

STATE OF NEW YORK

7445

2025-2026 Regular Sessions

IN SENATE

April 16, 2025

Introduced by Sen. FAHY -- 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 seizure action plans for students diagnosed with a seizure disorder and requiring training on the signs and symptoms of a seizure and how to respond to such symptoms

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

1 Section 1. The education law is amended by adding a new section 3001-e
2 to read as follows:

3 § 3001-e. Seizure action plan. 1. As used in this section, the follow-
4 ing terms shall have the following meanings:

5 (a) "Seizure action plan" shall mean a document developed by the
6 health care provider of a student with a diagnosed seizure disorder and
7 other appropriate medical professionals who may be providing seizure
8 disorder care to the student which sets out the health services needed
9 by the student at school or a school-sponsored activity and shall be:

10 (i) kept on file in the office of the school nurse or school adminis-
11 trator;

12 (ii) distributed to any school employee responsible for the super-
13 vision or care of the student for which such plan was created and who
14 has received proper training; and

15 (iii) provided annually to the board of education by the parents or
16 guardians of the student and contain a written authorization to adminis-
17 ter any medications listed in such plan pursuant to subdivision three of
18 this section.

19 (b) "Student" shall mean a student with epilepsy or a seizure disorder
20 who may be prescribed seizure rescue medication or medication to treat
21 seizure disorder symptoms approved by the food and drug administration
22 of the United States department of health and human services.

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

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1 2. (a) The parent or guardian of a student who seeks seizure disorder
2 care while at school or a school-sponsored activity shall notify the
3 school nurse and provide a seizure action plan for the student consist-
4 ent with the provisions of this section.

5 (b) The seizure action plan developed in accordance with paragraph (a)
6 of this subdivision shall be updated by the student's health care
7 provider prior to the beginning of each school year and as necessary if
8 there is a change in the health status of the student.

9 3. Prior to the administering a seizure rescue medication or medica-
10 tion to treat seizure disorder symptoms, the student's parent or guardi-
11 an shall provide:

12 (a) the board of education, board of trustees or the governing board
13 of such student's school district and the school which such student is
14 enrolled in with a written authorization to administer the medication at
15 school or a school-sponsored event;

16 (b) written orders from the student's health care provider outlining
17 the student's seizure disorder care including, but not limited to, the
18 following information:

19 (i) the student's name;

20 (ii) the name and purpose of the prescribed medication;

21 (iii) the prescribed dosage for such medication;

22 (iv) the route of administration for such medication;

23 (v) the frequency such medication should be administered; and

24 (vi) the circumstances for which such medication may be administered;
25 and

26 (c) the prescribed medication in its unopened, sealed packaging with
27 the label affixed by the dispensing pharmacy intact to the school which
28 the student is enrolled.

29 4. The school nurse shall obtain consent from the parent or guardian
30 of a student to authorize the sharing of medical information between
31 such student's physician or advanced practice nurse and other health
32 care providers. Such nurse shall also be authorized to share medical
33 information with other employees of the school district as necessary.

34 5. No school employee, including a school nurse, a school bus attend-
35 ant, a school bus driver, a classroom aide, or any other officer or
36 agent of a board of education, shall be held liable for any good faith
37 act or omission consistent with the provisions of this section. Good
38 faith shall not include willful misconduct, gross negligence, or reck-
39 lessness.

40 § 2. The education law is amended by adding a new section 3001-f to
41 read as follows:

42 § 3001-f. Seizure awareness training. 1. All public school districts
43 shall provide training to a building principal, guidance counselor,
44 teacher and or any other relevant officer or agent of a board of educa-
45 tion, including a bus driver, bus attendant, and a classroom aide, on
46 the recognition of the signs and symptoms of a seizure and the appropri-
47 ate steps to be taken to respond to such symptoms. Such training shall
48 take place biennially, and shall:

49 (a) Include any training programs or guidelines adopted by any state
50 agency or non-profit organization that supports individuals with epilep-
51 sy and seizure disorders in the state for the training of school employ-
52 ees in the health care needs of students diagnosed with a seizure disor-
53 der.

54 (c) Be provided by a representative of a nationally recognized organ-
55 ization experienced in training laypersons on the signs and symptoms of
56 a seizure and the appropriate steps to be taken to respond to such symp-

1 toms. Such training shall be performed either in-person or by a live or
2 pre-recorded online webinar training or may be administered online
3 through the learning management system of such nationally recognized
4 organization.

5 2. (a) The commissioner shall, in consultation and collaboration with
6 a nationally recognized organization experienced in training laypersons
7 on the signs and symptoms of a seizure and the appropriate steps to be
8 taken to respond to such symptoms, establish and develop an awareness
9 program regarding seizures and seizure disorders that is consistent with
10 the guidelines published by such organization.

11 (b) All public school districts shall offer such seizure awareness
12 program to pupils in grades kindergarten through twelve.

13 (c) The board, in consultation with the commissioner, shall promulgate
14 rules and regulations, including procedures and content for the develop-
15 ment of the seizure awareness program, as they deem necessary and to
16 effectuate the provisions of this section.

17 § 3. Subdivision 2 of section 921 of the education law is renumbered
18 subdivision 3 and a new subdivision 2 is added to read as follows:

19 2. The board of education or trustees of each school district and
20 board of cooperative educational services and nonpublic schools are
21 authorized to have licensed registered professional nurses, nurse prac-
22 titioners, physician assistants and physicians train unlicensed school
23 personnel and shall ensure that at least one school employee in each
24 school building is trained and available to administer either prescribed
25 seizure rescue medication or a manual dose of prescribed electronic
26 stimulation, as defined in paragraphs (a) and (b) of this subdivision,
27 in emergency situations where an appropriately licensed health profes-
28 sional is not available, to pupils who have the written permission of a
29 physician or other duly authorized health care provider for the adminis-
30 tration of emergency medication, as provided for in a student's seizure
31 action plan, during the school day on school property and at any school
32 function as such terms are defined, respectively, by subdivisions one
33 and two of section eleven of this chapter. Training must be provided by
34 a physician or other duly authorized licensed health care professional
35 in a competent manner, and must be completed in a form and manner
36 prescribed by the commissioner in regulation.

37 (a) For the purposes of this subdivision, a "seizure rescue medica-
38 tion" shall mean a medication to treat seizure disorder symptoms as
39 approved by the food and drug administration of the United States
40 department of health and human services and any successor agency.

41 (b) For the purposes of this subdivision, a "prescribed electronic
42 stimulation" shall mean use of a vagus nerve stimulator magnet approved
43 by the United States department of health and human services for
44 responding to seizure disorder symptoms.

45 § 4. This act shall take effect on the one hundred eightieth day after
46 it shall have become a law. Effective immediately, the addition, amend-
47 ment and/or repeal of any rule or regulation necessary for the implemen-
48 tation of this act on its effective date are authorized to be made and
49 completed on or before such effective date.