



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/09/2022

Time: 03:30 PM

Location: CR 229 & Videoconference

Committee: Senate Education
Senate Health

Department: Education

Person Testifying: Keith T. Hayashi, Interim Superintendent of Education

Title of Bill: SB 2071 RELATING TO HEALTH.

Purpose of Bill: Requires all principals, guidance counselors, and teachers to perform self-review of seizure safety materials annually. Requires a seizure action plan for every diagnosed student and distribution of the plan to employees charged with supervising the student. Requires public schools, private schools, and public charter schools to have an employee trained to administer seizure disorder rescue medication. Exempts schools that do not have a student with a seizure disorder. Makes an appropriation.

Department's Position:

The Hawaii State Department of Education (Department) respectfully offers comments on SB 2071. This bill would require all schools to have at least one employee on duty during the entire school day to administer or assist with the self-administration of seizure medication or treatment; training for designated employees delivered by a physician, advanced practice registered nurse, or physician assistant; one hour of annual self-study of seizure safety materials by all principals, guidance counselors, and teachers; annual age-appropriate seizure education for all students at schools that have at least one student with a seizure disorder; and development and distribution of a student's seizure action plan to employees charged with supervising the student.

The Department currently has systems in place to support students with chronic health conditions. Upon notification of a student with a chronic health condition, such as asthma, diabetes, severe allergy, or seizures, a team is formed with the student's parent or legal guardian, a Hawaii State Department of Health Public Health Nurse, and all appropriate

school staff to develop an Emergency Action Plan individualized to the student's needs during the school day. The Emergency Action Plan is reviewed annually and as needed.

To ensure the safety and well-being of all students, every Department school has a School Health Assistant trained in first aid, cardiopulmonary resuscitation and medication administration. Hawaii Revised Statutes (HRS) §302A-851 and §302A-853 support the safe and effective administration of medication to students by School Health Assistants and the Nurse Practice Act allows and covers medication administration by School Health Assistants. The Department is currently working on providing greater access to nursing services in schools.

Per HRS §302A-1164, the Department allows the self-administration of medication by a student for asthma, anaphylaxis, diabetes, or other potentially life-threatening illness.

Under the Individuals with Disabilities Education Act and Section 504 Rehabilitation Act of 1973, a student with a seizure disorder may be eligible to receive additional services. An Individualized Education Plan may be developed in collaboration with the legal guardian, school staff, and Hawaii State Department of Health Public Health Nurse to determine how to best meet the student's needs at school, before and after school, and during school-sponsored programs and co-curricular, extra-curricular, and non-academic school-sponsored events or activities.

Given the above-mentioned systems in place to support students with chronic health conditions such as seizure disorders, the Department believes that this bill is not necessary at this time.

Thank you for the opportunity to provide testimony on this measure

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON EDUCATION AND HEALTH
ON
SENATE BILL NO. 2071

February 9, 2022
3:30 p.m.
Room 229 and Videoconference

RELATING TO HEALTH

The Department of Budget and Finance (B&F) offers comments on Senate Bill (S.B.) No. 2071.

S.B. No. 2071 adds a new section to Chapters 302A, 302C, and 302D, HRS, to require: 1) public schools, private schools, and public charter schools to have an employee trained to administer seizure disorder rescue medication; 2) a seizure action plan for every diagnosed student and distribution of the plan to employees charged with supervising the student; and 3) all principals, guidance counselors, and teachers to perform self-review of seizure disorder materials annually. The measure exempts schools that do not have a student with a seizure disorder. Lastly, the measure appropriates an undetermined sum of general funds for FY 23 to train employees to administer or assist with the self-administration of seizure rescue medication at each public school and public charter school.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that

states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR



JOHN S.S. KIM
CHAIRPERSON

STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
(‘AHA KULA HO‘ĀMANA)

<http://CharterCommission.Hawaii.Gov>
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: (808) 586-3775 Fax: (808) 586-3776

FOR: SB2071 Relating to Health
DATE: February 9, 2022
TIME: 3:00 P.M.
COMMITTEE: Committee on Education and Committee on Health
ROOM: Conference Room 229 & Videoconference
FROM: Yvonne Lau, Interim Executive Director
State Public Charter School Commission

Chair Kidani, Vice Chair Kim, Chair Keohokalole, Vice Chair Baker, and members of the Committees:

The State Public Charter School Commission (“Commission”) appreciates the opportunity to submit this testimony in SUPPORT of **SB2071**, **but has concerns with the implementation of the requirements in our public charter schools**, as the bill requires: all principals, guidance counselors, and teachers to perform self-reviews of seizure safety materials annually; a seizure action plan for every diagnosed student and distribution of the plan to employees charged with supervising the student; public schools, private schools, and public charter schools to have an employee trained to administer seizure disorder rescue medication; and exempts schools that do not have a student with a seizure disorder.

The Commission must note that our public charter schools do not have sufficient funding to provide for the requirements of the bill as many of our public charter schools do not have Health Aides or at times access to the Department of Health, Public Health Nurses as do our Hawaii Department of Education public schools. Additionally, our public charter schools do not have access to a Keiki Nurse program in the way that our Department public schools have established.

