

**ARKANSAS DEPARTMENT OF EDUCATION EMERGENCY RULES GOVERNING
THE ADMINISTRATION OF GLUCAGON TO ARKANSAS PUBLIC SCHOOL
STUDENTS SUFFERING FROM TYPE 1 DIABETES**

1.00 REGULATORY AUTHORITY

1.01 These rules shall be known as the Arkansas Department of Education Emergency Rules Governing the Administration of Glucagon to Arkansas Public School Students Suffering from Type 1 Diabetes.

1.02 These rules are enacted pursuant to the Arkansas State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 17-87-103 and 25-15-201 et seq.

2.00 PURPOSE

2.01 The purpose of these rules is to set forth protocols and procedures for the administration of glucagon by trained volunteer school personnel to Arkansas public school students who suffer from Type 1 diabetes.

3.00 DEFINITIONS

3.01 "Emergency Situation" – circumstance in which students with low blood glucose cannot be treated with a glucose-containing substance by mouth because the student is unconscious or having a seizure.

3.02 "Glucagon" – an injectable hormone prescribed by a licensed healthcare practitioner that raises the level of glucose in the blood. Glucagon is dispensed as a "Glucagon Emergency Kit" or a "Glucagon Emergency Kit for Low Blood Sugar." A "licensed healthcare practitioner" includes, but is not limited to, Medical Doctors, Doctor of Osteopathy, Advanced Practice Nurse, Registered Nurse Practitioners, or Physician Assistants with prescriptive authority or who work under physician-approved protocols.

3.03 "Licensed School Nurse Employed by a School District" – those nurses employed by an Arkansas public school district or open-enrollment public charter school who hold the following licenses or certificate:

3.03.1 Registered Nurse (RN);

3.03.2 Advanced Practice Nurse (APN); or

3.03.3 Diabetic Nurse Educators.

3.03.4 This definition does not include License Practical Nurses (LPNs). LPNs may assist in the provision of training under these rules. However, training under these rules must be performed by Registered Nurses, Advance Practice Nurses or Diabetic Nurse Educators.

3.04 “Other Healthcare Professional” – includes the following:

3.04.1 Registered Nurse (RN);

3.04.2 Advanced Practice Nurse (APN);

3.04.3 Diabetic Nurse Educators;

3.04.4 Medical Doctors (MD);

3.04.5 Registered Nurse Practitioners;

3.04.6 Doctors of Osteopathy; and

3.04.7 Physician Assistants.

3.05 “Type 1 Diabetes” – sometimes referred to as “insulin dependent diabetes,” a medical condition diagnosed by a licensed healthcare provider and caused by the human body’s failure to produce insulin.

3.06 “Trained Volunteer School Personnel” – Licensed or classified personnel employed by an Arkansas public school district or open-enrollment public charter school who volunteer and successfully complete training for the administration of glucagon to students suffering from Type 1 diabetes.

4.00 GENERAL REQUIREMENTS

4.01 Trained volunteer school personnel designated as care providers in a plan developed under Section 504 of the Rehabilitation Act of 1973, as it existed on July 1, 2011, who have been trained by a licensed nurse employed by a school district or other healthcare professional, may, in emergency situations, administer glucagon to students who suffer from Type 1 diabetes.

4.02 The training listed in Sections 4.01 and 6.00 of these rules shall be conducted at least annually, regardless whether a volunteer has previously completed training. Nothing in these rules prohibits training from being conducted more often than annually.

4.03 No trained volunteer school personnel designated as care providers pursuant to these rules may administer glucagon to a student who suffers from Type 1 diabetes unless the parent or guardian of the student first signs a written authorization allowing the administration of glucagon to the student by a trained volunteer school personnel designated as a care provider.

4.04 When a school nurse is available and on site during an emergency situation, the school nurse shall administer glucagon to the student, when necessary. Volunteer school personnel who are designated as care providers and trained to administer glucagon shall provide glucagon injections only in the absence or unavailability of a school nurse.

4.05 The training outlined in these rules is intended to be provided to volunteer school personnel. No school personnel shall be required, pressured or otherwise subjected to duress in such a manner as to compel their participation in training. Prior to receiving training, volunteers must sign a written acknowledgement indicating their desire to volunteer.

5.00 PROTECTION FROM LIABILITY

A school district, school district employee, or an agent of a school district, including a healthcare professional who trained volunteer school personnel designated as care providers, shall not be liable for any damages resulting from his or her actions or inactions under these rules or under Ark. Code Ann. § 17-87-103.

