

SB241

Relating to Education
EDU/HTH, WAM



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/08/2013

Committee: Senate Education
Senate Health

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 0241 RELATING TO EDUCATION

Purpose of Bill: Allows department of education employees and agents to volunteer to administer epinephrine to a student in anaphylactic shock. Requires the department of health to provide proper instruction and training to every employee or agent who volunteers to administer glucagon and epinephrine. Requires a student's parent or guardian to supply injectable epinephrine supplies to administer the epinephrine.

Department's Position:

The Department of Education (Department) supports SB 0241. It is congruent with current practices regarding self-administration and volunteer administration of emergency rescue medication in the Department.

Presently, Department employees and agents volunteer to administer glucagon and auto-injectable epinephrine to students. Training for these volunteers is ongoing and will continue to be conducted by the Department of Health (DOH) Public Health Nurses (PHNs). In addition, the Department has developed and administered protocols and forms with regard to the self-administration of medication and for the storage and administration of emergency rescue medication such as glucagon and auto-injectable epinephrine.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

SENATE COMMITTEE ON EDUCATION AND COMMITTEE ON HEALTH

SB 241, RELATING TO EDUCATION

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.

Director of Health

February 08, 2013

1 **Department's Position:** The Department of Health (DOH) supports the parts of SB241 that 1) allows
2 the Department of Education (DOE) employees and agents to volunteer to administer auto-injectable
3 epinephrine to students in anaphylactic shock; 2) requires student's parent or guardian to provide the
4 DOE with written authorization for the emergency administration of auto-injectable epinephrine, 3)
5 requires student's parent or guardian to provide written certification from the student's physician or
6 physician assistant stating that the student has medical orders that epinephrine may be administered by a
7 volunteer, and 4) requires the parent or guardian to supply the school with injectable epinephrine
8 supplies to administer epinephrine in an emergency. The DOH does not support the part of the Bill
9 requiring DOH to solely provide instruction in the proper administration of epinephrine.

10 **Fiscal Implications:** None.

11 **Purpose and Justification:** The purpose of this Bill is to enable schools to have DOE employees or
12 agents, provide emergency administration of epinephrine for anaphylaxis, which can be life saving. The
13 DOH believes the current wording in Section 302A-1164, Hawaii Revised Statutes, enables broader
14 support for teaching on administration of injectable epinephrine for anaphylaxis. At present, the DOH
15 provides the majority of instruction and training for schools on emergency administration on injectable
16 epinephrine for anaphylaxis.

1 Thank you for the opportunity to testify.



HAWAII DISABILITY RIGHTS CENTER

1132 Bishop Street, Suite 2102, Honolulu, Hawaii 96813

Phone/TTY: (808) 949-2922 Toll Free: 1-800-882-1057 Fax: (808) 949-2928

E-mail: info@hawaiidisabilityrights.org Website: www.hawaiidisabilityrights.org

THE SENATE THE TWENTY-SEVENTH LEGISLATURE REGULAR SESSION OF 2013

Committee on Education Committee on Health Testimony in Support of S.B. 241 Relating to Education

**Friday, February 8, 2013, 1:15 P.M.
Conference Room 414**

Chair Tokuda, Chair Green and Members of the Committees:

The Hawaii Disability Rights Center testifies in support of this bill. We recently represented a nine year old boy who was prevented by the DOE from attending the school in his district, Solomon Elementary School, because of his need to administer epinephrine. Our position was that, quite frankly, the current law was sufficiently clear in that it allows the self-administration of medication for anaphylaxis. It is universally recognized that epinephrine is what is administered to counteract episodes of anaphylactic shock.

In fact, at most of the schools that we have worked with, administration of epinephrine has been a relatively routine matter. However, at this school in this instance, the DOE was adamantly recalcitrant about violating this child's rights. In fact, they prevented him from attending school from February 2012, until November 2012. It was only after we initiated legal proceedings that they agreed to allow the child to attend school.

Incidents such as this should never have occurred and should not be allowed to occur in the future. For that reason, to the extent that the law needs to be more than CRYSTAL CLEAR and specifically reference epinephrine, we are in support and appreciate the legislature's efforts to address this issue.

Thank you for the opportunity to testify in support of this measure.