The Commission has been working directly with the Hawaii Department of Health and the Department of Education to establish a similar “Keiki Nurse” program for our public charter schools. In fact, the Hawaii Department of Health has provided foundational funding through a

recent grant given through the Hawaii Department of Education to assist with setting up a similar program for our public charter schools.

Due to the way funding is distributed between the Hawaii Department of Education and our public charter schools this requirement along with any additional mandated training or administration of health related medicine or procedures are often financially and operationally difficult to meet. The ability of the Department of Education to centralize these types of requirements cannot be found in the public charter school model. The Commission asks for consideration of these operational and capacity issues to be addressed for our public charter schools so that the intent of this bill can be met.

Thank you for the opportunity to provide this testimony.

TESTIMONY OF EVAN OUE ON BEHALF OF THE HAWAII ASSOCIATION FOR JUSTICE (HAJ) SUPPORTING WITH COMMENTS ON SB 2071

Date: Wednesday, February 9, 2022

Time: 3:30 p.m.

My name is Evan Oue and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) **SUPPORTING THE INTENT OF THE MEASURE WITH COMMENTS** on SB 2071, Relating to Health. While HAJ appreciates the intent of the measure, we have concerns with **SB 2071** in its current form as it grants immunity from any civil damages arising from administration of seizure medication by school employees.

Specifically, on page 6, line 5 states “Any employee of the private school shall not be held liable for any civil damages arising out of any act or omission relating to administering or assisting with the self— administration of seizure rescue medication, vagus nerve stimulator magnet, or any other medication prescribed to treat seizure disorder symptoms pursuant to this section.” Further, this same limitation of liability provision applies for public charter schools.

HAJ understands the need for requiring private and public schools to have an employee trained to administer seizure disorder rescue medication to ensure student safety. However, designated private and public charter school employees should not be granted complete immunity from civil liability for administration of seizure medication. The standard of care for our vulnerable students should be upheld. When a school employee is rendering aid, the applicable standard would be similar to Hawai’i’s good Samaritan statutes which provides for immunity “unless the person's acts constitute gross negligence or wanton acts or omissions.” HRS § 663-1.6.

Further, “any person who in good faith renders emergency care, without remuneration or expectation of remuneration, at the scene of an accident or emergency to a victim of the accident or emergency shall not be liable for any civil damages resulting from the person's acts or omissions,

except for such damages as may result from the person's gross negligence or wanton acts or omissions.” HRS. § 663-1.5.

Therefore, at the very least school employees who render aid under this bill should be immune from liability unless their acts constitute gross negligence or wanton acts. Furthermore, schools owe their students a duty of reasonable care in ensuring each student’s safety. *See Doe Parents No. 1 v. State, Dep't of Educ.* Courts have held that the DOE shares a “special relationship”—*i.e.*, a quasi-parental or *in loco parentis* custodial relationship—with its students, which obligates the DOE to exert reasonable care in ensuring each student's safety and welfare, as would a reasonably prudent parent. In other words, the DOE owes its students the duty to take whatever precautions are reasonable to prevent harms that it anticipates, or reasonably should anticipate. While this case discusses the DOE’s relationship with its students, the same reasoning applies to private schools and public charter schools. Private schools and public charter schools owe their students a duty of reasonable care in ensuring each student’s safety, this should include when rendering aid. Exempting private and public charter schools from all liability in connection with rendering aid for seizure disorders is not in line with Hawai’i Supreme Court precedent nor Hawai’i’s current Good Samaritan law.

Accordingly, HAJ respectfully requests that subsection (5) on page 6, lines 5-10 and subsection (g) page 9, lines 11-16 be deleted to remove the civil liability limitations for private and public charter school employees to preserve the rights of our students.

Thank you for allowing us to testify regarding this measure. Please feel free to contact us should you have any questions or desire additional information.



Senator Michelle Kidani, Chair – Senate Committee on Education
Senator Jarrett Keohokalole, Chair – Senate Committee on Health
Senate Joint Committee on Education and Health
Public Hearing: February 9, 2022 at 3:30 pm
415 South Beretania Street, Conference Room 229
Honolulu, HI 96813

RE: Senate Bill 2071

Aloha Chair Kidani, Chair Keohokalole, and Members of the Joint Senate Committee on Education and Health:

On behalf of the Epilepsy Foundation of Hawaii and the Epilepsy Foundation of America, we urge your support of Senate Bill 2071. This bill supports a critical priority for the epilepsy community – safety and continuity of care in the event of a seizure. This legislation makes certain that school personnel, including nurses, teachers, and volunteers, are not only prepared but can recognize and respond appropriately and efficiently to a student experiencing a seizure. Even more importantly, the legislation safeguards physician-directed care in the school setting, allowing students to access necessary and potentially life-saving medication. The legislation would also mandate the use of a Seizure Action Plan, to be distributed to all personnel charged with the care of a student, to ensure that they have access to information that may be specific or unique to that student. Taken together, provisions in this bill represent important protections necessary to ensure the safety of students living with epilepsy while they are attending school or a school-related function.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of the at least 3.4 million Americans with epilepsy and seizures. The Epilepsy Foundation of Hawaii, advocates and provides services for the 14,000 individuals living with active epilepsy throughout Hawaii. Collectively, we foster the wellbeing of children and adults affected by seizures through research programs, educational activities, advocacy, and direct services. Epilepsy is a medical condition characterized by seizures, which are sudden surges of electrical activity in the brain, that affects a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy, and approximately 1 in 10 people will experience a seizure, at some point in their lifetime.

