



2026 South Dakota Legislature

House Bill 1143

HOUSE HEALTH AND HUMAN SERVICES ENGROSSED

Introduced by: **Representative** Rehfeldt

1 **An Act to authorize the possession and self-administration of diabetes medications**
 2 **by a 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 insulin, or other diabetes medication;
 9 (2) "Parent," any person standing in parental relation;
 10 (3) "Related equipment and supplies," medical equipment and supplies necessary for
 11 a student's management and treatment of diabetes; and
 12 (4) "School," any public or nonpublic school;
 13 ~~(4) "Self-administration of prescription medication," a student's discretionary use of~~
 14 ~~prescription asthma or anaphylaxis medication, or both.~~

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

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

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

- 1 (3) ~~A parent of the student~~ The student's parent provides to the school:
- 2 (a) Written authorization, signed by the parent, for the student to self-
- 3 administer the prescription medication, and possess and use related
- 4 equipment and supplies, while on school property or at a school-related
- 5 event or activity; and
- 6 (b) A written statement, signed by the parent, in which the parent releases the
- 7 school district or nonpublic school and its employees and agents from
- 8 liability for an injury arising from the student's self-administration of
- 9 prescription medication, or possession or use of related equipment and
- 10 supplies, while on school property or at a school-related event or activity,
 11 unless in cases of wanton or willful misconduct;
- 12 ~~(c)~~ (4) A written statement ~~from, signed by~~ the student's physician or other licensed
 13 health care provider, ~~signed by the physician or provider,~~ is provided to the school
 14 that states:
- 15 ~~(i)~~ (a) The student has been diagnosed, by a licensed health care provider, with
 16 asthma ~~or,~~ anaphylaxis ~~or both,~~ or diabetes, and the student is capable of
 17 self-administering and managing the prescription medication;
- 18 ~~(ii)~~ (b) The name and purpose of the medication;
- 19 ~~(iii)~~ (c) The prescribed dosage for the medication;
- 20 ~~(iv)~~ (d) The times at which or circumstances under which the medication may be
 21 administered; ~~and~~
- 22 ~~(v)~~ (e) The period for which the medication is prescribed; and
- 23 (f) The types of related equipment and supplies the student is permitted to
 24 possess and use, if applicable.

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