

By: Zaffirini

S.B. No. 27

A BILL TO BE ENTITLED

AN ACT

relating to school district policies for the care of students at risk for anaphylaxis.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0151 to read as follows:

Sec. 38.0151. POLICIES FOR CARE OF STUDENTS AT RISK FOR ANAPHYLAXIS. (a) The board of trustees of each school district shall implement and administer a policy for the care of students at risk for anaphylaxis based on guidelines developed by the commissioner of state health services in consultation with an ad hoc committee appointed by the commissioner of state health services.

(b) The guidelines described by Subsection (a) do not supersede a school district policy implemented before the development of the guidelines to the extent the policy is consistent with the guidelines.

(c) Not later than October 1, 2011, the commissioner of state health services shall appoint members to an ad hoc committee to consult with the commissioner of state health services on developing guidelines for the care of students at risk for anaphylaxis. The committee shall be composed as follows:

(1) not more than one representative from each of the following entities:

1 (A) the Department of State Health Services;

2 (B) the Texas Education Agency;

3 (C) the Food Allergy Initiative;

4 (D) the Food Allergy & Anaphylaxis Network; and

5 (E) the Texas School Nurses Organization;

6 (2) not more than one physician member of the Texas
7 chapter of the American Academy of Allergy, Asthma & Immunology;
8 and

9 (3) at least two parents of public school students at
10 risk for anaphylaxis.

11 (d) Not later than December 31, 2011, the commissioner of
12 state health services shall, in consultation with the ad hoc
13 committee established under this section, develop guidelines for
14 the care of students at risk for anaphylaxis.

15 (e) Subsections (c) and (d) and this subsection expire June
16 1, 2012.

17 SECTION 2. Not later than May 1, 2012, the board of trustees
18 of each school district shall implement the policy for the care of
19 students at risk for anaphylaxis as required by Section 38.0151,
20 Education Code, as added by this Act.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2011.