# STATE OF NEW YORK

2769

2017-2018 Regular Sessions

# IN SENATE

January 17, 2017

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to the treatment of students diagnosed with epilepsy by school personnel in certain schools

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. The education law is amended by adding a new section 902-c to read as follows:

**§ 902-c. Treatment of students diagnosed with epilepsy by trained school personnel in certain schools. 1. The board of education or trustees of each school district and board of cooperative educational services and nonpublic schools that have one or more school locations with less than one hundred students, shall permit trained unlicensed individuals to administer diastat in emergency situations to individuals diagnosed with epilepsy, where an appropriately licensed health professional is not available, to pupils who have the written permission of a physician or other duly authorized health care provider for the administration of diastat, along with written parental consent, during the school day on school property and at any school function as such terms are defined, respectively, by subdivisions one and two of section eleven of this chapter. Training must be provided by a physician or other duly authorized licensed health care professional in a competent manner and must be completed in a form and manner prescribed by the commissioner in regulation.**

**2. A school district, board of cooperative educational services and/or their agents or employees shall incur no legal or financial liability as a result of any harm or injury sustained by a pupil or other person caused by reasonable and good faith compliance with this section.**

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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