



2026 South Dakota Legislature

House Bill 1143

Introduced by: **Representative** Rehfeldt

1 **An Act to authorize the possession and self-administration of nasal glucagon by a**
 2 **student on school property and at school-related events and activities.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 13-32-10 be AMENDED:**

5 **13-32-10.** Terms used in ~~this section and~~ §§ 13-32-11 to 13-32-13, inclusive,
 6 mean:

- 7 (1) "Medication," an inhaled bronchodilator ~~or,~~ auto-injectable epinephrine, or ~~both~~
 8 nasal glucagon;
- 9 (2) "Parent," any person standing in parental relation; and
- 10 (3) "School," any public or nonpublic school;
- 11 ~~(4) "Self-administration of prescription medication," a student's discretionary use of~~
 12 ~~prescription asthma or anaphylaxis medication, or both.~~

13 **Section 2. That § 13-32-11 be AMENDED:**

14 **13-32-11.** Any student ~~with asthma or anaphylaxis~~ may possess and self-
 15 administer prescription medication while on school property or at a school-related event
 16 or activity only if:

- 17 (1) The student has been diagnosed with asthma, anaphylaxis, or diabetes, by a
 18 licensed health care provider;
- 19 ~~(2) The prescription medication has been prescribed for that student as indicated by~~
 20 ~~the prescription label on the medication;~~
- 21 ~~(2) The self-administration is done in compliance with the prescription or written~~
 22 ~~instructions from the student's physician or other licensed health care provider;~~
 23 ~~and~~
- 24 (3) ~~A parent of the student~~ The student's parent provides to the school:

1 (a) Written authorization, signed by the parent, for the student to self-
2 administer the prescription medication while on school property or at a
3 school-related event or activity; and

4 (b) A written statement, signed by the parent, in which the parent releases the
5 school district or nonpublic school and its employees and agents from
6 liability for an injury arising from the student's self-administration of
7 prescription medication while on school property or at a school-related
8 event or activity, unless in cases of wanton or willful misconduct;

9 ~~(c)~~(4) A written statement ~~from,~~ signed by the student's physician or other licensed
10 health care provider, ~~signed by the physician or provider,~~ is provided to the school
11 that states:

12 ~~(i)~~(a) The student has been diagnosed, by a licensed health care provider, with
13 asthma or, anaphylaxis or both, or diabetes, and the student is capable of
14 self-administering the prescription medication;

15 ~~(ii)~~(b) The name and purpose of the medication;

16 ~~(iii)~~(c) The prescribed dosage for the medication;

17 ~~(iv)~~(d) The times at which or circumstances under which the medication may be
18 administered; and

19 ~~(v)~~(e) The period for which the medication is prescribed.

20 The physician's or provider's statement must be ~~kept on file in the office of the~~
21 ~~school nurse of the school the student attends or, if there is not a school nurse, in the~~
22 ~~office of the principal of the school the student attends~~ retained in the student's
23 educational record maintained by the school.