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RWH/JA

P.L. 2019, CHAPTER 290, *approved January 9, 2020*
Senate, No. 4141 (*Second Reprint*)

1 AN ACT concerning the care of students with ¹epilepsy and¹ seizure
2 disorders, designated as “Paul’s Law,” and supplementing
3 chapter 40 of Title 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in this act:

9 "Individualized emergency health care plan" means a document
10 developed by the school nurse, in consultation with the parent or
11 guardian of a student with ¹epilepsy or¹ a seizure disorder and other
12 appropriate medical professionals, which is consistent with the
13 recommendations of the student's health care providers and which
14 ²**[**outlines a set of procedural guidelines that provide specific
15 directions about what **]** provides specific actions for non-medical
16 school staff² to do in a particular emergency situation and is signed
17 by the parent or guardian and the school nurse.

18 "Individualized health care plan" means a document developed
19 by the school nurse, in consultation with the parent or guardian of a
20 student with ¹epilepsy or¹ a seizure disorder and other appropriate
21 medical professionals who may be providing ¹epilepsy or¹ seizure
22 disorder care to the student, which is consistent with the
23 recommendations of the student's health care providers and which
24 sets out the health services needed by the student at school and is
25 signed by the parent or guardian and the school nurse.

26 "School" means an elementary or secondary public school
27 located within this State.

28 "School employee" means a person employed by a school
29 district.

30 ²“Seizure action plan” means a comprehensive document
31 provided by the student’s physician, advanced practice nurse, or
32 physician’s assistant which includes, but is not limited to,
33 information regarding presentation of seizures, seizure triggers,
34 daily seizure medications, seizure first aid, and additional
35 treatments.²

36
37 2. a. The parent or guardian of a student with ¹epilepsy or¹ a
38 seizure disorder who seeks ¹epilepsy or¹ seizure disorder care while

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted November 14, 2019.

²Assembly floor amendments adopted December 16, 2019.

1 at school shall ²**[inform]** submit annually to² the school nurse
2 ²**[who]** the student's seizure action plan. The school nurse² shall
3 develop an individualized health care plan and an individualized
4 emergency health care plan for the student^{1,1} provided that the
5 parents or guardians of the student annually provide to the board of
6 education written authorization for the provision of ¹epilepsy or¹
7 seizure disorder care ²**[as may be outlined in the individualized**
8 **plans]**².

9 b. The individualized health care plan and individualized
10 emergency health care plan developed in accordance with
11 subsection a. of this section shall be updated by the school nurse
12 ²**[prior to the beginning of each school year]** annually² and as
13 necessary in the event that there is a change in the health status of
14 the student.

15 c. Each individualized health care plan shall include, and each
16 individualized emergency health care plan may include, the
17 following information:

18 (1) written orders from the student's physician or advanced
19 practice nurse outlining the ¹epilepsy or¹ seizure disorder care;

20 (2) the symptoms of the ¹epilepsy or¹ seizure disorder for that
21 particular student and recommended care;

22 (3) full participation in exercise and sports, and any
23 contraindications to exercise, or accommodations that must be made
24 for that particular student;

25 (4) accommodations for school trips, after-school activities,
26 class parties, and other school-related activities;

27 (5) education of all school personnel about ¹epilepsy and¹
28 seizure disorders, how to recognize and provide care for ¹epilepsy
29 and¹ seizure disorders, and when to call for assistance;

30 (6) medical and treatment issues that may affect the educational
31 process of the student with ¹epilepsy or¹ the seizure disorder;

32 (7) the student's ability to manage, and the student's level of
33 understanding of, the student's ¹epilepsy or¹ seizure disorder; and

34 (8) how to maintain communication with the student, the
35 student's parent or guardian and health care team, the school nurse,
36 and the educational staff.

37 d. (1) The ²**[school nurse assigned to a particular school]**
38 board of education² shall coordinate the provision of ¹epilepsy and¹
39 seizure disorder care at ²**[that]** the² school and ensure that all staff
40 are trained ²**[every two years]**² in the care of students with
41 ¹epilepsy and¹ seizure disorders, including staff working with
42 school-sponsored programs outside of the regular school day ²**[,** as
43 provided in the individualized health care plan and the
44 individualized emergency health care plan]².

