

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 3465**

By Delegate Amos

[Introduced March 17, 2025; referred to the  
Committee on Education]

1 A BILL to amend and reenact §18-2K-2 of the Code of West Virginia, 1931, as amended, relating  
2 to type 1 diabetes informational materials for the parents and guardians of public and  
3 public charter school students.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2K. THE DIABETES CARE PLAN ACT.**

**§18-2K-2. Adoption of guidelines for individual diabetes care plans.**

1 (a) The State Board of Education shall adopt guidelines for the development and  
2 implementation of individual diabetes care plans on or before January 1, 2007. The guidelines for  
3 information and allowable actions in a diabetes care plan shall meet or exceed the American  
4 Diabetes Association's recommendations for the management of children with diabetes in the  
5 school and day care setting. The State Board of Education shall consult with the Bureau for Public  
6 Health in the development of these guidelines. The State Board of Education also shall consult  
7 with county board of education employees who have been designated as responsible for  
8 coordinating their individual county's efforts to comply with federal regulations adopted under  
9 Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. §794. In its development of  
10 these guidelines, the state Board of Education shall consider recent resolutions by the Office of  
11 Civil Rights of the United States Department of Education regarding investigation of complaints  
12 alleging discrimination against students with diabetes.

13 The guidelines adopted by the state board shall include:

14 (1) Procedures for school nurses to develop an individual diabetes care plan for any  
15 student diagnosed with diabetes, which shall involve the parent or guardian, the student's health  
16 care provider, the student's classroom teacher, the student if appropriate, and other appropriate  
17 school personnel;

18 (2) Procedures for regular review of an individual care plan.

19 (3) Information to be included in a diabetes care plan, including the responsibilities and  
20 appropriate staff development for teachers and other school personnel, an emergency care plan,

the identification of allowable actions to be taken, the extent to which the student is able to participate in the student's diabetes care and management and other information necessary for teachers and other school personnel in order to offer appropriate assistance and support to the student; and

(4) Procedures for information and staff development to be made available to teachers and other school personnel in order to appropriately support and assist students with diabetes.

(b) The State Board of Education shall provide that the guidelines and any subsequent changes are published and disseminated to county boards of education.

(c) The State Board of Education shall develop type 1 diabetes informational materials for the parents and guardians of students. The informational materials shall be made available to county boards of education and public charter schools through the West Virginia Department of Education internet website.

(1) County boards of education and the governing bodies of a public charter school shall make the type 1 diabetes informational materials accessible to the parent or guardian of a student when the student is first enrolled in elementary school and yearly thereafter.

(2) Information provided to parents and guardians pursuant to this section may include, but not be limited to, all of the following:

(A) A description of type 1 diabetes.

(B) A description of the risk factors and warning signs associated with type 1 diabetes.

(C) A recommendation regarding those students displaying warning signs associated with type 1 diabetes that the parents or guardians of those students should immediately consult with the student's primary care provider to develop an appropriate treatment plan, which may include consultation with and examination by a specialty care provider, including, but not limited to, a properly qualified endocrinologist.

NOTE: The purpose of this bill is to require the State Board of Education to develop type 1

diabetes informational materials for the parents and guardians of public and public charter school students.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.