



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB1250

Introduced 2/6/2019, by Sen. Laura M. Murphy

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/22-31 new

Amends the School Code. Requires a school district, public school, or nonpublic school to permit a student diagnosed with a pancreatic insufficiency to self-administer and self-manage his or her pancreatic enzyme replacement therapy if the parent or guardian of the student provides the school with written authorization for the self-administration or self-management and written authorization for the therapy from the student's physician, physician assistant, or advanced practice registered nurse; defines terms. Requires each school district or school to adopt an emergency care plan and develop an individualized health care plan for a student subject to the provision; specifies plan requirements. Provides that any disclosure of information under the provision shall not constitute a violation of the federal Health Insurance Portability and Accountability Act of 1996 or any regulations promulgated under that Act. Provides that any records created under the provision must be maintained in a confidential manner consistent with the federal Health Insurance Portability and Accountability Act of 1996.

LRB101 08388 AXK 53458 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section  
5 22-31 as follows:

6 (105 ILCS 5/22-31 new)

7 Sec. 22-31. Self-administration of pancreatic enzyme  
8 replacement therapy.

9 (a) In this Section:

10 "Emergency care plan" means a student-specific action plan  
11 developed by a school district, public school, or nonpublic  
12 school to facilitate quick and appropriate responses to an  
13 emergency in a school setting.

14 "Individualized health care plan" means a written plan of  
15 care developed by a school district, public school, or  
16 nonpublic school that outlines the provisions of a student's  
17 health care services and that is intended to achieve specific  
18 student outcomes.

19 "Pancreatic insufficiency" means a disorder of the  
20 digestive system. "Pancreatic insufficiency" may include the  
21 diagnosis of cystic fibrosis, a chronic disease that affects an  
22 individual's lungs and digestive system.

23 (b) A school district, public school, or nonpublic school

1 must permit a student diagnosed with a pancreatic insufficiency  
2 to self-administer and self-manage his or her pancreatic enzyme  
3 replacement therapy if the parent or guardian of the student  
4 provides the school with written authorization for the  
5 student's self-administration and self-management of the  
6 therapy and written authorization for the therapy from the  
7 student's physician, physician assistant, or advanced practice  
8 registered nurse. Information received by a school district or  
9 school under this subsection shall be kept on file in the  
10 office of the school nurse or, in the absence of a school  
11 nurse, the school's administrator.

12 (c) Each school district, public school, or nonpublic  
13 school shall adopt an emergency care plan that may be part of a  
14 student's individualized health care plan developed under  
15 subsection (d) and that includes all of the following:

16 (1) A plan of action in the event a student is unable  
17 to self-administer or self-manage his or her pancreatic  
18 enzyme replacement therapy.

19 (2) The situations in which a school must call 9-1-1.

20 (d) Each school district, public school, or nonpublic  
21 school shall develop an individualized health care plan for a  
22 student subject to this Section. The school district or school  
23 must develop the plan in collaboration with the student's  
24 physician, parent or guardian, and other school personnel to  
25 determine how to manage the student's pancreatic insufficiency  
26 while in school, participating in a school-sponsored activity,

1 or in transit to or from school or a school-sponsored activity.  
2 The plan must be student-specific and must include all of the  
3 following:

4 (1) The student's health status, risks, concerns, and  
5 strengths.

6 (2) Any diagnoses from the student's physician or a  
7 school nurse.

8 (3) Any interventions performed on the student by  
9 school personnel.

10 (4) Training for school personnel.

11 (5) A list of goals that meet the health care needs of  
12 the student and protect the safety of all students from the  
13 misuse or abuse of pancreatic enzyme replacement therapy  
14 medication.

15 (e) Any disclosure of information under this Section shall  
16 not constitute a violation of the federal Health Insurance  
17 Portability and Accountability Act of 1996 or any regulations  
18 promulgated under that Act.

19 (f) Any records created under this Section must be  
20 maintained in a confidential manner consistent with the federal  
21 Health Insurance Portability and Accountability Act of 1996.