6.00 TRAINING OF VOLUNTEERS

6.01 Training under these rules shall include, at a minimum, the following components:

6.01.1 What glucagon is and how glucagon works;

6.01.2 When, how and by whom glucagon may be prescribed;

- 6.01.3 The requirements of Arkansas law pertaining to the administration of glucagon injections to Arkansas public school students suffering from Type 1 diabetes;
- 6.01.4 When glucagon should be administered, how glucagon should be prepared, the dosage and side effects of glucagon, and follow-up care after glucagon is administered;
- 6.01.5 How glucagon should be stored, including identifying the expiration date and need for replacement;
- 6.01.6 The role of the school nurse in the administration of glucagon and the delegation of the administration of glucagon; and
- 6.01.7 The signs of hypoglycemia in students with Type 1 diabetes, including techniques and practices used to prevent the need for glucagon.
- 6.02 Visual and audio aids may be used during the training required under these rules, but at least one individual listed in Sections 3.03 and 3.04 of these rules must be physically present to provide the training.
- 6.03 Before a volunteer may be deemed to have successfully completed the training required under these rules, a person listed in Sections 3.03 and 3.04 must sign a certification indicating that the volunteer has successfully completed all aspects of training and that the volunteer has successfully demonstrated mastery of procedures involving the administration of glucagon. No person listed in Sections 3.03 and 3.04 shall sign such a certification unless such person, in his or her professional judgment, believes that a volunteer has successfully completed all aspects of training and that the volunteer has successfully demonstrated mastery of procedures involving the administration of glucagon.
- 6.04 The Arkansas State Board of Nursing and the Arkansas Department of Education, in collaboration with the Arkansas School Nurses Association and diabetic education experts, shall identify and approve education programs that meet the requirements of Section 6.01 of these rules. Training under these rules shall be given according to the education programs approved under this section.
- 6.04.1 The Arkansas State Board of Nursing and the Arkansas Department of Education shall maintain and publish a list of approved education programs that meet the requirements of Section 6.01 of these rules. The

list of approved education programs may be published on the websites of the Arkansas State Board of Nursing and the Arkansas Department of Education.

6.04.2 The Arkansas State Board of Nursing and the Arkansas Department of Education, in collaboration with the Arkansas School Nurses Association and diabetic education experts, shall at least annually review the requirements associated with the administration of glucagon and shall, if necessary, recommend for adoption by the Arkansas State Board of Nursing and the Arkansas State Board of Education any revisions to these rules.

7.00 RECORDS

7.01 Records of volunteer training must be kept on file at each school.

7.02 For each student with Type 1 diabetes who attends the school, the school district shall maintain a copy of the plan developed under Section 504 of the Rehabilitation Act of 1973, as it existed on July 1, 2011, a list of volunteer school personnel who are designated as care providers and trained to administer glucagon, and a copy of the parent's or guardian's signed authorization. The list of volunteer school personnel who are designated as care providers and trained to administer glucagon and a copy of the parent's or guardian's signed authorization shall also be attached to the student's Individualized Health Plan (IHP).

7.03 The list of volunteer school personnel who are designated as care providers and trained to administer glucagon shall only include the names of such personnel who successfully complete the required training as set forth in Section 6.00 of these rules. The list of volunteer school personnel trained to administer glucagon for each school should be published and made known to all school personnel.

7.04 The principal of each school, in conjunction with each school nurse, shall properly maintain all such records.

EMERGENCY ADOPTION

WHEREAS, the Arkansas State Board of Education and the Arkansas State Board of Nursing are required to promulgate rules necessary for the implementation of Ark. Code Ann. § 17-87-103(11); and

WHEREAS, on December 1, 2011, the Arkansas State Board of Nursing adopted its version of these rules on an emergency basis; and

WHEREAS, Arkansas public schoolchildren suffering from diabetes may benefit from the immediate training of volunteers in the administration of glucagon.

THEREFORE, the Arkansas State Board of Education determines that imminent peril to the health, safety and welfare of students with diabetes who could benefit from the immediate adoption of these rules on an emergency basis. Therefore, an emergency is declared to exist and the Arkansas State Board of Education promulgates this rule as an emergency rule pursuant to Ark. Code Ann. § 25-15-204. This rule shall become effective immediately upon filing.