113TH CONGRESS  
1ST SESSION  

H. R. 1007

To amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants to schools for the development of asthma management plans and the purchase of asthma medications and devices for emergency use, as necessary.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2013

Mr. GRIMM (for himself and Mr. BISHOP of New York) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants to schools for the development of asthma management plans and the purchase of asthma medications and devices for emergency use, as necessary.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Asthma Management

5 Plans in School Act”.
SEC. 2. ASTHMA MANAGEMENT PLANS.

(a) AMENDMENT.—Part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7241 et seq.) is amended by adding at the end the following:

“Subpart 22—Asthma Management Plans

“SEC. 5621. ASTHMA MANAGEMENT PLANS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—The Secretary is authorized to award a grant to a school that receives funding under part A of title I and is located in an area that the Secretary determines has a high prevalence of asthma (using such indicators as emergency department visits due to asthma, asthma hospitalization rates, or the Behavioral Risk Factor Surveillance System), to enable the school to—

“(A) develop and implement an asthma management plan; and

“(B) purchase asthma inhalers, nebulizer machines, valved holding chambers (VHCs), spacers, and auto-injectable epinephrine and appropriate supplies determined necessary by the Secretary, for students, so that every student served by the school who suffers from asthma has access to the relief and treatment the student needs during the school day.
“(2) ALTERNATIVE GRANTEES.—The Secretary may award a grant under this section to a local health or education department to carry out the activities described in this section if the Secretary determines that in such local area such department is the entity that would routinely carry out such activities.

“(b) APPLICATION.—A school or department that desires to receive a grant under this section shall submit an application at such time, in such manner, and accompanied by such information as the Secretary may require.

“(c) USE OF GRANT FUNDS.—A school or department that receives a grant under this section shall develop and implement a comprehensive school asthma management plan, and may purchase asthma inhalers, nebulizer machines, valved holding chambers (VHCs), spacers, and auto-injectable epinephrine for emergency use, for students served by the school or department, as needed, as well as devices that measure pulmonary function or asthma education tools, or both. Such management plan shall include the following:

“(1) A method to identify all students with a diagnosis of asthma.

“(2) An asthma action plan for each student with a diagnosis of asthma, developed in coordina-
tion with the family, primary care provider, and others as necessary.

“(3) Asthma education for all school staff.

“(4) Access to medication and to methods to administer medication, for all students served by the school or department who have asthma, based on the student’s prescription and individual needs.

“(5) Asthma medication and emergency policies that are specific to the school.

“(6) Protocols and training to support clinical management of acute symptoms of asthma and ongoing management of asthma.

“(7) A system to support ongoing coordination of asthma care with the family, the primary care provider, and others as necessary.

“(8) A method to monitor the quality and outcomes of the care provided to each student served by the school or department who has asthma, including how often treatment is needed and what treatment the students receives.

“(d) GRANT RECIPIENT ACTIONS.—A school or department that receives a grant under this section shall—

“(1) utilize existing systems, when possible, including the use of forms developed in accordance
with section 504 forms of the Rehabilitation Act of 1973 (20 U.S.C. 794); “(2) find innovative ways—
“(A) to encourage bidirectional communication between schools and students’ physicians in a rapid manner; and
“(B) to encourage students and their families to ensure continued adherence to asthma treatment by students; and
“(3) ensure that a nurse or another individual who is trained to administer emergency asthma care is on staff.”.
(b) TABLE OF CONTENTS.—The table of contents in section 2 of such Act is amended by inserting after the item relating to section 5618 the following:
“SUBPART 22—ASTHMA MANAGEMENT PLANS
“Sec. 5621. Asthma management plans.”. 