

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 21-0290.02 Jane Ritter x4342

**HOUSE BILL 21-1133**

**HOUSE SPONSORSHIP**

**Mullica and Jodeh**, Garnett, McKean, Bacon, Bradfield, Caraveo, Duran, Froelich, Ortiz, Roberts, Van Beber, Van Winkle, Amabile, Arndt, Benavidez, Bennett, Bird, Esgar, Exum, Gonzales-Gutierrez, Herod, Hooton, Kipp, Lontine, McCluskie, McCormick, McLachlan, Michaelson Jenet, Ransom, Ricks, Sandridge, Sirota, Snyder, Titone, Valdez A., Valdez D., Weissman, Woodrow, Young

**SENATE SPONSORSHIP**

**Pettersen and Priola**, Buckner, Coram, Danielson, Ginal, Gonzales, Holbert, Kirkmeyer, Moreno, Rodriguez, Story, Winter, Zenzinger

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**House Committees**  
Education

**Senate Committees**  
Education

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**A BILL FOR AN ACT**

101      **CONCERNING STRATEGIC RESOURCES FOR KINDERGARTEN THROUGH**  
102                    **TWELFTH GRADE SCHOOLS TO PROVIDE A SAFER ENVIRONMENT**  
103                    **FOR KINDERGARTEN THROUGH TWELFTH GRADE STUDENTS WHO**  
104                    **HAVE BEEN DIAGNOSED WITH A SEIZURE DISORDER.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires kindergarten through twelfth grade public schools (school), and strongly encourages nonpublic schools, to provide annual seizure-related training to school personnel who have direct contact with

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

SENATE  
3rd Reading Unamended  
May 5, 2021

SENATE  
Amended 2nd Reading  
May 4, 2021

HOUSE  
3rd Reading Unamended  
April 8, 2021

HOUSE  
2nd Reading Unamended  
April 7, 2021

or supervise students who have a seizure disorder.

The parent or legal guardian (parent) of a student who has been diagnosed with a seizure disorder, including epilepsy, (student) is encourage to submit a signed, individualized seizure action plan (plan) to the school if the student may need assistance with seizure-related care in a school setting. The plan must be developed in coordination with recognized sources on epilepsy and seizure disorders and in consultation with a state organization that represents school nurses. The seizure action plan must be in accordance with the guidelines developed by the department of education. The parent is encouraged to provide updated information to the plan when necessary.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add 22-1-131** as  
3 follows:

4 **22-1-131. Seizure safe schools - action plan - training - rules**  
5 **- short title - definitions.** (1) THE SHORT TITLE OF THIS SECTION IS  
6 "JOEY'S LAW".

7 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
8 REQUIRES:

9 (a) "APPROPRIATE STAFF" MEANS ONE OR MORE EMPLOYEES OF  
10 THE SCHOOL WHOM THE PRINCIPAL OR EQUIVALENT EXECUTIVE, IN  
11 CONSULTATION WITH THE SCHOOL NURSE OR HEALTH-CARE PRACTITIONER,  
12 DETERMINES TO BE THE APPROPRIATE RECIPIENT OR RECIPIENTS OF FREE  
13 SEIZURE RECOGNITION AND FIRST AID TRAINING DEVELOPED BY  
14 RECOGNIZED SOURCES ON EPILEPSY AND SEIZURE DISORDERS, AS  
15 IDENTIFIED BY THE DEPARTMENT OF EDUCATION. "APPROPRIATE STAFF"  
16 MAY INCLUDE BUT NEED NOT BE LIMITED TO EMPLOYEES WHO HAVE  
17 DIRECT CONTACT WITH AND SUPERVISION OF STUDENTS WHO HAVE A  
18 SEIZURE DISORDER.

19 (b) "DESIGNATED EMPLOYEE" MEANS AN EMPLOYEE OF THE

1 SCHOOL WHO IS DESIGNATED AND TRAINED BY THE SCHOOL NURSE OR  
2 HEALTH-CARE PRACTITIONER ON HOW TO ADMINISTER OR ASSIST WITH THE  
3 ADMINISTRATION OF SEIZURE TREATMENT AND MEDICATIONS, SEIZURE  
4 RESCUE MEDICATIONS, AND MANUAL VAGUS NERVE STIMULATION.

