

SENATE No. 235

The Commonwealth of Massachusetts

PRESENTED BY:

William N. Brownsberger

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 improving students' access to life saving treatments.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/29/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/1/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/1/2019</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>6/4/2019</i>

SENATE No. 235

By Mr. Brownsberger, a petition (accompanied by bill, Senate, No. 235) of William N. Brownsberger, Anne M. Gobi, Bruce E. Tarr and Rebecca L. Rausch for legislation relative to the administration of diabetes medication. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 214 OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act improving students' access to life saving treatments.

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

1 SECTION 1. Section 54B of chapter 71 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting at the end thereof the following paragraph:-

3 Notwithstanding any general or special laws to the contrary, the department of
4 elementary and secondary education and the department of public health shall jointly promulgate
5 regulations for the emergency administration of glucagon to allow for the administration of
6 glucagon by trained members of the school staff when a nurse is not present and the student
7 exhibits symptoms of severe hypoglycemia; provided, however, that the parent or legal guardian
8 of the student has submitted in writing permission for such emergency treatment to be rendered;
9 provided, further, that a member of the school staff who, in good faith, administers glucagon to a
10 student who exhibits symptoms of severe hypoglycemia shall not be held liable, except in cases

11 of gross negligence or intentional misconduct, in a suit for damages as a result of his or her acts
12 or omissions, nor shall such person be subject to any disciplinary action for such emergency aid;
13 provided further a trained member of the school staff who is not a nurse and administers
14 glucagon shall not be considered to be practicing nursing; and provided further the member of
15 the school staff trained to administer glucagon shall volunteer to be trained.

16 Section 2. Within 180 days of the passage of this act, the department of elementary and
17 secondary education and the department of public health shall, pursuant to section 54B of
18 chapter 71 of the General Laws, as amended by section 1, jointly promulgate regulations for the
19 emergency administration of glucagon to allow for the administration of glucagon by trained
20 members of the school staff when a nurse is not present and the student exhibits symptoms of
21 severe hypoglycemia.