

HOUSE No. 534

The Commonwealth of Massachusetts

PRESENTED BY:

Frank A. Moran

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing for diabetes management in schools.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|--------------------------|------------------------------|------------------|
| <i>Frank A. Moran</i> | <i>17th Essex</i> | <i>1/7/2019</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> | <i>1/30/2019</i> |

HOUSE No. 534

By Mr. Moran of Lawrence, a petition (accompanied by bill, House, No. 534) of Frank A. Moran and Sal N. DiDomenico relative to providing for diabetes management in schools. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act providing for diabetes management in schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 71 of the General Laws is hereby amended by adding the following section:—

2 Section 98. (a) The department of elementary and secondary education shall adopt
3 guidelines for the development and implementation of individual diabetes care plans for each
4 school district. The department shall consult with the department of public health in the
5 development of these guidelines. The department also shall consult with local school district
6 employees who have been designated as responsible for coordinating efforts to comply with
7 federal regulations adopted under Section 504 of the Rehabilitation Act of 1973, as amended, 29
8 U.S.C. § 794. In its development of these guidelines, the department shall refer to the guidelines
9 recommended by the American Diabetes Association for the management of children with
10 diabetes in the school and day care setting and shall consider resolutions by the United States
11 Department of Education's Office of Civil Rights of investigations into complaints alleging
12 discrimination against students with diabetes.

13 (b) The guidelines adopted by the department shall include:

14 (i) procedures for the development of an individual diabetes care plan at the written
15 request of the student's parent or guardian, and involving the parent or guardian, the student's
16 health care provider, the student's classroom teacher, appropriate school personnel, the student if
17 appropriate, the school nurse if available; provided that, the care plan shall include that the
18 school nurse provide in-classroom care to a student with diabetes, or assist a student with the
19 self-care of his or her diabetes in the classroom;

20 (ii) procedures for regular review of an individual care plan;

21 (iii) information to be included in a diabetes care plan, including the responsibilities and
22 appropriate staff development for teachers and other school personnel, an emergency care plan,
23 the identification of allowable actions to be taken, the extent to which the student is able to
24 participate in the student's diabetes care and management, and other information necessary for
25 teachers and other school personnel in order to offer appropriate assistance and support to the
26 student. The department shall ensure that the information and allowable actions included in a
27 diabetes care plan as required in this subdivision meet or exceed the American Diabetes
28 Association's recommendations for the management of children with diabetes in the school
29 setting; and

30 (iv) information and staff development to be made available to teachers and other school
31 personnel in order to appropriately support and assist students with diabetes.

32 (c) The department shall ensure that these guidelines are updated as necessary and shall
33 ensure that the guidelines and any subsequent changes are published and disseminated to each
34 city, town, regional school district, charter school or vocational school district.