

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

Senate Bill 456

BY SENATORS BEACH, CAPUTO, AND RUCKER

[Introduced January 20, 2022; referred
to the Committee on Health and Human Resources;
and then to the Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §18-5-22e, relating to defining seizure action plans; requiring county boards
3 of education to develop a policy relating to seizure action plans; imposing minimum
4 requirements for these policies; requiring the parents or guardians to collaborate with
5 school personnel to implement seizure action plans; and mandating the state board to
6 promulgate rules.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-22e. Policy for the creation and administration of seizure action plans.

1 (a) For the purposes of this section, "Seizure action plan" means a written, individualized
2 health plan designed to acknowledge and prepare for the health care needs of a student
3 diagnosed with a seizure disorder that is prepared by the student's treating physician.

4 (b) All county boards of education shall develop a policy which establishes the procedure
5 to be followed for implementing seizure action plans for students at each school. These policies
6 shall, at a minimum, include the following:

7 (1) Each school shall have at least one employee who has met the requirements
8 established in this section to administer or assist with the self-administration of a seizure rescue
9 administration or medication prescribed to treat seizure disorder symptoms as approved by the
10 United States Food and Drug Administration and any successor agency;

11 (2) Training requirements for all school personnel who are responsible for the
12 administration of any seizure medications including recognition of the signs and symptoms of
13 seizure and the appropriate steps to be taken to respond to these symptoms;

14 (3) A requirement that any school personnel or volunteers responsible for the supervision
15 or care of a student diagnosed with a seizure disorder shall be given notice of the seizure action
16 plan, the identity of the school employee or employees trained at the school in accordance with

17 paragraph (1) of this subdivision, and a method by which the trained school employee may be
18 contacted in an emergency; and

19 (4) An annual requirement of at least one hour of self-study review of seizure disorder
20 materials by all principals, guidance counselors, and teachers.

21 (c) The parent or guardian of each student diagnosed with a seizure disorder shall
22 collaborate with school personnel to implement the seizure action plan.

23 (d) The state board shall promulgate rules necessary to effectuate the provision of this
24 section in accordance with the provision of §29A-3B-1 et seq. of this code.