care assistant must have access to a".
- 10 Page 5, delete lines 39 through 42.
- 11 Page 6, delete line 1.
- 12 Page 6, line 2, delete "care assistant" and insert "**volunteer health**
13 **aide**".
- 14 Page 6, line 2, after "parent" insert "**or legal guardian**".
- 15 Page 6, line 4, delete "care assistant" and insert "**volunteer health**
16 **aide**".
- 17 Page 6, line 5, after "parent" insert "**or legal guardian**".
- 18 Page 6, line 6, delete "care assistant" and insert "**volunteer health**
19 **aide**".
- 20 Page 6, line 8, delete "care assistant" and insert "**volunteer health**
21 **aide**".
- 22 Page 6, line 9, after "nursing;" insert "**and**".
- 23 Page 6, line 12, delete "a health care professional; and" and insert
24 "**an individual licensed or authorized under IC 25 to provide health**
25 **care services.**".
- 26 Page 6, delete lines 13 through 15.
- 27 Page 6, line 17, after "on the" insert "**sole**".
- 28 Page 6, line 17, delete "that" and insert "**of whether**".
- 29 Page 6, line 17, delete "does not" and insert "**has volunteer health**
30 **aides.**".
- 31 Page 6, delete line 18.
- 32 Page 6, line 19, delete "12." and insert "**17. (a)**".
- 33 Page 6, line 20, delete "corporation".
- 34 Page 6, line 20, after "shall" insert "**, except in an emergency,**".
- 35 Page 6, line 21, delete "diabetes," and insert "**diabetes if the**
36 **student has been evaluated and determined to be capable of doing**
37 **so as reflected in the student's individual health plan and the**
38 **student's diabetes management and treatment plan,**".

- 1 Page 6, line 21, delete "but not".
- 2 Page 6, line 22, delete "limited to".
- 3 Page 6, between lines 32 and 33, begin a new paragraph and insert:
- 4 **"(b) The school nurse shall, in accordance with the requirements**
- 5 **that apply to the school nurse under IC 25-23, establish a**
- 6 **procedure through which a student described in subsection (a) is**
- 7 **cared for in an emergency."**
- 8 Page 6, line 33, delete "13." and insert "18."
- 9 Page 6, after line 42, begin a new paragraph and insert:
- 10 "SECTION 3. IC 34-6-2-15.7 IS ADDED TO THE INDIANA
- 11 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2007]: **Sec. 15.7. "Basic life support" has the**
- 13 **meaning set forth in IC 16-18-2-33.5.**
- 14 SECTION 4. IC 34-30-14-1 IS AMENDED TO READ AS
- 15 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. A school or school
- 16 board may not:
- 17 (1) require a teacher or other school employee who is not
- 18 employed as a school nurse or physician to administer:
- 19 (A) medication, drugs, or tests described in section 2 of this
- 20 chapter; or
- 21 (B) **health care services, basic life support, or other**
- 22 **services that require the teacher or employee to place the**
- 23 **teacher's or employee's hands on a pupil for therapeutic or**
- 24 **sanitary purposes; or**
- 25 (2) discipline a teacher or other school employee who:
- 26 (A) is not employed as a school nurse or physician; and
- 27 (B) refuses to administer medication, drugs, or tests without
- 28 the written:
- 29 (i) authority of a pupil's parent or guardian; or
- 30 (ii) order of a practitioner;
- 31 required under section 2 of this chapter; **or**
- 32 (C) **refuses to administer health care services, basic life**
- 33 **support, or other services that require the teacher or**
- 34 **employee to place the teacher's or employee's hands on a**
- 35 **pupil for therapeutic or sanitary purposes."**
- 36 Page 7, line 6, delete ":" and insert "to a pupil:".
- 37 Page 7, line 15, strike "blood".
- 38 Page 7, line 15, strike "by finger prick".

1 Page 7, line 16, strike "or".

2 Page 7, between lines 16 and 17, begin a new line block indented
3 and insert:

4 **"(4) health care services, basic life support, or other services**
5 **that require the administrator, teacher, or employee to place**
6 **the administrator's, teacher's, or employee's hands on the**
7 **pupil for therapeutic or sanitary purposes; or".**

8 Page 7, line 17, strike "(4)" and insert "(5)".

9 Page 7, line 17, strike "(3);" and insert "(4);".

10 Page 7, line 18, strike "to a pupil".

11 Page 7, line 19, delete "employees" and insert "**employee**".

12 Page 7, delete line 20.

13 Page 7, line 21, delete "or discretion on the part of the employee".

14 Page 7, run in lines 19 through 21.

15 Page 8, between lines 2 and 3, begin a new paragraph and insert:

16 **"SECTION 6. [EFFECTIVE JULY 1, 2007] (a) As used in this**
17 **SECTION, "ADM" refers to a school corporation's average daily**
18 **membership determined under IC 20-43-4-2.**

19 **(b) As used in this SECTION, "school corporation" means a**
20 **public school corporation established by Indiana law. The term**
21 **includes a:**

- 22 **(1) school city;**
23 **(2) school town;**
24 **(3) school township;**
25 **(4) consolidated school corporation;**
26 **(5) metropolitan school district;**
27 **(6) township school corporation;**
28 **(7) county school corporation;**
29 **(8) united school corporation; or**
30 **(9) community school corporation.**

31 **(c) On the date a school corporation reports the school**
32 **corporation's ADM for the 2007-2008 school year, the school**
33 **corporation shall also report:**

- 34 **(1) the number of students in the school corporation who have**
35 **a chronic disease, by disease category; and**
36 **(2) the number of school nurses.**

37 **Chronic disease includes asthma, diabetes, and any other disease**
38 **the department of education determines is significant for the school**

1 **corporation to report.**

2 **(d) The department of education shall provide the information**
3 **required to be reported in subsection (c) to the health finance**
4 **commission established by IC 2-5-23-3 not later than sixty (60)**
5 **days after the department of education receives the reported**
6 **information.**

7 **(e) This SECTION expires June 30, 2008."**

8 Renumber all SECTIONS consecutively.

(Reference is to HB 1116 as printed February 16, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

Miller

Chairperson