



# **LEGISLATIVE & MANAGEMENT STRATEGIES**

**SB 1051 (Huff)  
Senate Education Committee  
March 24, 2010 @ 9:30 AM  
Room 4203**

**SUBJECT:** Administration of Diastat

## **SUMMARY**

This bill authorizes trained nonmedical personnel in schools to administer Diastat (diazepam rectal gel) when a student is having an epilepsy seizure.

## **BACKGROUND**

For several years it was common in schools to have Registered Nurses, or where unavailable, trained non-medical personnel (teachers, aides, office staff) to administer doctor prescribed diastat in an emergency situation to a student when suffering a severe, possibly life threatening, seizure.

In October a nursing education consultant to the Bureau of Registered Nursing (BRN) advised that there is no provision in the Nursing Practice Act for unlicensed school personnel to administer diastat. The consultant then concluded that in absence of an authorizing statute, school nurses cannot train or supervise unlicensed personnel to administer diastat.

As a consequence of the letter, nurses are refusing to train school personnel and schools are reluctant to have staff, even those already trained, administer diastat.

## **ANALYSIS**

This bill:

- 1) Authorizes nurses to train and supervise nonmedical employees in school districts and county offices of education to administer diastat to children with epilepsy in the public schools.
- 2) The nonmedical employee must volunteer to participate in the program.
- 3) The training and emergency medical assistance provided by the school nonmedical employee shall follow the standards established by the Epilepsy Foundation of America. These performance standards may be developed in cooperation with the CDE, California School Nurses Organization, the CMA, and the American Academy of Pediatrics.
- 4) The training shall include (a) recognition and treatment of epilepsy; (b) administration of diastat; (c) basic emergency follow-up procedures
- 5) Training shall be by a physician, credentialed nurse, or certified public health nurse.

- 6) The nonmedical school employee shall notify the credentialed school nurse if he or she administers diastat. If a nurse is not assigned to the school district, the employee must notify the superintendent, or his or her designee.
- 7) All materials must be provided by the parent or guardian.
- 8) Defines "diastat" as diazepam rectal gel, marketed as Diastat AcuDial.
- 9) The bill will be amended to protect the nonmedical employee from civil and criminal liability.