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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2905

03/10/2016

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The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1

A bill for an act

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relating to education; requiring schools to honor students' Do Not Resuscitate,

1.3

Do Not Intubate, and Allow Natural Death orders; proposing coding for new law

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in Minnesota Statutes, chapter 121A.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6

Section 1. [121A.2203] SCHOOLS REQUIRED TO HONOR STUDENTS'

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EMERGENCY HEALTH CARE WISHES.

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Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms

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have the meanings given them.

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(b) "Do Not Resuscitate" or "DNR" order means a written order signed by a

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physician to withhold cardiopulmonary resuscitation (CPR) or advanced cardiac life

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support, to respect the wishes of a student in case the student's heart stops beating or the

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student stops breathing.

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(c) "Do Not Intubate" or "DNI" order means a written order signed by a physician

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to withhold placement of a breathing tube, to respect the wishes of a student in case the

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student stops breathing.

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(d) "Allow Natural Death" or "AND" order means a written order signed by a

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physician to withhold CPR, advanced cardiac life support, placement of a breathing tube,

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artificial feeding and fluids, and other treatments that prolong the dying process without

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adding to the student's quality of life, and which only allows the administration of comfort

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measures, such as pain control, to respect the wishes of a student in case the student's heart

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stops beating or the student stops breathing.

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(e) "DNR-DNI-AND" order means a student's DNR, DNI, or AND order, or any

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combination of these orders, that is signed by a physician.

2.1 Subd. 2. **Applicability.** This section applies to every staff member of a school that
2.2 provides health services to its students under section 121A.21 including, but not limited
2.3 to, licensed school nurses, teachers, paraprofessionals, administrative staff, and health
2.4 care professionals contracted by the school under section 121A.21.

2.5 Subd. 3. **Student wishes must be honored.** (a) In the event of a medical emergency
2.6 involving a student with a DNR-DNI-AND order on file with the school under paragraph
2.7 (b), school staff must respect, honor, and otherwise follow the student's DNR-DNI-AND
2.8 order. If emergency medical personnel are called to assist the student, school staff must
2.9 immediately notify responding emergency medical personnel of the directives in the
2.10 student's DNR-DNI-AND order and must immediately make a copy of the student's
2.11 DNR-DNI-AND order available to them.

2.12 (b) A parent or legal guardian of a student with a current and valid DNR-DNI-AND
2.13 order shall submit the student's DNR-DNI-AND order to the student's school. The parent
2.14 or legal guardian must resubmit the student's DNR-DNI-AND order to the school annually
2.15 or as often as necessary to keep the order current and valid. The school shall keep copies
2.16 of the student's DNR-DNI-AND order in the student's education records, in the school's
2.17 health office, and in the possession of a paraprofessional assigned to provide services
2.18 to the student, if any. The student's DNR-DNI-AND order shall be made a part of the
2.19 student's individualized education program, if any.

2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.