45 (2) The training required pursuant to paragraph (1) of this
46 subsection shall include a ²**[Department of Education-approved]**

1 Department of Health-approved² on-line ¹or in-person¹ course of
2 instruction provided by a nonprofit national ¹【foundation】
3 organization¹ that supports the welfare of individuals with ¹epilepsy
4 and¹ seizure ¹【disorder, such as the Epilepsy Foundation of
5 America. A seizure training program approved by the department
6 that is provided to a school district on portable media shall be
7 provided by the nonprofit entity free of charge】 disorders¹.

8
9 3. In the event that a school bus driver transports a student with
10 ¹epilepsy or¹ a seizure disorder, a school district shall provide the
11 driver with: a notice of the student's condition; information on how
12 to provide care for ¹epilepsy or¹ the seizure disorder; emergency
13 contact information; ¹epilepsy and seizure disorder first aid
14 training;¹ and parent contact information.

15
16 4. The school nurse shall obtain a release from the parent or
17 guardian of a student with ¹epilepsy or¹ a seizure disorder to
18 authorize the sharing of medical information between the student's
19 physician or advanced practice nurse and other health care
20 providers. The release shall also authorize the school nurse to share
21 medical information with other staff members of the school district
22 as necessary.

23
24 5. No school employee, including a school nurse, a school bus
25 driver, a school bus aide, or any other officer or agent of a board of
26 education, shall be held liable for any good faith act or omission
27 consistent with the provisions of this act, nor shall an action before
28 the New Jersey State Board of Nursing lie against a school nurse for
29 any such action taken by a person trained in good faith by the
30 school nurse pursuant to this act. Good faith shall not include
31 willful misconduct, gross negligence, or recklessness.

32
33 6. This act shall take effect immediately.

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37

38 “Paul’s Law”; authorizes parent or guardian to request use of
39 individualized health care plan for student with epilepsy or seizure
40 disorder.

SENATE, No. 4141

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED OCTOBER 24, 2019

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

“Paul’s Law”; authorizes parent or guardian to request use of individualized health care plan for student with seizure disorder.

CURRENT VERSION OF TEXT

As introduced.



S4141 BEACH, BATEMAN

2

1 AN ACT concerning the care of students with seizure disorders,
2 designated as "Paul's Law," and supplementing chapter 40 of
3 Title 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. As used in this act:

9 "Individualized emergency health care plan" means a document
10 developed by the school nurse, in consultation with the parent or
11 guardian of a student with a seizure disorder and other appropriate
12 medical professionals, which is consistent with the
13 recommendations of the student's health care providers and which
14 outlines a set of procedural guidelines that provide specific
15 directions about what to do in a particular emergency situation and
16 is signed by the parent or guardian and the school nurse.

17 "Individualized health care plan" means a document developed
18 by the school nurse, in consultation with the parent or guardian of a
19 student with a seizure disorder and other appropriate medical
20 professionals who may be providing seizure disorder care to the
21 student, which is consistent with the recommendations of the
22 student's health care providers and which sets out the health
23 services needed by the student at school and is signed by the parent
24 or guardian and the school nurse.

25 "School" means an elementary or secondary public school
26 located within this State.

27 "School employee" means a person employed by a school
28 district.

29
30 2. a. The parent or guardian of a student with a seizure
31 disorder who seeks seizure disorder care while at school shall
32 inform the school nurse who shall develop an individualized health
33 care plan and an individualized emergency health care plan for the
34 student provided that the parents or guardians of the student
35 annually provide to the board of education written authorization for
36 the provision of seizure disorder care as may be outlined in the
37 individualized plans.

38 b. The individualized health care plan and individualized
39 emergency health care plan developed in accordance with
40 subsection a. of this section shall be updated by the school nurse
41 prior to the beginning of each school year and as necessary in the
42 event that there is a change in the health status of the student.

