

By: Talarico

H.B. No. 350

A BILL TO BE ENTITLED

AN ACT

relating to the use of glucagon medication on certain public and private school campuses.

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

SECTION 1. Section 168.001, Health and Safety Code, is amended by adding Subdivision (1-a) and amending Subdivisions (4) and (5) to read as follows:

(1-a) "Glucagon medication" means any medication used to treat hypoglycemia that contains glucagon.

(4) "School," unless the context clearly indicates otherwise, means a school district ~~[public elementary or secondary school. The term does not include an open-enrollment charter school established under Subchapter D, Chapter 12, Education Code].~~

(5) "School employee," unless the context clearly indicates otherwise, means a person employed by:

(A) a school;

(B) a local health department that assists a school under this chapter; or

(C) another entity with which a school has contracted to perform its duties under this chapter.

SECTION 2. Chapter 168, Health and Safety Code, is amended by adding Sections 168.012 and 168.013 to read as follows:

Sec. 168.012. MAINTENANCE AND ADMINISTRATION OF GLUCAGON MEDICATION. (a) A school district, open-enrollment charter

1 school, or private school may adopt and implement a policy  
2 regarding the maintenance, administration, and disposal of  
3 glucagon medication at each campus in the district or school.

4 (b) A policy adopted under Subsection (a):

5 (1) must provide that a school nurse or an unlicensed  
6 diabetes care assistant may:

7 (A) administer glucagon medication to a student  
8 who is reasonably believed to be experiencing hypoglycemia and for  
9 whom:

10 (i) a diabetes management and treatment  
11 plan has been submitted to the district or school; and

12 (ii) an individualized health plan, as  
13 described by Section 168.003, has been developed for the student;  
14 and

15 (B) carry glucagon medication prescribed in the  
16 name of the district or school on the nurse's or assistant's person  
17 to administer to a student described by Paragraph (A); and

18 (2) may not require a district or school to purchase  
19 glucagon medication or require the district or school to make any  
20 other expenditure related to the maintenance or administration of  
21 glucagon medication that would result in a negative fiscal impact  
22 on the district or school.

23 (c) The supply of glucagon medication at a campus subject to  
24 a policy adopted under Subsection (a) must be stored in a secure  
25 location and be easily accessible to a school nurse and unlicensed  
26 diabetes care assistant.

27 (d) Notwithstanding any other provision of this chapter, if

1 an open-enrollment charter school or private school adopts a policy  
2 under Subsection (a):

3 (1) the parent or guardian of a student with diabetes  
4 who is enrolled in the school may submit a diabetes management and  
5 treatment plan developed in accordance with Section 168.002 to the  
6 school;

7 (2) the school may seek school employees who are not  
8 health care professionals to serve as unlicensed diabetes care  
9 assistants for purposes of administering glucagon medication under  
10 the policy; and

11 (3) the following provisions of this chapter apply to  
12 the school as if the school were a school district and to a school  
13 employee of the school, including a school nurse or unlicensed  
14 diabetes care assistant, as if the school employee were employed by  
15 a school district:

16 (A) Section 168.002(c);

17 (B) Section 168.003 with respect to each student  
18 who submits a diabetes management and treatment plan to the school;

19 (C) Sections 168.004(b) and (c);

20 (D) Section 168.005; and

21 (E) Section 168.009.

22 (e) The executive commissioner, in consultation with the  
23 commissioner of the Texas Education Agency, shall adopt rules  
24 regarding the maintenance, administration, and disposal of  
25 glucagon medication at a school campus in accordance with a policy  
26 adopted under Subsection (a).

27 Sec. 168.013. PRESCRIPTION OF GLUCAGON MEDICATION. (a) A

1 physician or person who has been delegated prescriptive authority  
2 under Chapter 157, Occupations Code, may prescribe glucagon  
3 medication in the name of a school district, open-enrollment  
4 charter school, or private school that adopts a policy under  
5 Section 168.012(a).

6 (b) A physician or other person who prescribes glucagon  
7 medication under Subsection (a) shall provide the school district,  
8 open-enrollment charter school, or private school with a standing  
9 order for the administration of glucagon medication to a student  
10 described by Section 168.012(b)(1)(A).

11 (c) The standing order under Subsection (b) is not required  
12 to be patient-specific, and the glucagon medication may be  
13 administered to a person without a previously established  
14 physician-patient relationship.

15 (d) Notwithstanding any other provisions of law,  
16 supervision or delegation by a physician is considered adequate if  
17 the physician:

18 (1) periodically reviews the order; and

19 (2) is available through direct telecommunication as  
20 needed for consultation, assistance, and direction.

21 (e) A pharmacist may dispense glucagon medication to a  
22 school district, open-enrollment charter school, or private school  
23 that adopts a policy under Section 168.012(a) without requiring the  
24 name or any other identifying information relating to the user.

25 SECTION 3. This Act applies beginning with the 2025-2026  
26 school year.

27 SECTION 4. This Act takes effect immediately if it receives

H.B. No. 350

1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2025.