§ 916-b. Pupils with diabetes. 1. The board of education or trustees of each school district and board of cooperative educational services shall allow pupils who have been diagnosed with diabetes to carry glucagon and carry and use insulin through appropriate medication delivery devices and equipment and/or to carry and use equipment and supplies necessary to check blood glucose levels and ketone levels, as prescribed by a physician or other duly authorized healthcare provider, 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, with parental consent and the written permission of a physician or other duly authorized health care provider. The written permission shall include an attestation by the physician or the health care provider confirming the following: (a) the pupil's diagnosis of diabetes makes the delivery of insulin and glucagon through appropriate medication delivery devices during the school day on school property or at any school function necessary and/or makes the use of equipment and supplies to check blood glucose levels and ketone levels necessary; and (b) that the pupil has demonstrated that he or she can self-administer the prescribed insulin effectively and can self check glucose or ketone levels and can independently follow the treatment orders prescribed by the physician or other authorized health care provider in the written permission. The written permission shall identify prescribed blood glucose tests, ketone tests, insulin and glucagon to be used by the pupil at school and/or during school functions. If insulin or glucagon is prescribed, the written permission shall include the name of the type of insulin, the dose or dose range, the times when the medication is to be taken, the type of insulin delivery system and any other information prescribed by the commissioner in regulation, after consultation with the commissioner of health. A record of such consent and permission shall be maintained in the student's cumulative health record. In addition, upon the written request of a parent or person in parental relation, the board of education or trustees of a school district and board of cooperative educational services shall allow such pupils to maintain extra insulin and an insulin delivery system, glucagon, blood glucose meters and related supplies used to treat such pupil's diabetes in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or

physician employed by such district or board of cooperative educational services, and shall be readily accessible to such pupil. Nothing in this section shall require a school district or board of cooperative educational services to retain a licensed nurse, nurse practitioner, physician assistant, or physician solely for the purpose of taking custody of extra insulin and an insulin delivery system, glucagon, blood glucose meters and related supplies used to treat such pupil's diabetes, or require that a licensed nurse, nurse practitioner, physician assistant, or physician be available at all times in a school building for the purpose of taking custody of extra insulin and an insulin delivery system, glucagon, blood glucose meters and related supplies. In addition, the medication and devices, equipment and supplies provided by the pupil's parents or persons in parental relation shall be made available to the pupil as needed in accordance with the school district's or board of cooperative educational services' policy and the orders prescribed in the written permission of the physician or other authorized health care provider. Pupils with diabetes may also carry any food necessary to treat hypoglycemia pursuant to the school district policy, provided, however, such school district policy shall not unreasonably interfere with a pupil's ability to treat hypoglycemia.

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.