43 c. Each individualized health care plan shall include, and each
44 individualized emergency health care plan may include, the
45 following information:

46 (1) written orders from the student's physician or advanced
47 practice nurse outlining the seizure disorder care;

1 (2) the symptoms of the seizure disorder for that particular
2 student and recommended care;

3 (3) full participation in exercise and sports, and any
4 contraindications to exercise, or accommodations that must be made
5 for that particular student;

6 (4) accommodations for school trips, after-school activities,
7 class parties, and other school-related activities;

8 (5) education of all school personnel about seizure disorders,
9 how to recognize and provide care for seizure disorders, and when
10 to call for assistance;

11 (6) medical and treatment issues that may affect the educational
12 process of the student with the seizure disorder;

13 (7) the student's ability to manage, and the student's level of
14 understanding of, the student's seizure disorder; and

15 (8) how to maintain communication with the student, the
16 student's parent or guardian and health care team, the school nurse,
17 and the educational staff.

18 d. (1) The school nurse assigned to a particular school shall
19 coordinate the provision of seizure disorder care at that school and
20 ensure that all staff are trained in the care of students with seizure
21 disorders, including staff working with school-sponsored programs
22 outside of the regular school day, as provided in the individualized
23 health care plan and the individualized emergency health care plan.

24 (2) The training required pursuant to paragraph (1) of this
25 subsection shall include a Department of Education-approved on-
26 line course of instruction provided by a nonprofit national
27 foundation that supports the welfare of individuals with seizure
28 disorder, such as the Epilepsy Foundation of America. A seizure
29 training program approved by the department that is provided to a
30 school district on portable media shall be provided by the nonprofit
31 entity free of charge.

32

33 3. In the event that a school bus driver transports a student with
34 a seizure disorder, a school district shall provide the driver with: a
35 notice of the student's condition; information on how to provide
36 care for the seizure disorder; emergency contact information; and
37 parent contact information.

38

39 4. The school nurse shall obtain a release from the parent or
40 guardian of a student with a seizure disorder to authorize the
41 sharing of medical information between the student's physician or
42 advanced practice nurse and other health care providers. The
43 release shall also authorize the school nurse to share medical
44 information with other staff members of the school district as
45 necessary.

46

47 5. No school employee, including a school nurse, a school bus
48 driver, a school bus aide, or any other officer or agent of a board of

1 education, shall be held liable for any good faith act or omission
2 consistent with the provisions of this act, nor shall an action before
3 the New Jersey State Board of Nursing lie against a school nurse for
4 any such action taken by a person trained in good faith by the
5 school nurse pursuant to this act. Good faith shall not include
6 willful misconduct, gross negligence, or recklessness.

7
8 6. This act shall take effect immediately.

9
10
11 STATEMENT

12
13 This bill concerns the care provided to public school students
14 with seizure disorders and is designated as “Paul’s Law.” Under
15 the bill’s provisions, the parents or guardians of a student with a
16 seizure disorder who seek seizure disorder care for that student
17 while at school will inform the school nurse. The school nurse will
18 develop an individualized health care plan and an individualized
19 emergency health care plan for that student provided that the parent
20 or guardian provides annual written authorization for the provision
21 of seizure disorder care at school.

22 Each individualized health care plan must include and each
23 individualized emergency health care plan may include the
24 following:

25 (1) written orders from the student’s physician or advanced
26 practice nurse outlining the seizure disorder care;

27 (2) the symptoms of the seizure disorder for that particular
28 student and recommended care;

29 (3) full participation in exercise and sports, and any
30 contraindications to exercise, or accommodations that must be made
31 for that particular student;

32 (4) accommodations for school trips, after-school activities,
33 class parties, and other school-related activities;

34 (5) education of all school personnel about seizure disorders,
35 how to recognize and provide care for seizure disorders, and when
36 to call for assistance;

37 (6) medical and treatment issues that may affect the educational
38 process of the student with the seizure disorder;

39 (7) the student’s ability to manage, and the student’s level of
40 understanding of, the student’s seizure disorder; and

41 (8) how to maintain communication with the student, the
42 student’s parent or guardian and health care team, the school nurse,
43 and the educational staff.