A seizure can happen to any person, in any place, at any time. Much like diabetic emergencies and anaphylaxis, seizures do not occur every single day in schools. However, 1:26 children may have epilepsy and, for them, the risk of a life threatening seizure is present every single day of their lives. This is why it is vital that school personnel are prepared to appropriately and efficiently respond.

Compared to students with other health concerns, one Centers for Disease Control and Prevention study showed that students aged 6-17 years old living with epilepsy were more likely to miss 11 or more days of school in the past year. For these students, proper seizure first aid and consistency of care while they are at school is crucial to ensuring they can reach their full potential with as minimal disruption to their learning environment as possible.

Senate Bill 2071 would require school personnel, including school nurses, to undergo a short training to learn how to recognize a seizure and how to properly provide seizure first aid. The seizure recognition and first aid training,

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at [epilepsy.com/advocacy](https://www.epilepsy.com/advocacy).**



developed by the Epilepsy Foundation of America in partnership with the Centers for Disease Control already exists. They are available online, on demand, or in-person provided by the Epilepsy Foundation of Hawaii. Training would come at no additional cost to schools, school personnel, or the state. It would educate personnel on different seizure types, general seizure first aid, how to recognize a seizure emergency, and how to best socially and academically support students living with epilepsy.

Senate Bill 2071, if passed, would also facilitate continuity of care while a student is at school by providing school personnel with a Seizure Action Plan, containing information specific to the student's unique disorder. While seizure first aid is largely consistent no matter who the student is, there are times when a particular student may have specific triggers or treatment protocols that are individual to them. The Seizure Action Plan, which would be filled out in consultation with the child's physician, provides school personnel with important considerations, precautions, and contact information to help ensure aid is timely, tailored to the student's needs, and properly administered. Further, Senate Bill 2071 ensures that children have access to their anti-seizure medications while on school grounds, and in the case of seizure rescue medication, necessary to stop a seizure emergency.

We understand the pressures and concerns that this committee may have with this bill in its current form. It is based on model legislation utilized in a nation-wide effort to make every school in every state seizure safe. As of July 2021, there are 12 states that have seizure safe schools legislation enacted and many more actively pursuing similar bills this year. I am extremely hopeful that Hawaii can be added to that list. With the successful passing of Brennan's Bill last session, SB936 SD2 HD2 CD1, and working with the Hawaii Department of Health to be able to offer businesses credible and reliable seizure first aid information for the work place, we know we are moving in the right direction creating a seizure-safe Hawaii.

On behalf of the Epilepsy Foundation of Hawaii and our Board of Directors, we humbly thank you for the opportunity to testify and urge your support for Senate Bill 2071.

Mahalo nui loa,

A handwritten signature in blue ink that reads "Naomi Manuel".

Naomi Manuel
Executive Director
Epilepsy Foundation of Hawaii

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at [epilepsy.com/advocacy](https://www.epilepsy.com/advocacy).**

SB-2071

Submitted on: 2/7/2022 8:01:13 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maureen Ballard	Individual	Support	Yes

Comments:

Aloha Chair Kidani and Chair Keohokalole, Vice Chair Kim and Vice Chair Baker and members of both Committees on Education and Health,

My name is Maureen Ballard, a resident of Hawaii, and someone with epilepsy for the past 36 years. I strongly support SB2071, which will help to ensure schools are safe and enriching environment for students living with epilepsy and seizure disorders.

Thirty-six years ago there weren't as many options as there are today because of the advancements made in science, medicine and social awareness. We didn't have emergency epilepsy medications, nor did we have widely available seizure first aid training. We did have a lot of myths about seizures and epilepsy. Unfortunately many of those myths persist, and they can make living with epilepsy not only a challenge, but at times dangerous.

Seizure Safe Schools legislation would help to provide students with epilepsy opportunities to make the most of their educational experience, while also providing educators the confidence to respond appropriately when a child has a seizure in their presence. It would help educators to respond to a student who might have a seizure, and subsequently be better equipped to handle the questions from other students witnessing the seizure. There is no doubt that witnessing a seizure can be a scary event.

I was 12 when I had my first seizure, a month before the school year began. It was at home, and witnessed by my younger sister and my baby brother. They certainly had no idea what to do - aside from getting our mother, who is a registered nurse, and was fortunately home at the time. As much as she knew what to do, she stumbled in her response to my initial seizure. We didn't have access to educational material and training for the staff at my small parochial school. There were no emergency seizure medications approved at that time. Most people didn't know about the different types of seizures, or what to do if someone had a seizure. My mother did what she could to inform the teachers, and then we made all attempts to make my life as normal as possible, hoping that the medication I was on would prevent additional seizures, particularly while I was at school.

