

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill Nos. 681 & 662, Page 48, Section 167.268, Line 28, by inserting after all of said section
3 and line the following:
4

5 "167.625. 1. This section shall be known and may be cited as "Will's Law".

6 2. As used in this section, the following terms mean:

7 (1) "Individualized emergency health care plan", a document developed by a school nurse,
8 in consultation with a student's parent and other appropriate medical professionals, that is consistent
9 with the recommendations of the student's health care providers, that describes procedural
10 guidelines that provide specific directions about what to do in a particular emergency situation, and
11 that is signed by the parent and the school nurse or the school administrator or the administrator's
12 designee in the absence of the school nurse;

13 (2) "Individualized health care plan", a document developed by a school nurse, in
14 consultation with a student's parent and other appropriate medical professionals who may be
15 providing epilepsy or seizure disorder care to the student, that is consistent with the
16 recommendations of the student's health care providers, that describes the health services needed by
17 the student at school, and that is signed by the parent and the school nurse or the school
18 administrator or the administrator's designee in the absence of the school nurse;

19 (3) "Parent", a parent, guardian, or other person having charge, control, or custody of a
20 student;

21 (4) "School", any public elementary or secondary school or charter school;

22 (5) "School employee", a person employed by a school;

23 (6) "Student", a student who has epilepsy or a seizure disorder and who attends a school.

24 3. (1) The parent of a student who seeks epilepsy or seizure disorder care while at school
25 shall inform the school nurse or the school administrator or the administrator's designee in the
26 absence of the school nurse. The school nurse shall develop an individualized health care plan and
27 an individualized emergency health care plan for the student. The parent of the student shall
28 annually provide to the school written authorization for the provision of epilepsy or seizure disorder
29 care as described in the individualized plans.

30 (2) The individualized plans developed under subdivision (1) of this subsection shall be

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1 updated by the school nurse before the beginning of each school year and as necessary if there is a
2 change in the health status of the student.

3 (3) Each individualized health care plan shall, and each individualized emergency health
4 care plan may, include but not be limited to the following information:

5 (a) A notice about the student's condition for all school employees who interact with the
6 student;

7 (b) Written orders from the student's physician or advanced practice nurse describing the
8 epilepsy or seizure disorder care;

9 (c) The symptoms of the epilepsy or seizure disorder for that particular student and
10 recommended care;

11 (d) Whether the student may fully participate in exercise and sports, and any
12 contraindications to exercise or accommodations that shall be made for that particular student;

13 (e) Accommodations for school trips, after-school activities, class parties, and other school-
14 related activities;

15 (f) Information for such school employees about how to recognize and provide care for
16 epilepsy and seizure disorders, epilepsy and seizure disorder first aid training, when to call for
17 assistance, emergency contact information, and parent contact information;

18 (g) Medical and treatment issues that may affect the educational process of the student;

19 (h) The student's ability to manage, and the student's level of understanding of, the student's
20 epilepsy or seizure disorder; and

21 (i) How to maintain communication with the student, the student's parent and health care
22 team, the school nurse or the school administrator or the administrator's designee in the absence of
23 the school nurse, and the school employees.

24 4. (1) The school nurse assigned to a particular school or the school administrator or the
25 administrator's designee in the absence of the school nurse shall coordinate the provision of epilepsy
26 and seizure disorder care at that school and ensure that all school employees are trained every two
27 years in the care of students with epilepsy and seizure disorders including, but not limited to, school
28 employees working with school-sponsored programs outside of the regular school day, as provided
29 in the student's individualized plans.

30 (2) The training required under subdivision (1) of this subsection shall include an online or
31 in-person course of instruction approved by the department of health and senior services that is
32 provided by a reputable, local, Missouri-based health care or nonprofit organization that supports
33 the welfare of individuals with epilepsy and seizure disorders.

34 5. The school nurse or the school administrator or the administrator's designee in the
35 absence of the school nurse shall obtain a release from a student's parent to authorize the sharing of
36 medical information between the student's physician or advanced practice nurse and other health
37 care providers. The release shall also authorize the school nurse or the school administrator or the
38 administrator's designee in the absence of the school nurse to share medical information with other
39 school employees in the school district as necessary. No sharing of information under this

1 subsection shall be construed to be a violation of the federal Health Insurance Portability and
2 Accountability Act of 1996 (HIPAA) (Pub. L. 104-191), as amended, if a student's parent has
3 provided a release under this subsection.

4 6. No school employee including, but not limited to, a school nurse, a school bus driver, a
5 school bus aide, or any other officer or agent of a school shall be held liable for any good faith act or
6 omission consistent with the provisions of this section, nor shall an action before the state board of
7 nursing lie against a school nurse for any such action taken by a school employee trained in good
8 faith by the school nurse under this section. "Good faith" shall not be construed to include willful
9 misconduct, gross negligence, or recklessness."; and

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11 Further amend said bill, Page 96, Section B, Line 2, by deleting the phrase "and increase the number
12 of substitute teachers"; and

13
14 Further amend said bill, page, and section, Lines 3 and 5, by deleting each occurrence of the phrase
15 "section 168.036" and inserting in lieu thereof the phrase "sections 167.625 and 168.036 "; and

16
17 Further amend said bill by amending the title, enacting clause, and intersectional references
18 accordingly.