44 Under the provisions of the bill, the school nurse assigned to a
45 particular school will coordinate the provision of seizure disorder
46 care at that school and ensure that all staff are trained in the care of
47 students with seizure disorders. The training is required to include a
48 Department of Education-approved on-line course of instruction

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5

1 provided by a nonprofit national foundation that supports the
2 welfare of individuals with seizure disorder, such as the Epilepsy
3 Foundation of America.

4 The bill provides that a school district must provide to a school
5 bus driver who transports a pupil with a seizure disorder a notice of
6 the pupil's condition, information on how to provide care in the
7 case of a seizure disorder, emergency contact information, and
8 parent contact information.

9 Finally, the bill provides that a school employee will not be
10 liable for any good faith action taken in accordance with the bill's
11 provisions.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 4141

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 14, 2019

The Senate Education Committee favorably reports Senate Bill No. 4141 with committee amendments.

As amended, this bill concerns the care provided to public school students with epilepsy or seizure disorders and is designated as “Paul’s Law.” Under the bill’s provisions, the parents or guardians of a student with epilepsy or a seizure disorder who seek epilepsy or seizure disorder care for that student while at school will inform the school nurse. The school nurse will develop an individualized health care plan and an individualized emergency health care plan for that student provided that the parent or guardian provides annual written authorization for the provision of epilepsy or seizure disorder care at school.

Each individualized health care plan must include and each individualized emergency health care plan may include the following:

- (1) written orders from the student’s physician or advanced practice nurse outlining the epilepsy or seizure disorder care;
- (2) the symptoms of the epilepsy or seizure disorder for that particular student and recommended care;
- (3) full participation in exercise and sports, and any contraindications to exercise, or accommodations that must be made for that particular student;
- (4) accommodations for school trips, after-school activities, class parties, and other school-related activities;
- (5) education of all school personnel about epilepsy and seizure disorders, how to recognize and provide care for epilepsy and seizure disorders, and when to call for assistance;
- (6) medical and treatment issues that may affect the educational process of the student with epilepsy or a seizure disorder;
- (7) the student’s ability to manage, and the student’s level of understanding of, the student’s epilepsy or seizure disorder; and
- (8) how to maintain communication with the student, the student’s parent or guardian and health care team, the school nurse, and the educational staff.

Under the provisions of the bill, the school nurse assigned to a particular school will coordinate the provision of epilepsy and

seizure disorder care at that school and ensure that all staff are trained every two years in the care of students with epilepsy and seizure disorders. The training is required to include a Department of Education-approved on-line or in-person course of instruction provided by a nonprofit national organization that supports the welfare of individuals with epilepsy and seizure disorders.

The bill provides that a school district must provide to a school bus driver who transports a pupil with epilepsy or a seizure disorder a notice of the pupil's condition, information on how to provide care in the case of epilepsy or a seizure disorder, emergency contact information, epilepsy and seizure disorder first aid training; and parent contact information.

Finally, the bill provides that a school employee will not be liable for any good faith action taken in accordance with the bill's provisions.

The committee amended the bill to:

- Clarify that the bill's provision also apply to students with epilepsy;
- Provide that the training provided by the school nurse to all staff on the care of students with epilepsy and seizure disorders will occur every two years;
- Provide that a Department of Education-approved course of instruction used to train staff may be an in-person course of instruction. The bill as introduced provided for only an on-line course of study;
- Delete language that required a nonprofit entity that provided a training program to a school district on portable media, to provide that training free of charge; and
- Require a school district to provide a school bus driver who transports a student with epilepsy or a seizure disorder with epilepsy and seizure disorder first aid training.