Seizure Safe Schools legislation gives relief to students with epilepsy, supports parents of said students, and provides education to school staff. SB2071 aims to raise awareness about epilepsy and to ensure standardized, in-case-of-seizure emergency protocols by training school personnel on best practices to support students with seizure disorders.

In closing, please PASS SB2071. Mahalo nui loa for this opportunity to testify on this measure.



**Testimony to the Senate Joint Committee on Education and Health
Wednesday, February 9, 2022; 3:30 p.m.
State Capitol, Conference Room 229
Via Videoconference**

RE: SENATE BILL NO. 2071, RELATING TO HEALTH.

Chair Kidani, Chair Keohokalole, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** Senate Bill No. 2071, RELATING TO HEALTH.

By way of background, the HPCA represents Hawaii's Federally Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of healthcare.

This bill, as received by your Committee, would require the Department of Education (DOE) to:

- (1) Have at least one school employee on duty during the entire school day to administer or assist with seizure rescue medication;
- (2) Ensure that all school employees assigned to administer or assist with seizure-rescue medication be trained with the best practice guidelines on seizure treatment; and
- (3) Require principals, guidance counselors, and teachers to complete at least one hour of self-study review of seizure disorder materials;

at all public and public charter schools in Hawaii.

Testimony on Senate Bill No. 2071
Wednesday, February 9, 2022; 3:30 p.m.
Page 2

The HPCA notes that this bill is based on model legislation proposed by the national Epilepsy Foundation to increase the public's awareness of seizure disorders and to make our Nation safer for those afflicted. Under the leadership of the Epilepsy Foundation of Hawaii, the HPCA has been a partner in this effort.

The HPCA is committed to this initiative and pledges to work with the Epilepsy Foundation of Hawaii and all other stakeholders for this cause. As a network of fifteen (15) health centers situated throughout the State, the HPCA welcomes the opportunity to assist and participate in the discussion.

Because of the prevalence of this malady, this Committee may want to consider expanding its scope to include private schools, as well as institutions of higher education, such as the University of Hawaii System and private universities and colleges in our State.

With that said, we also recognize that much of this bill pertains to the "conditions of employment" that should more appropriately be addressed through collective bargaining. But if this bill can start the conversation between DOE, the Hawaii State Teachers' Association, the Hawaii Government Employees Association, the United Public Workers and the applicable stakeholders, this bill would have accomplished much to improve the situation.

In closing, we'd like to share this thought:

Try to imagine how scary it would be for a child to experience a seizure in a classroom. Imagine how scary it would be for the other students in the classroom who watch while this occurs. . . And also try to imagine how helpless the teacher will feel if he or she sees a student under his or her care in distress and not knowing what to do when this happens?

If you were that teacher, would you be able to sleep that night and would you be hesitant to go back to school the next day?

For these reasons, we urge your favorable consideration of this measure.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiipca.net.

SB-2071

Submitted on: 2/4/2022 7:19:12 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ronnelle Werner-Celes	Individual	Support	No

Comments:

Going on 6 years! KAULANA WERNER deserves JUSTICE. Myisha Lee Armitage his killer was sentenced to 10 years in prison for killing him she served 2 out of the 10 years given and has been recently released on bail as of 1/22/22. Life's not fair!!!! I beg of you to pass this bill so people like her can be punished to the full extent.

SB-2071

Submitted on: 2/5/2022 7:34:39 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mya Hood	Individual	Support	No

Comments:

Aloha Chair Kidani and Chair Keohokalole, Vice Chair Kim and Vice Chair Baker and members of both Committees on Education and Health,

My name is Mya Hood, I am a resident of Hawaii. I **STRONGLY SUPPORT** SB2071, which will ensure that schools are well-equipped with the tools necessary to provide a safe and enriching environment for students living with epilepsy and seizure disorders.

Living with a serious, chronic condition like epilepsy isn't just a danger to a child's health. Epilepsy can pose a threat to a child's ability to thrive socially, emotionally, and academically.

Seizure Safe Schools legislation allows students with epilepsy an opportunity to make the most of their educational experience; ensuring access to first aid (through trained staff) and the ongoing support and care they need while at school.

SB2071 aims to raise awareness about epilepsy and to ensure standardized, in-case-of-seizure emergency protocols by training school personnel and students on best practices to support students with seizure disorders.

In closing, please PASS SB2071. Mahalo nui loa for this opportunity to testify on this measure.

SB-2071

Submitted on: 2/6/2022 5:04:24 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Karin Kimura	Individual	Support	No

Comments:

Aloha Chair Kidani and Chair Keohokalole, Vice Chair Kim and Vice Chair Baker and members of both Committees on Education and Health,

My name is Karin Kimura. As a resident of Hawaii, I strongly support SB2071 for Seizure Safe Schools and ask for your support of this important bill that will safe and enriching environment for students, like my daughter, living with epilepsy and seizure disorders.

