

June 28, 2011

The Honorable «FName» «LName»  
Member, Assembly Committee on Education  
The State Capitol, Room «Room»  
Sacramento, CA 95814

**Subject: SB 161 (Huff), as amended on May 31, 2011**  
**Position: Oppose**

Dear Assemblymember «LName»:

The California Teachers Association must respectfully oppose Senate Bill 161 regarding students with epilepsy.

Senate Bill 161 authorizes a school district to provide school employees with voluntary emergency medical training, in the absence of a credentialed school nurse or other licensed nurse at the school, in order to provide emergency medical assistance to pupils with epilepsy suffering from seizures, in accordance with developed guidelines. Additionally, SB 161 allows a parent or guardian of a pupil with epilepsy who has been prescribed Diastat to request the pupil's school to have one or more of its employees receive voluntary training to administer Diastat if the pupil suffers a seizure when a nurse is not available; and requires a school that decides to train school employees to distribute an electronic notice, to all staff regarding the request.

This bill is about parents making a conscious choice not to avail themselves of current law not once but twice: first by rejecting the 504 process, to provide trained medical personnel to assist their child suffering from epilepsy.

And secondly, rejecting current law that allows these same parents to seek volunteer assistance from within their own families, siblings/relatives attending the same school, parent volunteers already on campus, requests via the local school site council, the PTA, retired teachers, nurses, church members, service clubs, the local red cross or even the bulletin board in the teacher's lounge. This process gives the child the necessary level of familiarity with the volunteer, not a complete stranger they have no regular contact with during the school day, to administer the necessary medication in a knowledgeable, confident and private manner.

If this measure is truly about protecting every child as the author contends, there should be no objection to amending the bill to apply to all schools both public and private and to require these parents to bill their own health insurance providers for costs associated with providing care as required under SB 161.

Our members representing educators, school nurses, and classified employees all believe that protecting the rights, safety and health of students and all school personnel is paramount and SB 161 misses the mark on several levels including not identifying the source of funding involved in the "emergency medical training"; failure to recognize there are multiple types of epileptic seizures, does not address maintaining the privacy and dignity of the student experiencing a seizure, the liability issues if the medication is not administered

properly, and the time necessary to stay with the student suffering the seizure to observe them for side effects.

The administration of Diastat must be conducted in a safe and private manner by trained medical personnel who understand the numerous issues associated with administering this medication. We believe the implementation of SB 161 would lead to, rather than prevent, dangerous outcomes for students.

Please feel free to contact me if I can provide any additional information. We look forward to your "No" vote when the measure is heard in the Assembly Business, Professions and Consumer Protection Committee.

Sincerely,

A handwritten signature in cursive script that reads "A. Trigueiro".

Toni Trigueiro  
Legislative Advocate

Cc: Senator Huff

TT:tp