STATEMENT TO
[First Reprint]
SENATE, No. 4141

with Assembly Floor Amendments
(Proposed by Assemblywoman JASEY)

ADOPTED: DECEMBER 16, 2019

The floor amendments amend the bill to:

- Provide that the parent or guardian of a student who seeks epilepsy or seizure disorder care while at school annually submit a seizure action plan to the school nurse. Prior to this floor amendment, the bill only required the parent or guardian to inform the school nurse that care was being sought for the student with epilepsy or seizure disorder;
- Include a definition of “seizure action plan”;
- Provide that the individualized health care plan and individualized emergency health care plan be updated annually rather than prior to the beginning of each school year;
- Provide that the board of education, rather than the school nurse assigned to the particular school, will coordinate the provision of epilepsy and seizure disorder care at school and ensure the training of staff;
- Eliminate the requirement that staff training be conducted every two years; and
- Provide that the staff training course required under the bill be a Department of Health-approved course rather than a Department of Education-approved course.

ASSEMBLY, No. 6011

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED NOVEMBER 25, 2019

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Co-Sponsored by:

Assemblywoman DiMaso, Assemblymen Danielsen and Thomson

SYNOPSIS

“Paul’s Law”; authorizes parent or guardian to request use of individualized health care plan for student with epilepsy or seizure disorder.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/10/2019)

1 AN ACT concerning the care of students with epilepsy and seizure
2 disorders, designated as "Paul's Law," and supplementing
3 chapter 40 of Title 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. As used in this act:

9 "Individualized emergency health care plan" means a document
10 developed by the school nurse, in consultation with the parent or
11 guardian of a student with epilepsy or a seizure disorder and other
12 appropriate medical professionals, which is consistent with the
13 recommendations of the student's health care providers and which
14 outlines a set of procedural guidelines that provide specific
15 directions about what to do in a particular emergency situation and
16 is signed by the parent or guardian and the school nurse.

17 "Individualized health care plan" means a document developed
18 by the school nurse, in consultation with the parent or guardian of a
19 student with epilepsy or a seizure disorder and other appropriate
20 medical professionals who may be providing epilepsy or seizure
21 disorder care to the student, which is consistent with the
22 recommendations of the student's health care providers and which
23 sets out the health services needed by the student at school and is
24 signed by the parent or guardian and the school nurse.

25 "School" means an elementary or secondary public school
26 located within this State.

27 "School employee" means a person employed by a school
28 district.

29
30 2. a. The parent or guardian of a student with epilepsy or a
31 seizure disorder who seeks epilepsy or seizure disorder care while
32 at school shall inform the school nurse who shall develop an
33 individualized health care plan and an individualized emergency
34 health care plan for the student, provided that the parents or
35 guardians of the student annually provide to the board of education
36 written authorization for the provision of epilepsy or seizure
37 disorder care as may be outlined in the individualized plans.

38 b. The individualized health care plan and individualized
39 emergency health care plan developed in accordance with
40 subsection a. of this section shall be updated by the school nurse
41 prior to the beginning of each school year and as necessary in the
42 event that there is a change in the health status of the student.

43 c. Each individualized health care plan shall include, and each
44 individualized emergency health care plan may include, the
45 following information:

46 (1) written orders from the student's physician or advanced
47 practice nurse outlining the epilepsy or seizure disorder care;

- 1 (2) the symptoms of the epilepsy or seizure disorder for that
2 particular student and recommended care;
 - 3 (3) full participation in exercise and sports, and any
4 contraindications to exercise, or accommodations that must be made
5 for that particular student;
 - 6 (4) accommodations for school trips, after-school activities,
7 class parties, and other school-related activities;
 - 8 (5) education of all school personnel about epilepsy and seizure
9 disorders, how to recognize and provide care for epilepsy and
10 seizure disorders, and when to call for assistance;
 - 11 (6) medical and treatment issues that may affect the educational
12 process of the student with epilepsy or the seizure disorder;
 - 13 (7) the student's ability to manage, and the student's level of
14 understanding of, the student's epilepsy or seizure disorder; and
 - 15 (8) how to maintain communication with the student, the
16 student's parent or guardian and health care team, the school nurse,
17 and the educational staff.
- 18 d. (1) The school nurse assigned to a particular school shall
19 coordinate the provision of epilepsy and seizure disorder care at that
20 school and ensure that all staff are trained every two years in the
21 care of students with epilepsy and seizure disorders, including staff
22 working with school-sponsored programs outside of the regular
23 school day, as provided in the individualized health care plan and
24 the individualized emergency health care plan.
 - 25 (2) The training required pursuant to paragraph (1) of this
26 subsection shall include a Department of Education-approved on-
27 line or in-person course of instruction provided by a nonprofit
28 national organization that supports the welfare of individuals with
29 epilepsy and seizure disorders.
- 30
 - 31 3. In the event that a school bus driver transports a student with
32 epilepsy or a seizure disorder, a school district shall provide the
33 driver with: a notice of the student's condition; information on how
34 to provide care for epilepsy or the seizure disorder; emergency
35 contact information; epilepsy and seizure disorder first aid training;
36 and parent contact information.
 - 37
 - 38 4. The school nurse shall obtain a release from the parent or
39 guardian of a student with epilepsy or a seizure disorder to
40 authorize the sharing of medical information between the student's
41 physician or advanced practice nurse and other health care
42 providers. The release shall also authorize the school nurse to share
43 medical information with other staff members of the school district
44 as necessary.
 - 45
 - 46 5. No school employee, including a school nurse, a school bus
47 driver, a school bus aide, or any other officer or agent of a board of
48 education, shall be held liable for any good faith act or omission