Seizure awareness and education are vital to empower educators, school staff, and students with knowledge and understanding of seizure disorders to provide a safe and enriching learning environment in which there are no barriers or stigma associated with epilepsy.

1 in 10 people will have a seizure in their lifetime; 1 in 26 people will develop epilepsy. Thus, it is important for teachers, school staff and students to be aware of the different types of seizures and how to appropriately respond to seizures to provide a safe environment, both physically and mentally, to students living with epilepsy.

My daughter, Sela, who is now a senior in high school, has had to deal with the challenges and struggles of acceptance of her epilepsy with school staff, friends, and peers since being diagnosed with epilepsy in the 7th grade. She has had to advocate for herself and others living with epilepsy by spreading awareness and educating her teachers, coaches, friends, and peers about epilepsy and how to safety respond to seizures to help provide a safe environment for herself and others in addition to breaking down the barriers surrounding epilepsy. We have had to fight for her right to pursue opportunities as a student living with epilepsy, like cheerleading, which Sela has been able to happily, actively, and successfully participate in for six years safely...with epilepsy.

Please pass SB2071 and thank you for the opportunity to testify in strong support of this bill for Seizure Safe Schools.

SB-2071

Submitted on: 2/7/2022 11:15:26 AM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Wendy Gibson-Viviani	Individual	Support	No

Comments:

Aloha Chairs Kidani and Keohokalole, Vice-Chairs Kim and Baker and Members of the Committees on Education and Health,

I am Wendy Gibson-Viviani RN/BSN. I am a resident of Kailua (on Oahu) and an RN who is a medical cannabis patient advocate and cannabis nurse educator.

I strongly support SB2017 because I believe:

1. Children with epilepsy should be able to fully engage in educational environments and feel safe, knowing that, if they have a seizure, someone at school will be able to provide needed support
2. SB2071 will ensure that schools are well-equipped with the training and tools necessary to provide a safe and enriching environment for students living with seizure disorders
3. Trained school personnel can safely administer seizure first aid using a vagus nerve stimulator magnet or prescription rescue medications
4. Rescuers can be protected by the Good Samaritan laws
5. These practices can be incorporated into current safety practices without much disruption – such as incorporating a seizure drill right before or after a fire drill.

Please support SB2071. I also encourage support for generous funding for training and supplies.

Thank you for your attention to this important matter and for allowing me to provide testimony.

Wendy Gibson-Viviani RN/BSN

Kailua

SB-2071

Submitted on: 2/7/2022 5:50:38 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
jocelyn arboleda	Individual	Support	No

Comments:

I currently work for a middle school which happens to be a public charter school whom I will not disclose but am writing this testimony as a concerned citizen and employee. I work at a school where there are little to no funds for school nurses and they rely on administration to contain execute medical emergencies such as epi pens, cuts/sprains, eye injuries. Other than myself, no one is seizure safety certified on staff or knows what to do if a student were to experience a seizure. I have been in situations in the general public where someone has experienced a seizure and no one knew what to do! As a person in charge of so many students, I think this bill is extremely needed.

SB-2071

Submitted on: 2/7/2022 6:48:04 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
jenyse ishii	Individual	Support	No

Comments:

Aloha Chair Kidani and Chair Keohokalole, Vice Chair Kim and Vice Chair Baker and members of both Committees on Education and Health,

My name is Jenyse Ishii, and I am a resident of Hawaii. **I STRONGLY SUPPORT** S.B. No. 2071, which will ensure that schools have the tools necessary to provide a safe and enriching environment for students living with epilepsy and seizure disorders.

According to the Epilepsy Foundation of Hawai'i, 1 out of every 10 people will have a seizure in their lifetime. This means seizures are far more common than we may believe. SB2071, will greatly improve the care and support of students with epilepsy and seizure disorders.

In closing, I urge the committee to pass S.B. No. 2071. Thank you for this opportunity to testify.

Sincerely,

Jenyse Ishii

SB-2071

Submitted on: 2/7/2022 11:09:23 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Eloy Paglinawan	Individual	Support	No

Comments:

To whom it may concern,

I'm writing in strong support of this bill SB2071 and that schools be safe for children who have seizures. There are many different types of seizures and seizures are so common that they can often be overlooked. Educating adult eyes who work in schools can serve as a protective factor from negative outcomes that result from the mishandling of a seizure is not in the best interest of the child.

I fully support Senate Bill 2071 because it will educate employees at school who are around children and possibly other adults with epilepsy or who may have a seizure on what seizures are and how to respond. Senate Bill 2071 also asks that children who have seizures have a seizure action plan. PLAN PLAN PLAN. Seizures are unique to each individual so an individualized seizure action plan is critical to the health and safety of that child especially if they are prescribed seizure rescue medication to be used in the case of a seizure emergency. This can potentially save a life.

One in 10 will experience a seizure in their lifetime. One in 26 will develop epilepsy.

Please support Senate Bill 2071 to increase awareness of seizures and epilepsy and to ensure a safe, supportive, and enriching learning environment for students who live with seizures.

Thank you so much for scheduling this hearing and allowing our community to share what is important to us via testimony.

