

BILL ANALYSIS

Senate Research Center
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S.B. 27
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of S.B. 27 is to ensure that the commissioner of the Texas Department of State Health Services establishes an ad hoc committee to develop guidelines for the care of students at risk for anaphylaxis in Texas public schools. The bill will also require that each school board implement a policy based on the guidelines for the care of students at risk for anaphylaxis enrolled in the schools under its jurisdiction.

S.B. 27 will address the problem of schools being unprepared in the case of food allergy reaction. Establishing a guideline for care of students at risk for anaphylaxis will greatly reduce the risk of an attack being fatal.

As proposed, S.B. 27 amends current law relating to school district policies for the care of students at risk for anaphylaxis.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.0151, as follows:

Sec. 38.0151. POLICIES FOR CARE OF STUDENTS AT RISK FOR ANAPHYLAXIS. (a) Requires the board of trustees of each school district to implement and administer a policy for the care of students at risk for anaphylaxis based on guidelines developed by the commissioner of state health services (commissioner) in consultation with an ad hoc committee appointed by the commissioner.

(b) Provides that the guidelines described by Subsection (a) do not supersede a school district policy implemented before the development of the guidelines to the extent the policy is consistent with the guidelines.

(c) Requires the commissioner, not later than October 1, 2011, to appoint members to an ad hoc committee to consult with the commissioner on developing guidelines for the care of students at risk for anaphylaxis. Sets forth the composition of the committee.

(d) Requires the commissioner, not later than December 31, 2011, in consultation with the ad hoc committee established under this section, to develop guidelines for the care of students at risk for anaphylaxis.

(e) Provides that Subsections (c) and (d) and this subsection expire June 1, 2012.

SECTION 2. Requires the board of trustees of each school district, not later than May 1, 2012, to implement the policy for the care of students at risk for anaphylaxis as required by Section 38.0151, Education Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2011.