Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

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Bill Number: SB1036H1 **Patron:** Pekarsky
Bill Title: Seizure rescue medications; administration by certain school employees; possession by certain students.

Bill Summary: Permits a prescriber to authorize an employee of (i) a school board, (ii) a school for students with disabilities, (iii) an accredited private school, (iv) a local governing body, or (v) a local health department who is trained in the administration of seizure rescue medications for the treatment of seizures resulting from a condition causing seizures to administer such medications to a student diagnosed with a condition causing seizures when the student is believed to be experiencing or about to experience a seizure pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice and with the consent of the student's parents. The bill provides that any such authorized employee who administers or assists in the administration of such medications to a student diagnosed with a condition causing seizures when the student is believed to be experiencing or about to experience a seizure in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. The bill also permits any local school board to adopt and implement policies (a) permitting any student enrolled in any elementary or secondary school in the local school division who has a diagnosis of a condition causing seizures to possess seizure rescue medications during the school day, at school-sponsored activities, or while on a school bus or other school property if the student's parent has submitted a seizure management and action plan that includes written consent of the parent and written approval of the student's primary care provider for such self-possession and the school nurse has been notified or (b) for the administration of seizure rescue medications to any student enrolled in any elementary or secondary school in the local school division who has a diagnosis of a condition causing seizures, consistent with the provisions of the bill relating to prescriber authorization. Requires the Virginia Department of Health in consultation with the Virginia Department of Education to update the Virginia School Health Guidelines to provide guidance on implementing these provisions.

Budget Amendment Necessary: No **Items Impacted:** None
Explanation: There is no anticipated state fiscal impact resulting from the provisions of this bill. Any impact to local school divisions is indeterminate.

Fiscal Summary: See below.

Fiscal Analysis: The Virginia Department of Health and the Department of Education can absorb any impact to update the Virginia School Health Guidelines per this bill.

Other: This bill is a companion to HB2104.