(Maui resident)

SB-2071

Submitted on: 2/7/2022 10:55:23 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Piilani Pareisa	Individual	Support	No

Comments:

Aloha mai kakou,

My family and I strongly SUPPORT Senate Bill 2071. My adult brother has lived with different seizures types his entire life. Therefore, my family has lived with the effects and challenges of seizures for over 40 years. We were raised between Hilo and very rural Puna with minimal medical resources. I don't even know at what age my brother was actually able to be treated by a neurologist, much less an epilepsy specialist. When we were younger, we knew very little about epilepsy and seizures with limited information available to us. We relied heavily on ourselves and our community to keep him as safe as possible with what little we had.

He faced discrimination and bullying at school due to his seizures and I strongly believe that if our teachers and school community had known basic seizure recognition and had a seizure action plan to know how to respond and best support him, my brother would have had an entirely different educational experience that included compassion, support, realistic information, and inclusion. My family would have felt more at ease with less anxiety and stress while he was at school and we would have saved a lot of money on unnecessary ambulance rides, hospital visits, and having to take leave without pay from work to tend to what may or may not have been seizure emergencies.

I humbly ask that you support SB2071 in supporting students living with seizure disorders and their families.

Mahalo...

SB-2071

Submitted on: 2/7/2022 10:38:49 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nani Fay Paglinawan	Individual	Support	No

Comments:

Knowing what to do during a seizure is life or death. I have three personal reasons why I wholeheartedly SUPPORT SB2071.

I was in the 5th grade (I'm 77 years old now) and my classmate had epilepsy. She would have the kind of seizures where she would space out. The nuns and teachers thought she was just daydreaming and the kids would tease her. Kids have a way of teasing that's really mean and hurtful. She ended up dying from a seizure. That was the first funeral that I attended that was for a child. My entire class attended and I remember feeling very sad and confused about what happened, wondering if I could have done something to help her.

My cousin that I grew up with had seizures every so often, but no one knew anything about it. I was raised that if he was having a shaking spell to shove a spoon in his mouth so that he wouldn't swallow his tongue. I know now that we should never do that. I still see him, in my mind, out in the yard shaking and everyone freaking out. I remember feeling extremely scared for him with others around me crying, not knowing what was going to happen to him – in the back of my mind thinking about my friend who passed away. Education and knowing what to do can reduce anxieties for everyone involved, answer difficult questions, and empower our community to respond safely with compassion and understanding.

When my nephew who has epilepsy was going to school, my sister had such a hard time dealing with his different schools because my nephew had different kinds of seizures. Some would be subtle. Some would be major. Different schools had different protocols with very little information about epilepsy. His access to the right care on the Big Island was sub-par in my opinion. It's a lot for a parent to deal with; worrying if your child is safe at school, knowing everyone is not on the same page, or know how to keep him safe.

With these three examples in mind, I strongly feel that teachers MUST be aware of the different kinds of seizures and what they look like so they can keep their school environment safe. It's also important to talk about it openly as educators with peers, in class with students, so that it can prevent teasing and bullying, and maybe save a life. This can only be achieved through mandated, standardized, and vetted education programs.

There's no excuse to have any form of ignorance or misinformation around seizures and epilepsy. That's something we simply cannot afford.

I appreciate the opportunity to testify and ask that you support Senate Bill 2071.

SB-2071

Submitted on: 2/7/2022 8:50:07 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Darcie Kawamura	Individual	Support	No

Comments:

I am in support of this bill that supports seizure education and awareness in public and private schools. Ensuring the health and safety of students and adults in schools should always be a top priority.

SB-2071

Submitted on: 2/7/2022 7:30:27 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Karen DeMay	Individual	Support	No

Comments:

Let's address a crutch excuse - the elephant in the room - right off the bat; funding. Passing this bill has minuscule costs associated to it. The information has already been compiled and vetted. Dissemination is through email or uploaded to a universal site, like capital.hawaii.gov for immediate download. We're not talking rail costs here. If you need a ream of paper, I'll proudly donate it. Enforcement of the displayed one-pager would be the same way any other state poster required to be displayed is handled. The support of turning this bill into law far outweighs any ad hominem cons someone can present. The first life that's saved because of this information sheet will substantiate any costs associated to it.

I have personal interest in the passing of this bill. In the early 2000's my children attended Pearl Harbor Elementary. My daughter had an IEP and was in a special needs class with an autism diagnosis. She also lives with a grapefruit sized arachnid cyst, enlarged pituitary gland, and has a history of seizures. Resources at PHES were low for special needs keiki and I was self-required to educate/aid/inform her multiple teachers during her years there regarding medical emergencies. "I need you to do x, y, and z should you suspect or see a seizure," I gently reminded her teachers and school staff every month or so. There were no resources in place giving teachers, aides, faculty, and staff any idea how to properly assist a student suffering from a seizure during school hours; all they had was a worried mother's verbal account. Implementing Brennan's bill - making it part of HRS - will provide 1) peace of mind for parents who release their keiki to the care of faculty and staff during the school day as well as 2) give confidence to faculty and staff who are charged with providing a safe space at school for students in their care, control, and custody. Passing this bill is the right thing to do and I'm confident people like my daughter and her educators would applaud its passage.

