

[First Reprint]

ASSEMBLY, No. 4676

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED MARCH 10, 2026

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SYNOPSIS

Requires public schools to develop policy for administration of nasal seizure rescue medication and use of manual vagus nerve stimulators for students with seizure disorder on emergent basis.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee on October 15, 2026, with amendments.

(Sponsorship Updated As Of: 10/22/2026)

1 AN ACT concerning seizure disorder emergencies in public schools
2 and amending and supplementing P.L.2019, c.290.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2019, c.290 (C.18A:40-12.34) is amended
8 to read as follows:

9 1. As used in **[this act]** P.L.2019, c.290 (C.18A:40-12.34 et
10 seq.) and P.L. , c. (C.) (pending before the Legislature as
11 this bill):

12 "Individualized emergency health care plan" means a document
13 developed by the school nurse, in consultation with the parent or
14 guardian of a student with epilepsy or a seizure disorder and other
15 appropriate medical professionals, which is consistent with the
16 recommendations of the student's health care providers and which
17 provides specific actions for non-medical school staff to do in a
18 particular emergency situation and is signed by the parent or
19 guardian and the school nurse.

20 "Individualized health care plan" means a document developed
21 by the school nurse, in consultation with the parent or guardian of a
22 student with epilepsy or a seizure disorder and other appropriate
23 medical professionals who may be providing epilepsy or seizure
24 disorder care to the student, which is consistent with the
25 recommendations of the student's health care providers and which
26 sets out the health services needed by the student at school and is
27 signed by the parent or guardian and the school nurse.

28 "School" means an elementary or secondary public school
29 located within this State.

30 "School employee" means a person employed by a school
31 district.

32 "Seizure action plan" means a comprehensive document provided
33 by the student's physician, advanced practice nurse, or physician's
34 assistant which includes, but is not limited to, information regarding
35 presentation of seizures, seizure triggers, daily seizure medications,
36 seizure first aid, and additional treatments. The seizure action plan
37 shall indicate whether a non-nursing employee may be designated
38 to administer emergency nasal rescue medication and use a manual
39 vagus nerve stimulator.

40 (cf: P.L.2019, c.290, s.1)

41
42 2. Section 5 of P.L.2019, c.290 (C.18A:40-12.38) is amended
43 to read as follows:

44 5. No school employee, including a school nurse, a school bus
45 driver, a school bus aide, or any other officer or agent of a board of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted October 15, 2026.

1 education, shall be held liable for any good faith act or omission
2 consistent with the provisions of **【this act】** P.L.2019, c.290
3 (C.18A:40-12.34 et seq.) and P.L. , c. (C.) (pending before
4 the Legislature as this bill), nor shall an action before the New
5 Jersey State Board of Nursing lie against a school nurse for any
6 such action taken by a person trained in good faith by the school
7 nurse pursuant to **【this act】** these acts. Good faith shall not include
8 willful misconduct, gross negligence, or recklessness.
9 (cf: P.L.2019, c.290, s.5)

10
11 3. (New section) a. Each board of education shall develop a
12 policy in accordance with the guidelines established by the
13 Department of Education pursuant to section 4 of P.L. , c.
14 (C.) (pending before the Legislature as this bill) for the
15 emergency administration of nasal seizure rescue medication and
16 the emergency use of a manual vagus nerve stimulator on a student
17 with a seizure disorder.

18 b. The policy shall provide that the school nurse has the
19 primary responsibility for the administration of nasal seizure rescue
20 medication and the use of a manual vagus nerve stimulator. The
21 certified school nurse shall designate, in consultation with the board
22 of education, at least two additional employees of the school district
23 who volunteer to administer the nasal seizure rescue medication and
24 use a manual vagus nerve stimulator on a student when the school
25 nurse is not physically present at the scene. ¹Nothing in this section
26 shall be construed to require a designee of the certified school nurse
27 to administer the nasal seizure rescue medication through any
28 method other than intranasally.¹ The designees shall be trained in
29 the use of a defibrillator and cardiopulmonary resuscitation from
30 the American Red Cross, American Heart Association, or other
31 training program recognized by the Department of Health. The
32 Department of Education, in consultation with the Department of
33 Health, shall require trained designees for students enrolled in a
34 school who may require the emergency administration of the nasal
35 seizure rescue medication or the use of a manual vagus nerve
36 stimulator. ¹In the event that a licensed athletic trainer volunteers
37 to administer the nasal seizure rescue medication or use a manual
38 vagus nerve stimulator, it shall not constitute a violation of the
39 “Athletic Training Licensure Act,” P.L.1984, c.203 (C.45:9-37.35 et
40 seq.).¹

41 c. The certified school nurse shall ensure that:

42 (1) the employees designated pursuant to subsection b. of this
43 section are trained in the use of a defibrillator, hold a current
44 certification in cardiopulmonary resuscitation, and have been
45 properly trained in the administration of the nasal seizure rescue
46 medication and the use of a manual vagus nerve stimulator using

