

SB0071/204832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 71

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Young” and substitute “Senators Young and Nathan-Pulliam”; in line 16, after “tasks;” insert “encouraging certain trained diabetes care providers in the Program to perform certain tasks;”; in line 18, strike “employees” and substitute “trained diabetes care providers”; and in line 21, after “circumstances;” insert “encouraging certain parents or guardians of a certain student to submit a Diabetes Medical Management Plan to the school under certain circumstances;”.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 1 through 5, inclusive, and substitute:

“(5) (I) A TRAINED DIABETES CARE PROVIDER WHO PROVIDES DIABETES CARE SERVICES TO AN INDIVIDUAL IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN THE COURSE OF PROVIDING DIABETES CARE SERVICES IF:

1. THE TRAINED DIABETES CARE PROVIDER IS ACTING IN GOOD FAITH WHILE PROVIDING DIABETES CARE SERVICES TO AN INDIVIDUAL WHO IS IN NEED OF DIABETES CARE SERVICES OR TO AN INDIVIDUAL BELIEVED IN GOOD FAITH BY THE TRAINED DIABETES CARE PROVIDER TO BE IN NEED OF DIABETES CARE SERVICES;

2. THE DIABETES CARE SERVICES ARE PROVIDED IN A REASONABLY PRUDENT MANNER; AND

(Over)

3. THE DIABETES CARE SERVICES ARE PROVIDED TO THE INDIVIDUAL WITHOUT FEE OR OTHER COMPENSATION.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT AFFECT, AND MAY NOT BE CONSTRUED AS AFFECTING, ANY IMMUNITIES FROM CIVIL LIABILITY OR DEFENSES ESTABLISHED BY ANY OTHER PROVISION OF THE CODE OR BY COMMON LAW TO WHICH A VOLUNTEER MAY BE ENTITLED.”.

On page 8, strike in their entirety lines 27 through 31, inclusive, and substitute:

“(5) (I) A TRAINED DIABETES CARE PROVIDER WHO PROVIDES DIABETES CARE SERVICES TO AN INDIVIDUAL IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN THE COURSE OF PROVIDING DIABETES CARE SERVICES IF:

1. THE TRAINED DIABETES CARE PROVIDER IS ACTING IN GOOD FAITH WHILE PROVIDING DIABETES CARE SERVICES TO AN INDIVIDUAL WHO IS IN NEED OF DIABETES CARE SERVICES OR TO AN INDIVIDUAL BELIEVED IN GOOD FAITH BY THE TRAINED DIABETES CARE PROVIDER TO BE IN NEED OF DIABETES CARE SERVICES;

2. THE DIABETES CARE SERVICES ARE PROVIDED IN A REASONABLY PRUDENT MANNER; AND

3. THE DIABETES CARE SERVICES ARE PROVIDED TO THE INDIVIDUAL WITHOUT FEE OR OTHER COMPENSATION.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT AFFECT, AND MAY NOT BE CONSTRUED AS AFFECTING, ANY IMMUNITIES FROM

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**CIVIL LIABILITY OR DEFENSES ESTABLISHED BY ANY OTHER PROVISION OF THE
CODE OR BY COMMON LAW TO WHICH A VOLUNTEER MAY BE ENTITLED.**

AMENDMENT NO. 3

On page 6 in line 25, on page 7 in line 15, and on page 9 in lines 5 and 16, in each instance, strike “**SHALL**” and substitute “**MAY**”.

On page 7, in line 31, after “**NURSE,**” insert “**IF APPLICABLE,**”.

On page 8, in line 12, strike “**SHALL AGREE**” and substitute “**IS ENCOURAGED**”.

On page 9, in line 2, strike “**SHALL**” and substitute “**IS ENCOURAGED TO**”; and in line 8, after “**NURSE**” insert “**, IF APPLICABLE**”.