Schools wouldn't be the only beneficiary; workplaces would benefit, as well. I remember like yesterday being at work when a co-worker suddenly went down; he slid out of his chair and his immediate peers began shrieking in horror at his convulsions on the floor. I was across the room and I did two things; I called 911, and I calmly directed his peers to roll him to his side and put anything that could be made into a pillow under his head. EMT's arrived shortly thereafter. It's unfortunate that I seemed to be the only one who could offer assistance in the office based on my background. What if I wasn't there that day? If the workplace had had some kind of one pager

giving succinct instructions on how to respond and treat someone in the midst of a seizure, imagine how many others could have come to his rescue.

Again, I plead to you to pass this bill because it's the right thing to do.

Aloha,

K.DeMay

808.371.5620



S E A C
Special Education Advisory Council
1010 Richards Street Honolulu, HI 96813
Phone: 586-8126 Fax: 586-8129
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February 9, 2022

**Special Education
Advisory Council**

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Ms. Annie Kalama, *liaison to
the Superintendent*
Ms. Wendy Nakasone-Kalani,
*liaison to the military
community*

Amanda Kaahanui, Staff
Susan Rocco, Staff

Senator Michelle N. Kidani, Chair
Committee on Education
Senator Jarrett Keohokalole, Chair
Committee on Health
State Capitol
Honolulu, HI 96813

RE: SB 2071 - RELATING TO HEALTH


Dear Chairs Kidani and Keohokalole and Committee Members,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **supports the intent** of SB 2071 that aims to ensure Seizure Safe Schools in public, public charter schools, and private schools for students with seizure disorders. With 2000 school age children in Hawaii who have a diagnosed seizure disorder, as estimated by the Center for Disease Control and Prevention, it is critical that seizure medications and vagus nerve stimulation magnets be added to the list of emergency interventions school personnel may administer.

This bill acknowledges the need to create a seizure action plan for each student with a seizure disorder and distribute it to all school personnel charged with supervising the student, with clear instructions on who to contact in event of a seizure on campus. Beginning in January 2023 the bill requires an annual self-study review on the signs and symptoms of seizures and the appropriate steps for seizure first aid for all principals, counselors and teachers in public and private schools where there is one or more students with a seizure disorder. It also requires the designation of at least one school employee to administer prescribed seizure medications or stimulation with a vagus nerve stimulation magnet as needed.

SEAC believes these measures will go a long way in ensuring the safety of Hawaii's students with seizure disorders. We appreciate the opportunity to provide testimony on this important issue.

Respectfully,


Martha Guinan
Chair


Ivalee Sinclair
Legislative Committee Chair

Brennan Yamaguchi

State of Hawaii Student (Age 13)

My name is Brennan Yamaguchi, I am a 7th grade student at Maryknoll School. SB2071 is important to me because it will require schools in Hawaii to have first aid seizure placement of information and training for teachers. Seizures can happen to a great part of the population, 1 in 26 people will be diagnosed with Epilepsy in their life. 1 in 10 will have a seizure whether from a fever, car accident, a fall, or even COVID. As of 2019, over 15,000 people in the State of Hawaii and over 3 million in the United States were living with Epilepsy.

It's not enough to say we have a plan for a student we know has Epilepsy or a critical illness. Often the first onset of Epilepsy is during childhood or while they're a teen so if a teacher or staff is not prepared in seizure first aid there can be dire circumstances. Also although I'm here to advocate on behalf of those with Epilepsy I think its key we remember those with fevers can have a seizure. Work place injuries or chemical exposure or car accidents. We have too many teacher and staff as well as students in the education system to take this lightly or only consider those cases we are aware of. This affects all of us.

I know this because I co-wrote and passed Senate Bill 936 with Senator Glenn Wakai during the last 2 sessions (one closed due COVID) regarding Seizure Safe Workplaces. Businesses are now safer for owners, employees, and customers because of that bill and I want the same for our keiki and educators. I've done the research and testified in person and in writing several times about how it can affect people in the community. We need to take care of each other just as I take care of my best friend who has Epilepsy.

Students should have a safe class room. Teachers should be know how to provide basic first aid for seizures as they are so common. But they also should feel safe their fellow staff members and they too will be ok if a seizure ever happens to them.

I ask our senate and house leaders to please do the right thing for our students and for our health. Please support Senate Bill 2071. Thank you for your time.

SB-2071

Submitted on: 2/8/2022 12:48:44 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lacey Shimabukuro	Individual	Support	No

Comments:

I support SB 2071 and schools having trained staff that can help a student having a seizure. I have a child with epilepsy and he would not be able to self-administer rescue medicine while having a seizure. I hope that this bill will help these students as well. Rescue medications are pre-measured and provide instructions so that individuals who are not healthcare providers can administer them. Thank you for your consideration and support of our students and families.