1 standardized training protocols established by the Department of
2 Education and the Department of Health;

3 (2) the parents or guardians of the student consent in writing to
4 the administration of the nasal seizure rescue medication and use of
5 a manual vagus nerve stimulator by the designees;

6 (3) the board of education informs the parents or guardians of
7 the student in writing that the school district and its employees or
8 agents shall have no liability as a result of any injury arising from
9 the administration of the nasal seizure rescue medication and the
10 use of a manual vagus nerve stimulator on the student;

11 (4) the parents or guardians of the student sign a statement
12 acknowledging their understanding that the district shall have no
13 liability as a result of any injury arising from the administration of
14 the nasal seizure rescue medication and the use of a manual vagus
15 nerve stimulator on the student and that the parents or guardians
16 shall indemnify and hold harmless the district and its employees or
17 agents against any claims arising out of the administration of the
18 nasal seizure rescue medication and the use of a manual vagus
19 nerve stimulator on the student; and

20 (5) the permission is effective for the school year for which it is
21 granted and is renewed for each subsequent school year upon
22 fulfillment of the requirements in paragraphs (1) through (4) of this
23 subsection.

24 d. The policy shall also require:

25 (1) the transportation of the student to a hospital emergency
26 room by emergency services personnel after the administration of
27 the nasal seizure rescue medication, if appropriate, and if indicated
28 in the seizure action plan after the use of a manual vagus nerve
29 stimulator. If the school nurse is available to assess the student
30 following the administration of nasal seizure rescue medication by a
31 trained designee, the school nurse shall implement the student's
32 seizure action plan, the individualized health care plan, or the
33 individualized emergency health care plan, as appropriate, and
34 determine the next steps accordingly. If the student is transported to
35 a hospital emergency room by emergency services personnel after
36 the administration of nasal seizure rescue medication, the student
37 shall be evaluated and receive medical clearance to return to school.
38 Documentation from the emergency room visit shall satisfy the
39 requirement for medical evaluation and clearance;

40 (2) an alternative plan in the case that a student's seizure action
41 plan does not permit the administration of nasal seizure rescue
42 medication or the use of a manual vagus nerve stimulator by a
43 designee. An alternative plan may provide for seizure first aid, a
44 request for emergency services personnel, or any other action
45 deemed appropriate; and

46 (3) the parent or guardian to provide the prescribed nasal seizure
47 rescue medication or manual vagus nerve stimulator magnet in
48 accordance with the student's seizure action plan. Alternatively, if

1 provided for in the seizure action plan, the nasal seizure rescue
2 medication or manual vagus nerve stimulator magnet may be
3 permitted to be carried on the student's person.

4
5 4. (New section) a. The Department of Education, in
6 consultation with the Department of Health, appropriate medical
7 experts, a nonprofit national foundation that supports the welfare of
8 individuals with seizure disorder, such as Epilepsy Alliance
9 America, and professional organizations representing school nurses,
10 principals, and teachers, shall establish and disseminate to each
11 board of education guidelines for the development of a policy by a
12 school district for the emergency administration of nasal seizure
13 rescue medication and the use of a manual vagus nerve stimulator
14 on students, which policy is required pursuant to section 3 of
15 P.L. , c. (C.) (pending before the Legislature as this bill).

16 b. Each board of education shall implement in the schools of the
17 district the guidelines established and disseminated pursuant to
18 subsection a. of this section.

19
20 5. (New section) a. In an effort to assist the certified school
21 nurse in a school district in recruiting and training additional school
22 employees as volunteer designees to administer the nasal seizure
23 rescue medication and use a manual vagus nerve stimulator when
24 the school nurse is not physically present, the Department of
25 Education and the Department of Health shall jointly develop
26 training protocols, in consultation with the New Jersey State School
27 Nurses Association.

28 b. The certified school nurse, in consultation with the board of
29 education, shall recruit and train volunteer designees who are
30 determined acceptable candidates by the school nurse as deemed
31 necessary by the nursing service plan.

32
33 6. (New section) The Department of Education shall take
34 appropriate action to ensure that each school district incorporates
35 age-appropriate education on epilepsy and seizure disorders,
36 consistent with the classroom education programs developed by a
37 nonprofit organization that supports the welfare of individuals with
38 seizure disorders, for students at least once between kindergarten
39 and third grade and at least once between grades six and 12.

40
41 7. This act shall take effect on the first day of the 12th month
42 next following the date of enactment, except that the Department of
43 Education may take any anticipatory administrative action in
44 advance as shall be necessary for the implementation of this act,
45 including the development of training protocols for the
46 administration of nasal seizure rescue medication and the use of
47 manual vagus nerve stimulators by school employees designated by
48 the certified school nurse.