

ENROLLED

CS/HB 173

2022 Legislature

1  
 2 An act relating to care of students with epilepsy or  
 3 seizure disorders; creating s. 1006.0626, F.S.;

4 providing definitions; requiring a school to provide  
 5 epilepsy or seizure disorder care to a student under  
 6 certain circumstances; providing requirements for the  
 7 implementation of an individualized seizure action  
 8 plan for a student with epilepsy or a seizure  
 9 disorder; providing that an individualized seizure  
 10 action plan remains in effect until certain criteria  
 11 are met; providing that implementation of such plan  
 12 does not absolve or limit other specified duties of  
 13 the school; authorizing a school to provide training  
 14 and supports to a student in the absence of such a  
 15 plan; providing requirements for such plans; requiring  
 16 a school nurse or appropriate school employee to  
 17 coordinate the care of such students and verify the  
 18 training of certain school employees relating to the  
 19 care of the students; providing requirements for such  
 20 training; requiring the Department of Education to  
 21 identify certain training courses on its website;  
 22 requiring schools to provide specified information to  
 23 certain school employees; providing an effective date.

24  
 25 Be It Enacted by the Legislature of the State of Florida:

ENROLLED

CS/HB 173

2022 Legislature

26  
 27 Section 1. Section 1006.0626, Florida Statutes, is created  
 28 to read:

29 1006.0626 Care of students with epilepsy or seizure  
 30 disorders.-

31 (1) As used in this section, the term:

32 (a) "Individualized seizure action plan," or "ISAP," means  
 33 a document that outlines a set of procedural guidelines and  
 34 specific directions for the provision of health care and  
 35 emergency services by a school for a student who has epilepsy or  
 36 seizure disorders.

37 (b) "Medical professional" means a physician licensed  
 38 under chapter 458 or 459, a physician assistant licensed under  
 39 chapter 458 or chapter 459, or an advanced practiced registered  
 40 nurse licensed under s. 464.012 who provides epilepsy or seizure  
 41 disorder care to the student.

42 (c) "School" has the same meaning as in s. 1003.01(2).

43 (2)(a) A school must provide epilepsy or seizure disorder  
 44 care to a student based upon the student's ISAP, individualized  
 45 education plan, or 504 accommodation plan issued under s. 504 of  
 46 the Rehabilitation Act of 1973, as applicable. To initiate the  
 47 implementation of an ISAP, a student's parent must submit an  
 48 ISAP that meets the requirements of paragraph (b) to the school  
 49 principal and school nurse or other appropriate school employee.  
 50 The ISAP should be submitted before or at the beginning of the

ENROLLED

CS/HB 173

2022 Legislature

51 school year, upon enrollment, or as soon as practicable  
52 following a diagnosis of a seizure disorder for a student. The  
53 provisions of a student's ISAP remain in effect until the  
54 student's parent submits a revised ISAP, signed by a medical  
55 professional, identifying any changes based on the student's  
56 condition. Implementation of an ISAP does not absolve or limit  
57 the school of its obligation to provide a student special  
58 instruction, services, or accommodations pursuant to part V of  
59 chapter 1003, the Individuals with Disabilities Education Act,  
60 and s. 504 of the Rehabilitation Act of 1973. A school may  
61 implement training and student supports outlined in this section  
62 regardless of whether a parent submits an ISAP.

63 (b) An ISAP must be developed and signed by a medical  
64 professional, in consultation with the student's parent, and  
65 include the following:

66 1. Written orders from the student's medical professional  
67 outlining the student's epilepsy or seizure disorder recommended  
68 care.

69 2. The parent's signature.

70 3. The student's epilepsy or seizure disorder symptoms.

71 4. Any accommodations the student requires for school  
72 trips, after-school programs and activities, class parties, and  
73 any other school-related activities.

74 5. When and whom to call for medical assistance.

75 6. The student's ability to manage, and the student's

ENROLLED

CS/HB 173

2022 Legislature

76 level of understanding of, his or her epilepsy or seizure  
 77 disorder.

78 7. How to maintain communication with the student, the  
 79 student's parent, and the student's health care team, school  
 80 nurse, and educational staff.

81 8. Any rescue medication prescribed by the student's  
 82 medical professional and how and when to administer the  
 83 medication.

84 (3) The school nurse or an appropriate school employee of  
 85 a school that receives an ISAP pursuant to subsection (2) shall:

86 (a) In accordance with s. 1006.062, coordinate the  
 87 provision of epilepsy and seizure disorder care at the school  
 88 for the student, including administering anti-seizure and rescue  
 89 medications as outlined in the ISAP.

90 (b) Verify that each school employee whose duties include  
 91 regular contact with the student has completed training in the  
 92 care of students with epilepsy and seizure disorders. The  
 93 training must include how to recognize the symptoms of and  
 94 provide care for epilepsy and seizure disorders. To assist  
 95 schools in meeting this requirement, the Department of Education  
 96 shall identify on its website one or more online training  
 97 courses that are provided by a nonprofit national organization  
 98 that supports the welfare of individuals with epilepsy and  
 99 seizure disorders and are available free of charge to schools.

100 (4) The school shall provide each school employee whose

ENROLLED

CS/HB 173

2022 Legislature

101 duties include regular contact with the student with all of the  
102 following:

103 (a) Notice of the student's condition.

104 (b) Information from the ISAP on how to provide the  
105 recommended care for the student if he or she shows symptoms of  
106 the epilepsy or seizure disorder.

107 (c) The contact information for the student's parent and  
108 emergency contacts.

109 Section 2. This act shall take effect July 1, 2022.