Aloha Chair Kidani and Chair Keohokalole, Vice Chair Kim and Vice Chair Baker and members of both Committees on Education and Health,

My name is Rena Arquinez, I am a resident of Hawaii. I **STRONGLY SUPPORT** SB2071, which will ensure that schools are well-equipped with the tools necessary to provide a safe and enriching environment for students living with epilepsy and seizure disorders.

Living with a serious, chronic condition like epilepsy isn't just a danger to a child's health. Epilepsy can pose a threat to a child's ability to thrive socially, emotionally, and academically.

I have been living with epilepsy for 21 years. As an adult, it has affected me socially, emotionally and mentally. I have to ensure that my environment is always safe around me. I didn't have epilepsy when I was a child. I would have definitely felt safe and comfortable knowing that I would be taken care of.

Seizure Safe Schools legislation allows students with epilepsy an opportunity to make the most of their educational experience; ensuring access to first aid (through trained staff) and the ongoing support and care they need while at school.

SB2071 aims to raise awareness about epilepsy and to ensure standardized, in-case-of-seizure emergency protocols by training school personnel and students on best practices to support students with seizure disorders.

Please PASS SB2071 for all of our keiki. Mahalo nui loa for this opportunity to testify on this measure.

LATE

SB-2071

Submitted on: 2/8/2022 3:29:38 PM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
DANIELA MENDOZA	Individual	Support	No

Comments:

To Whom It May Concern,

Aloha and Thank you, members of the Committee of EDU Chair Kidani and Vice Chair Mercado Kim for providing the opportunity to testify in support of SB 2071 relating to Education.

I am currently a student at the University of Hawaii at Manoa with a Senior standing in the Myron B. Thompson school of Social Work. I am also an intern at the Epilepsy Foundation of Hawai'i. The Epilepsy Foundation of Hawaii (EFH) offers direct services to people suffering from seizure disorders and those affected by epilepsy. It is believed that approximately 15,000 Hawaii residents suffer with epilepsy, and that over 75,000 Hawaii inhabitants are affected in some way by epilepsy. The Epilepsy Foundation of Hawaii has been providing information and educational services to people and groups with inquiries about epilepsy and other seizure diseases for over 30 years. The Epilepsy Foundation of Hawaii is a private, non-profit organization whose aim is to raise public awareness of epilepsy and to foster a feeling of community, allowing people with epilepsy to fully participate in society.

Given the statistics on Epilepsy and how often it occurs in families in Hawai'i, the passing of bill SB2071 is crucial. As the bill states, All department employees, including principals, guidance counselors, and teachers, must complete at least one hour of self-study review of seizure safety materials developed by medical professionals with expertise in seizure treatment and consistent with best practice guidelines on the recognition of seizure signs and symptoms and the appropriate steps for seizure first aid. It is important that we learn how to take care of our people. This happens more often than we think and as always, we should be prepared.

The Epilpesy Foundation in fact has a program, Seizure First Aid Recognition. It is as easy to sign up for free and get certified within 3 hours of your time. The Seizure Recognition and First Aid certification training gives information to improve knowledge, skills, and confidence in recognizing seizures and giving seizure first aid safely. The first aid procedures in the course reflect the current state of knowledge and best practices.

Again, please taken into consideration into passing this bill as it would benefit all those affected by Epilepsy in Hawai'i. It will provide our schools, families, and friends support in these trying times.

Thank you for your time and consideration,

Best Regards,

Daniela Mendoza

408-921-8415

dm47@hawaii.edu

LATE

SB-2071

Submitted on: 2/9/2022 11:29:58 AM

Testimony for EDU on 2/9/2022 3:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Caroline Alama	Individual	Support	No

Comments:

Aloha Chair Kidani and Chair Keohokalole, Vice Chair Kim and Vice Chair Baker and members of both Committees on Education and Health,

My name is Caroline Alama, and I am a resident of Hawaii. I **STRONGLY SUPPORT** SB2071, which will ensure that schools are well-equipped with the tools necessary to provide a safe and enriching environment for students living with epilepsy and seizure disorders.

I am an RN that is diagnosed with epilepsy. Epilepsy in children is associated with several comorbidities and challenges, including medical conditions, negative educational effects such as academic underachievements and learning disorders, and psychosocial challenges such as stigmatization and social exclusion due to the seizures, leading to the lack of confidence and low self-esteem.

Seizure Safe Schools legislation allows students with epilepsy hope. This gives them a chance to have trained staff surrounding them, and as someone with epilepsy, I can assure you, it took quite some time to alert friends and family that placing a spoon in a seizing patient's mouth was not correct, and this gives them the opportunity to feel secure by having the support they need when and if they feel they need it at school by those that have the necessary training.

SB2071 aims to raise awareness about epilepsy and to ensure standardized, in-case-of-seizure emergency protocols by training school personnel and students on best practices to support students with seizure disorders. This on its own, alerts other students not to stigmatize and helps train all staff how to help the students so the parents and the students could feel the child is safe while being educated on school grounds. An increased frequency of seizures is associated with emotional and behavioral problems, and thus less stress with the student helps then decrease the seizures.

In closing, please PASS SB2071. Mahalo nui loa for this opportunity to testify on this measure. Please understand how important this is to so many students and their families. Once again, mahalo.