5 (c) "SCHOOL" MEANS A PUBLIC SCHOOL IN THE STATE THAT  
6 ENROLLS STUDENTS IN ANY OF GRADES KINDERGARTEN THROUGH  
7 TWELFTH GRADE, INCLUDING A TRADITIONAL PUBLIC SCHOOL OF A SCHOOL  
8 DISTRICT; A CHARTER SCHOOL OF A SCHOOL DISTRICT; AN INSTITUTE  
9 CHARTER SCHOOL; OR AN APPROVED FACILITY SCHOOL, AS DEFINED IN  
10 SECTION 22-2-402(1); OR A NONPUBLIC SCHOOL THAT ENROLLS STUDENTS  
11 IN ANY OF GRADES KINDERGARTEN THROUGH TWELFTH GRADE.

12 (d) "SEIZURE ACTION PLAN" MEANS A WRITTEN, INDIVIDUALIZED  
13 SEIZURE ACTION PLAN FOR A SPECIFIC STUDENT, CREATED BY THE SCHOOL  
14 NURSE OR HEALTH-CARE PRACTITIONER, IN CONJUNCTION WITH STUDENT'S  
15 PARENT OR LEGAL GUARDIAN AND THE STUDENT'S PHYSICIAN, AS  
16 APPROPRIATE, THAT IS DESIGNED TO ACKNOWLEDGE AND PREPARE FOR  
17 THE HEALTH-CARE NEEDS OF A STUDENT DIAGNOSED WITH A SEIZURE  
18 DISORDER. THE SEIZURE ACTION PLAN MUST BE IN ACCORDANCE WITH THE  
19 GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION.

20 (e) "SEIZURE DISORDER" MEANS A MEDICAL CONDITION,  
21 INCLUDING EPILEPSY, IN WHICH EPISODES OF UNCONTROLLED ACTIVITY IN  
22 THE BRAIN PRODUCE SYMPTOMS THAT PRODUCE ONE OR MORE SEIZURES.

23 (3) (a) IF A STUDENT HAS A DIAGNOSED SEIZURE DISORDER AND  
24 THE STUDENT MIGHT NEED MEDICAL INTERVENTION WITH  
25 SEIZURE-RELATED CARE IN A SCHOOL SETTING OR SCHOOL ACTIVITY, THE  
26 STUDENT'S PARENT OR LEGAL GUARDIAN IS ENCOURAGED TO CREATE, IN  
27 CONJUNCTION WITH SCHOOL PERSONNEL, SIGN, AND SUBMIT TO THE

1 STUDENT'S SCHOOL AN INDIVIDUALIZED SEIZURE ACTION PLAN FOR THE  
2 STUDENT. THE SCHOOL NURSE OR HEALTH-CARE PRACTITIONER SHARES  
3 RESPONSIBILITY WITH THE SCHOOL ADMINISTRATORS FOR THE  
4 MANAGEMENT OF THE STUDENT'S SEIZURE DISORDER WHILE THE STUDENT  
5 IS AT SCHOOL, DURING ANY SCHOOL-SPONSORED ACTIVITIES, AND WHILE  
6 IN TRANSIT TO OR FROM SCHOOL OR SCHOOL-SPONSORED ACTIVITIES IF THE  
7 STUDENT IS BEING TRANSPORTED BY SCHOOL DISTRICT PERSONNEL.

8 (b) A PUBLIC SCHOOL SHALL, AND A NONPUBLIC SCHOOL IS  
9 ENCOURAGED TO, FOLLOW THE SCHOOL DISTRICT'S OR PUBLIC SCHOOL'S  
10 MEDICATION POLICY IN APPROVING ANY INDIVIDUALIZED SEIZURE ACTION  
11 PLAN SUBMITTED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION AND  
12 ENSURING THAT THE INDIVIDUALIZED SEIZURE ACTION PLAN IS IN  
13 ACCORDANCE WITH THE "NURSE AND NURSE AIDE PRACTICE ACT",  
14 ARTICLE 255 OF TITLE 12.