1 consistent with the provisions of this act, nor shall an action before
2 the New Jersey State Board of Nursing lie against a school nurse for
3 any such action taken by a person trained in good faith by the
4 school nurse pursuant to this act. Good faith shall not include
5 willful misconduct, gross negligence, or recklessness.

6
7 6. This act shall take effect immediately.

8
9
10 STATEMENT

11
12 This bill concerns the care provided to public school students
13 with epilepsy or seizure disorders and is designated as “Paul’s
14 Law.” Under the bill’s provisions, the parents or guardians of a
15 student with epilepsy or a seizure disorder who seek epilepsy or
16 seizure disorder care for that student while at school will inform the
17 school nurse. The school nurse will develop an individualized
18 health care plan and an individualized emergency health care plan
19 for that student provided that the parent or guardian provides annual
20 written authorization for the provision of epilepsy or seizure
21 disorder care at school.

22 Each individualized health care plan must include and each
23 individualized emergency health care plan may include the
24 following:

25 (1) written orders from the student’s physician or advanced
26 practice nurse outlining the epilepsy or seizure disorder care;

27 (2) the symptoms of the epilepsy or seizure disorder for that
28 particular student and recommended care;

29 (3) full participation in exercise and sports, and any
30 contraindications to exercise, or accommodations that must be made
31 for that particular student;

32 (4) accommodations for school trips, after-school activities,
33 class parties, and other school-related activities;

34 (5) education of all school personnel about epilepsy and seizure
35 disorders, how to recognize and provide care for epilepsy and
36 seizure disorders, and when to call for assistance;

37 (6) medical and treatment issues that may affect the educational
38 process of the student with epilepsy or a seizure disorder;

39 (7) the student’s ability to manage, and the student’s level of
40 understanding of, the student’s epilepsy or seizure disorder; and

41 (8) how to maintain communication with the student, the
42 student’s parent or guardian and health care team, the school nurse,
43 and the educational staff.

44 Under the provisions of the bill, the school nurse assigned to a
45 particular school will coordinate the provision of epilepsy and
46 seizure disorder care at that school and ensure that all staff are
47 trained every two years in the care of students with epilepsy and
48 seizure disorders. The training is required to include a Department

A6011 JASEY, QUIJANO

1 of Education-approved on-line or in-person course of instruction
2 provided by a nonprofit national organization that supports the
3 welfare of individuals with epilepsy and seizure disorders.

4 The bill provides that a school district must provide to a school
5 bus driver who transports a pupil with epilepsy or a seizure
6 disorder: a notice of the pupil's condition; information on how to
7 provide care in the case of epilepsy or a seizure disorder;
8 emergency contact information; epilepsy and seizure disorder first
9 aid training; and parent contact information.

10 Finally, the bill provides that a school employee will not be
11 liable for any good faith action taken in accordance with the bill's
12 provisions.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 6011

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2019

The Assembly Education Committee reports favorably Assembly Bill No. 6011 with committee amendments.

