

House Bill 654

By: Representatives Manning of the 32nd, Walker of the 107th, Harbin of the 118th,
Stephenson of the 92nd, Coleman of the 97th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to student health, so as to enact the "Student Asthma Management Act";
3 to provide for legislative findings; to define the term "asthma management plan"; to provide
4 for a student asthma management plan for each student identified with asthma; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Student Asthma Management Act."

9 **SECTION 2.**

10 The General Assembly finds that:

- 11 (1) Asthma is the most common chronic disorder in childhood;
- 12 (2) It is estimated that 10 percent of children in Georgia (212,000) have asthma,
13 including 15 percent of public middle school students and 16 percent of public high
14 school students;
- 15 (3) Among Georgia's children with asthma, 84 percent use prescription medicine;
- 16 (4) The Department of Human Resources estimates that there were more than 47,000
17 emergency room visits in 2004 with asthma as the primary diagnosis, and there were
18 more than 11,000 hospitalizations in 2004 with asthma as the primary diagnosis;
- 19 (5) The Department of Human Resources further estimates that Georgia's costs for
20 asthma emergency room charges were approximately \$35 million and asthma
21 hospitalization charges were more than \$107 million; and
- 22 (6) Asthma is responsible for 540,000 days of missed school annually in Georgia, with
23 30 percent of adults (63,000) in homes of children with asthma missing about 390,000
24 days of work or school.

SECTION 3.

Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to student health, is amended by adding a new Code section to read as follows:

"20-2-775.

(a) As used in this Code section, the term 'asthma management plan' means a written plan for school staff that provides information about a student with asthma concerning the child's specific asthma triggers, medications, instructions regarding physical activity, emergency contacts, and plans for handling increased asthma illness or emergency situations. Such plan, which shall be updated at least annually or whenever there is a change in such student's condition or treatment plan, shall include:

(1) A list of the medications that the student receives, including those which need to be taken during the school day;

(2) A specific plan of action to be taken by school personnel in the case of an acute asthmatic episode;

(3) A list of diagnostic or treatment devices to be used by the student during the school day;

(4) Any limitations imposed on student activities; and

(5) Emergency procedures and telephone numbers to be used during acute episodes.

Such action plan shall be signed by the student's physician and a parent and shall be kept on file in an accessible location at the student's school.

(b) Each local board of education shall adopt a policy requiring that an asthma management plan for each student identified with asthma be on file with local school administrators and designated staff for use:

(1) While in school;

(2) At a school sponsored activity;

(3) While under the supervision of school personnel; or

(4) While in before-school or after-school care on school operated property.

(c) Each public school in this state shall require that an asthma management plan for each student identified with asthma be available for school staff, subject to the local board policy adopted pursuant to subsection (b) of this Code section."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.