

HOUSE BILL NO. 573  
INTRODUCED BY J. PARKER

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PARENT OR GUARDIAN OF A DIABETIC STUDENT TO DESIGNATE A SCHOOL DISTRICT EMPLOYEE TO ADMINISTER GLUCAGON TO THE STUDENT IN AN EMERGENCY SITUATION; AND LIMITING THE LIABILITY OF THE SCHOOL EMPLOYEE AND A SCHOOL DISTRICT."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Definition -- parent-designated adult -- administration of glucagon -- training.** (1) As used in [sections 1 and 2], "parent-designated adult" means a school district employee, selected by a parent or guardian of a diabetic student, who voluntarily agrees to administer glucagon to the student.

(2) A parent or guardian of a diabetic student may designate an adult to administer glucagon to the student as provided in subsection (3). Written proof of the designation by a parent or guardian and acceptance of the designation by the parent-designated adult must be filed with the school district.

(3) A parent-designated adult may administer glucagon to a diabetic student in an emergency situation. The glucagon must be provided by the parent or guardian of the student.

(4) A parent-designated adult must be trained in recognizing hypoglycemia and the proper method of administering glucagon. Training must be provided by a health care professional or recognized expert in diabetic care selected by the parent or guardian.

**NEW SECTION. Section 2. Limits on liability.** (1) A parent-designated adult who administers glucagon pursuant to [section 1] is not liable to a person for civil damages for ordinary negligence in acts or omissions resulting from administering the glucagon.

(2) The school district employing the parent-designated adult is not liable to a person for civil damages for ordinary negligence in acts or omissions resulting from the administration of the glucagon.

**NEW SECTION. Section 3. Two-thirds vote required.** Because [section 2] limits governmental liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage.

NEW SECTION. **Section 4. Codification instruction.** [Sections 1 and 2] are intended to be codified as an integral part of Title 20, chapter 5, part 4, and the provisions of Title 20, chapter 5, part 4, apply to [sections 1 and 2].

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