15 (c) A STUDENT'S PARENT OR LEGAL GUARDIAN IS ENCOURAGED TO  
16 SUBMIT THE REQUIRED INFORMATION FOR THE STUDENT'S INDIVIDUALIZED  
17 SEIZURE ACTION PLAN OR AN AMENDED SEIZURE ACTION PLAN TO THE  
18 STUDENT'S SCHOOL:

19 (I) AT THE BEGINNING OF THE SCHOOL YEAR OR UPON THE  
20 STUDENT'S ENROLLMENT;

21 (II) AS SOON AS PRACTICABLE FOLLOWING THE STUDENT'S  
22 DIAGNOSIS OF A SEIZURE DISORDER; OR

23 (III) IF A STUDENT'S HEALTH STATUS CHANGES SIGNIFICANTLY  
24 DURING THE SCHOOL YEAR.

25 (d) A STUDENT'S PARENT OR LEGAL GUARDIAN IS ENCOURAGED TO  
26 INFORM THE STUDENT'S SCHOOL, IN A TIMELY MANNER, OF ANY CHANGES  
27 NEEDED TO THE STUDENT'S INDIVIDUALIZED SEIZURE ACTION PLAN OR

1 EMERGENCY CONTACT INFORMATION.

2 (4) (a) WITHIN SIXTY DAYS AFTER THE BEGINNING OF THE 2021-22  
3 ACADEMIC YEAR AND EACH YEAR THEREAFTER, EACH PUBLIC SCHOOL  
4 SHALL, AND EACH NONPUBLIC SCHOOL IS ENCOURAGED TO, PROVIDE  
5 TRAINING TO ONE OR MORE APPROPRIATE STAFF ON THE RECOGNITION OF  
6 THE SIGNS AND SYMPTOMS OF SEIZURES AND THE APPROPRIATE STEPS FOR  
7 SEIZURE FIRST AID.

8 (b) NO LATER THAN EIGHT WEEKS AFTER THE SCHOOL IS NOTIFIED  
9 OF A STUDENT WHO HAS BEEN DIAGNOSED WITH A SEIZURE DISORDER OR  
10 THE RECEIPT OF AN INDIVIDUALIZED SEIZURE ACTION PLAN SIGNED BY THE  
11 STUDENT'S PARENT OR LEGAL GUARDIAN, WHICHEVER IS LATER, EACH  
12 PUBLIC SCHOOL SHALL, AND EACH NONPUBLIC SCHOOL IS ENCOURAGED TO,  
13 HAVE AT LEAST ONE DESIGNATED EMPLOYEE WHO HAS MET THE TRAINING  
14 REQUIREMENTS NECESSARY TO ADMINISTER OR ASSIST WITH THE  
15 ADMINISTRATION OF SEIZURE TREATMENT MEDICATIONS, SEIZURE RESCUE  
16 MEDICATIONS, AND MANUAL VAGUS NERVE STIMULATION.

17 (c) ANY PROGRAMS OR GUIDELINES ADOPTED PURSUANT TO THIS  
18 SUBSECTION (4) TO TRAIN SCHOOL PERSONNEL IN THE HEALTH-CARE  
19 NEEDS OF STUDENTS WHO HAVE BEEN DIAGNOSED WITH A SEIZURE  
20 DISORDER MUST BE CONSISTENT WITH PROGRAMS AND GUIDELINES  
21 DEVELOPED BY RECOGNIZED SOURCES ON EPILEPSY AND SEIZURE  
22 DISORDERS AND DEVELOPED IN CONSULTATION WITH A STATE  
23 ORGANIZATION THAT REPRESENTS SCHOOL NURSES, AS IDENTIFIED BY THE  
24 DEPARTMENT OF EDUCATION.

25 (d) ON OR BEFORE DECEMBER 31, 2021, THE STATE BOARD OF  
26 EDUCATION, WITH ASSISTANCE FROM RECOGNIZED SOURCES ON EPILEPSY  
27 AND SEIZURE DISORDERS, AND IN CONSULTATION WITH A STATE

1 ORGANIZATION THAT REPRESENTS SCHOOL NURSES SHALL PROMULGATE  
2 RULES FOR INDIVIDUALIZED SEIZURE ACTION PLANS, INCLUDING TRAINING  
3 AND SEIZURE CARE GUIDELINES.

4 **SECTION 2. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, or safety.