As amended, this bill concerns the care provided to public school students with epilepsy or seizure disorders and is designated as “Paul’s Law.” Under the bill’s provisions, the parents or guardians of a student with epilepsy or a seizure disorder who seek epilepsy or seizure disorder care for that student while at school will annually submit a seizure action plan. A seizure action plan is defined under the bill as a comprehensive document provided by the student’s physician, advanced practice nurse, or physician’s assistant which includes information regarding presentation of seizures, seizure triggers, daily seizure medication, seizure first aid, and additional treatments. The school nurse will develop an individualized health care plan and an individualized emergency health care plan for that student provided that the parent or guardian provides annual written authorization for the provision of epilepsy or seizure disorder care at school.

Each individualized health care plan must include and each individualized emergency health care plan may include the following:

- (1) written orders from the student’s physician or advanced practice nurse outlining the epilepsy or seizure disorder care;
- (2) the symptoms of the epilepsy or seizure disorder for that particular student and recommended care;
- (3) full participation in exercise and sports, and any contraindications to exercise, or accommodations that must be made for that particular student;
- (4) accommodations for school trips, after-school activities, class parties, and other school-related activities;
- (5) education of all school personnel about epilepsy and seizure disorders, how to recognize and provide care for epilepsy and seizure disorders, and when to call for assistance;
- (6) medical and treatment issues that may affect the educational process of the student with epilepsy or a seizure disorder;
- (7) the student’s ability to manage, and the student’s level of understanding of, the student’s epilepsy or seizure disorder; and

(8) how to maintain communication with the student, the student's parent or guardian and health care team, the school nurse, and the educational staff.

Under the provisions of the bill, the board of education will coordinate the provision of epilepsy and seizure disorder care at the school and ensure that all staff are trained in the care of students with epilepsy and seizure disorders. The training is required to include a Department of Health-approved on-line or in-person course of instruction provided by a nonprofit national organization that supports the welfare of individuals with epilepsy and seizure disorders.

The bill provides that a school district must provide to a school bus driver who transports a pupil with epilepsy or a seizure disorder: a notice of the pupil's condition; information on how to provide care in the case of epilepsy or a seizure disorder; emergency contact information; epilepsy and seizure disorder first aid training; and parent contact information.

Finally, the bill provides that a school employee will not be liable for any good faith action taken in accordance with the bill's provisions.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- Provide that the parent or guardian of a student who seeks epilepsy or seizure disorder care while at school annually submit a seizure action plan to the school nurse. As introduced, the bill only required the parent or guardian to inform the school nurse that care was being sought for the student with epilepsy or seizure disorder;
- Include a definition of "seizure action plan";
- Provide that the individualized health care plan and individualized emergency health care plan be updated annually rather than prior to the beginning of each school year;
- Provide that the board of education, rather than the school nurse assigned to the particular school, will coordinate the provision of epilepsy and seizure disorder care at school and ensure the training of staff;
- Eliminate the requirement that staff training be conducted every two years; and
- Provide that the staff training course required under the bill be a Department of Health-approved course rather than a Department of Education-approved course.

Governor Murphy Signs "Paul's Law" to Aid Students with Seizure Disorders

01/9/2020

TRENTON - Governor Phil Murphy today signed S4141, also known as "Paul's Law", which will authorize parents or guardians to request the use of an individualized health care plan for students with epilepsy or seizure disorders. The law is named after Paul St. Pierre, a 13-year-old boy from Maple Shade who has epilepsy and advocated for the legislation.

"Every student deserves to learn and thrive in their educational environment, without worrying about their safety," **said Governor Murphy**. "Paul's Law will ensure that the safety of children with seizure disorders is a priority in our schools. I thank Paul and his family for bringing attention to this issue that affects so many parents and children across our state."

The legislation signed today authorizes a parent or guardian of a student with epilepsy or a seizure disorder to request use of an individualized health care plan. This individualized health care plan will be developed for each student by the school nurse, in consultation with the parent or guardian of a student with a seizure disorder and other appropriate medical professionals. The plan will be consistent with the recommendations of the student's health care providers and will outline a set of procedural guidelines that provide specific directions about what to do in an emergency. Additionally, boards of education will be required to ensure that all building staff are trained in the care of students with epilepsy and seizure disorders.