COMMUNITY CHILDREN'S COUNCIL OF HAWAII
1177 Alakea Street • B-100 • Honolulu • HI • 96813
TEL: (808) 586-5363 • TOLL FREE: 1-800-437-8641 • FAX: (808) 586-5366

February 6, 2013

Senator Tokuda and Senator Green
Chairs of Education and Health – State Capitol

RE: SB 241 – RELATING TO EDUCATION
Education; Administration of Epinephrine; Department of Health

Dear Chairs Tokuda and Green, Vice-Chairs Kidani and Baker, and Members of the Committee,

The Community Children's Councils (CCC's) **strongly supports** SB 241, which proposes for the self-administration of medication by a student and by department employees and agents in certain emergency situations with authorization.

Some children have specialized health needs and are often trained to self-administer emergency medication as they may be alone in the event it is needed. There may also be cases with one injection is not enough and two is required or there may not be enough time for the school health aide to be called. This bill is extremely important for those cases that fall into this category.

The 17 CCCs are community-based bodies comprised of parents, professionals in both public and private agencies and other interested persons who are concerned with specialized services provided to Hawaii's students. Membership is diverse, voluntary and advisory in nature. The CCCs are in rural and urban communities organized around the Complexes in the Department of Education.

Should you have any questions or need additional information, please contact the Community Children's Council Office (CCCO) at 586-5363.

Thank you for considering our testimony,
Tom Smith, Co-Chair

Jessica Wong-Sumida, Co-Chair

(Original signatures are on file with the CCCO)



S E A C
Special Education Advisory Council

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

email: spin@doh.hawaii.gov

February 8, 2013

**Special Education
Advisory Council**

Ms. Ivalee Sinclair, *Chair*
Ms. Martha Guinan, *Vice
Chair*

Ms. Brendelyn Ancheta
Ms. Cassandra Bennett
Dr. Tammy Bopp
Ms. Jyo Bridgewater
Dr. Robert Campbell
Ms. Deborah Cheeseman
Ms. Annette Cooper
Ms. Phyllis DeKok
Ms. Shari Dela Cuadra-Larsen,
liaison to the Superintendent
Ms. Gabriele Finn
Ms. Tami Ho
Ms. Barbara Ioli
Ms. Deborah Kobayakawa
Ms. Bernadette Lane
Ms. Shanelle Lum
Ms. Eleanor MacDonald
Ms. Rachel Matsunobu
Ms. Dale Matsuura
Ms. Stacey Oshio
Ms. Zaidarene Place
Ms. Barbara Pretty
Ms. Kau'i Rezentes
Ms. Melissa Rosen
Dr. Patricia Sheehey
Mr. Tom Smith
Mr. Mike Tamahaha
Dr. Daniel Ulrich
Ms. Cari White

Jan Tateishi, Staff
Susan Rocco, Staff

Senator Jill Tokuda, Chair
Senate Committee on Education
Senator Josh Green, Chair
Senate Committee on Health
State Capitol
Honolulu, HI 96813

RE: SB 241 - RELATING TO EDUCATION

Dear Chairs Tokuda and Green and Members of the Committees,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **strongly supports** SB 241 that allows Department of Education staff to volunteer to administer epinephrine to a student in anaphylactic shock and provides proper instruction and training to those volunteers through the Department of Health.

SEAC is aware of several students with disabilities who require a specific protocol for administering epinephrine and, because of a lack of clarity at the school level, were denied access to this protocol despite specific instructions from a physician. As a consequence, these students missed instructional time due to their family's concerns for their safety at school. SEAC believes that SB 241 will provide greater clarity and consistency across schools regarding the proper administration of this life-saving medication and greater confidence for families that their child will be appropriately cared for in an emergency.

Thank you for the opportunity to provide testimony on this important legislation. If you have any questions, I will be happy to answer them.

Respectfully,

Ivalee Sinclair, Chair

From: mailinglist@capitol.hawaii.gov
To: [EDU Testimony](#)
Cc: mvasaturo@hawaii.rr.com
Subject: Submitted testimony for SB241 on Feb 8, 2013 13:15PM
Date: Wednesday, February 06, 2013 9:49:06 AM

SB241

Submitted on: 2/6/2013

Testimony for EDU/HTH on Feb 8, 2013 13:15PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
mary ann vasaturo	Individual	Support	No

Comments: Please support training by qualified health professionals. Thank you

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov