

Date of Hearing: August 23, 2023

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Chris Holden, Chair
SB 283 (Ochoa Bogh) – As Amended August 14, 2023

Policy Committee: Education Vote: 6 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill requires every local educational agencies (LEAs) to create individualized asthma action plan for students who have asthma.

Specifically, this bill requires an LEA, beginning with the 2024-25 school year, upon receiving notice from the student’s parent or guardian, to create an individualized asthma action plan for a student who has asthma. In addition, the bill encourages LEAs to provide professional development for school staff that includes information about asthma symptoms, common triggers of asthma, ways to reduce acute asthma symptoms, and emergency response procedures for students with asthma.

FISCAL EFFECT:

Ongoing Proposition 98 General Fund costs, of an unknown but potentially significant amount, to LEAs to create an individualized asthma action plans for each student who has asthma. The state has about 5.9 million students, which would equate to about 850,000 required action plans. If each plan took three hours of staff time to complete at a cost of \$35, costs would be in the tens of millions of dollars one-time, with lower annual costs to develop plans for students newly enrolling at a public school. Costs could be lower to the extent schools use existing plan resources and templates and to the extent schools develop Individualized Health and Support Plans for students with asthma already, as described in more detail in comment 2.

If the Commission on State Mandates determines the bill’s requirements to be a reimbursable state mandate, the state must to reimburse these costs to LEAs or provide funding through the K-12 Mandate Block Grant.

COMMENTS:

1) **Purpose.** According to the author:

With asthma on the rise, it is imperative that school districts provide school staff with education and support services so they can quickly identify and assist students with asthma. SB 283 will provide reassurance to students with asthma and their parents during school hours and could possibly save lives.

- 2) **Background.** Asthma is a chronic lung disease and the leading cause of absenteeism for students. The California Department of Public Health (CDPH) reports, in the 2019-2020 fiscal year, 14.5% of children ages five through 17 had been diagnosed with asthma by a healthcare provider.

State agencies have developed several resources for schools to help students manage asthma. The California Department of Education developed jointly with health professionals “Guidelines for the Management of Asthma in California Schools.” In addition, CDPH also developed a “My Asthma Plan” form, available in multiple languages, to be completed by a school nurse in collaboration with a student’s physician and parent or guardian, detailing the student’s specific symptoms, medications, and actions to be taken when asthma symptoms are present.

Individualized Health and Support Plan. An Individualized Health and Support Plan, also referred to as a “care plan,” is used by LEAs as a medical management tool for providing medically necessary healthcare services to a Medi-Cal enrolled student with a chronic health condition, such as asthma. In addition, under specified conditions, schools can be reimbursed for a portion of the cost of services provided to a student under a care plan. To develop the care plan, a parent notifies their child’s school that their child has a health condition and the school’s nurse reaches out to the parent for a health history and contact information for the student’s physician. Once the care plan is completed and approved by the parent, the school nurse generally shares the plan with the parent, the school secretary, and the student’s teachers, including the student’s physical education teacher. According to the California School Nurses Organization, in the case of a student with asthma, schools typically use the “My Asthma Plan” form as their care plan template. In addition, the California School Nurses Organization indicates it offers a training module for school nurses and other school staff on asthma care.

- 3) **Related Legislation.** AB 1283 (Chen) authorizes an LEA to provide emergency stock albuterol inhalers, including single-use disposable holding chambers, to school nurses or trained personnel who have volunteered, among other provisions. The bill is pending in the Senate Appropriations Committee.

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