"It is impossible to describe the magnitude of Governor Murphy signing Paul's Law. This law will not only help my son Paul feel safe in school, it will protect 12,000 children in New Jersey that have epilepsy. Furthermore, It will give parents across the state peace of mind while their children are in school," **said Paul St. Pierre, the namesake of the law, and his mother, Colleen Quinn**. "None of this would have been possible without Senator James Beach who spearheaded this legislation after our initial meeting. He has shown us that citizens, even a 13 year old boy can help to make change in the world. We are forever grateful to him. Lastly, we would like to thank Governor Murphy for signing this legislation into law. Today our governor has made New Jersey only the 5th state in the nation to create seizure safe schools. We would like to thank Governor Murphy for making this law a reality."

"Schools must provide safe spaces for all children, including students who experience seizure disorders," **said Dr. Lamont O. Repollet, Commissioner of Education**. "Providing training to staff will enable adults to recognize the early signs of seizures in students and provide them with swift access to the care they need."

"Approximately 12,000 children in New Jersey have been diagnosed with epilepsy, according to the U.S. Centers for Disease Control," **said Department of Health Acting Commissioner Judith Persichilli**. "Paul St. Pierre is a brave young man and I commend him for his advocacy to help protect other children with this neurological disorder. It is critical that teachers, principals and other school personnel receive training in how to recognize and respond to a student experiencing a seizure in school. It's also important for parents to ensure their child's school has an up-to-date health plan for their child."

Primary sponsors of the legislation include Senators Jim Beach and Kip Bateman, and Assemblymembers Mila Jasey, Annette Quijano, and John McKeon.

"As a former teacher, I know that an unexpected crisis can occur at any time during the school day. However, if a student has a seizure disorder, appropriate training, complete information and an individualized health care plan can allow school personnel to be better prepared," **said Senator Beach**. "Thanks to the advocacy of Paul St. Pierre, this legislation will go a long way in educating our teachers and school personnel on how to handle a situation when one of their students has a seizure, whether it is in the classroom or at an after-school event."

"There are 12,000 students throughout New Jersey with a seizure disorder," **said Senator Kip Bateman**. "If you're the parent of a child with epilepsy, you want to be assured that all teachers, nurses, and school bus drivers are properly trained and can care for your child until advanced medical help arrives. I applaud Paul for his successful advocacy to ensure Garden State schools have the tools to create a 'seizure smart' epilepsy action plan which will save lives."

In a joint statement, **Assemblymembers Jasey, Quijano, and McKeon said:**

"It's vitally important that New Jersey's schools and teachers are well-equipped with the tools and knowledge to provide safe, enriching learning environments for students with epilepsy.

"In creating the mechanisms for schools to work with parents and guardians alongside nurses, teachers and administrators, children suffering from seizures would be guaranteed the extra support and care they need to see their full potential in the classroom realized.

"We'd like to give special thanks to Paul St. Pierre, who the bill is named for, and Miranda West, a Columbia High School student and National Epilepsy Foundation teen spokesperson, for their continued advocacy and help in ensuring New Jersey schools are safe for all students."

"Paul St. Pierre is a leader and a role model for all children living in New Jersey. Paul's advocacy not only for himself, but for the 12,000 children living with epilepsy in the Garden State, will make our schools a safer place for all children living with epilepsy," **said Liza Gundell, CEO of the Family Resource Network which includes Epilepsy Services of New Jersey.** "Children spend the majority of their day in school under the care of school personnel and in the company of their peers. Empowering educators and students with knowledge to not only recognize seizures, but the skills to act and treat a student who may be experiencing a seizure can ultimately save a child's life. Epilepsy Services of New Jersey is proud to provide monthly on-line seizure first aid and recognition training, as well as in-person training for school's throughout New Jersey. Paul's Law ensures that all New Jersey Schools are well-equipped with the tools necessary to provide a safe and enriching environment."