



## *SafetyNet* Special Edition

A special edition of *SafetyNet* designed especially for the Business Administrator

### ***“New Law Regarding the Care of Students with Diabetes”***

The NJSBAIG has recently been asked about our coverage and its applicability to the new law that went into effect last month.

#### ***“New Law Regarding the Care of Students with Diabetes”***

A new law went into effect on January 29, 2010. This law requires that district boards of education take specific action to ensure that students with diabetes are able to manage their disease. The purpose of the law is to ensure the health and safety of both the student and the school community. The school is required to develop, in consultation with the student’s parent or guardian, an individualized healthcare plan and an individualized emergency healthcare plan. There are at least ten elements that must be included in the plans.

The law requires the school nurse to coordinate the provision of care for the student and to ensure that appropriate personnel are trained. The law states that the school nurse shall designate, in consultation with the board of education, additional employees of the school district who volunteer to administer Glucagon when the school nurse is not physically present at the scene. The law states that no school employee shall be held liable for any good faith act or omission consistent with the provisions of the law.

Above are some **but** not all of the highlights of the law as provided by the State of New Jersey Department of Education.

The NJSBAIG does provide coverage for school nurses, board of education employees and others while acting on behalf of and at the direction of the board of education. Our General Liability policy also provides Incidental Medical Malpractice Liability Coverage, up to your district’s policy limits. Therefore, each school district should make sure that all personnel are aware of this new law and are in full compliance with its requirements. Each school district should have proper documentation to ensure that it has fully complied with all provisions of the new law.

It is recommended that each district read the broadcast sent out by the State of New Jersey on December 7, 2009 by Barbara Gantwerk, Assistant Commissioner, Division of Student Services and the N.J.S.A. 18A:40-12.11-21 which was attached.

If you have any questions regarding your coverages, contact your broker. If you have any questions regarding the law, you should speak to your board attorney.

*By Louis Giannetto  
NJSBAIG Claim Manager*