

By Senators Brown-Waite and Silver

10-347B-98

See HB

1 A bill to be entitled
2 An act relating to the school health services
3 program; amending s. 381.0056, F.S.; requiring
4 Department of Education consultation with the
5 Department of Health; providing staff
6 requirements for the school health services
7 program; providing for use of funds; providing
8 for reports; providing for appropriations;
9 providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsections (4), (6), (7), and (8) of
14 section 381.0056, Florida Statutes, are amended to read:

15 381.0056 School health services program.--

16 (4) The Department of Health shall have the
17 responsibility, in consultation ~~cooperation~~ with the
18 Department of Education, to supervise the administration of
19 the school health services program and perform periodic
20 program reviews. The Department of Health shall submit to the
21 Legislature an annual report based on data submitted to the
22 Department of Health by each county health department in
23 collaboration with its local school district. The Department
24 of Health shall submit to the Legislature by January 2 of each
25 year a report based on the school health services plan.
26 However, the principal of each school shall have immediate
27 administrative supervisory authority over the health personnel
28 working in the school. The county health department, in
29 compliance with chapter 464, has authority over, and will
30 provide supervision of, school nurses' and other health care
31 providers' professional and health-related activities.

1 (a) Health personnel shall include, at a minimum, a
2 full-time registered nurse educated at no less than the BSN
3 level or a registered nurse with a minimum of 3 years of
4 recent clinical experience in pediatrics or public-health
5 nursing at each public elementary school and at each public
6 school that includes students at the kindergarten through
7 sixth grade levels.

8 (b) Implementation of the provisions of paragraph (a)
9 shall be subject to the availability of moneys and the
10 limitations established by the General Appropriations Act or
11 chapter 216. Moneys appropriated to fund the provisions of
12 this section shall be used to supplement existing local
13 funding and not to supplant such funding sources. The
14 provisions of paragraph (a) shall apply to schools receiving
15 funding under the provisions of s. 381.0057 for elementary
16 schools only. Projects in existence on the effective date of
17 this act which are funded under s. 381.0057 shall submit, for
18 review and approval, a plan to restructure their project
19 designs to provide services in middle schools and high schools
20 in compliance with this act.

21 (6) A nonpublic school may request to participate in
22 the school health services program. A nonpublic school
23 voluntarily participating in the school health services
24 program shall:

25 (a) Cooperate with the county health department and
26 district school board in the development of the cooperative
27 health services plan;

28 (b) Make available physical facilities for health
29 services;

30 (c) Provide inservice health training to school
31 personnel;

1 (d) Cooperate with public health personnel in the
2 implementation of the school health services plan;

3 (e) Be subject to health service program reviews by
4 the Department of Health in consultation with ~~and~~ the
5 Department of Education; and

6 (f) At the beginning of each school year, inform
7 parents or guardians in writing that their children who are
8 students in the school will receive specified health services
9 as provided for in the district health services plan. A
10 student will be exempt from any of these services if his or
11 her parent or guardian requests such exemption in writing.
12 This paragraph shall not be construed to authorize invasive
13 screening; if there is a need for such procedure, the consent
14 of the student's parent or guardian shall be obtained in
15 writing prior to performing the screening. However, the laws
16 and rules relating to contagious or communicable diseases and
17 sanitary matters shall not be violated.

18 (7) The district school board shall:

19 (a) Coordinate the educational aspects of the school
20 health services program in consultation with the Department of
21 Education ~~with the Florida Comprehensive Health Education and~~
22 ~~Substance Abuse Prevention Act;~~

23 (b) Include health services and health education as
24 part of the comprehensive plan for the school district;

25 (c) Provide inservice health training for school
26 personnel;

27 (d) Make available physical facilities for health
28 services; and

29 (e) At the beginning of each school year, inform
30 parents or guardians in writing that their children who are
31 students in the district schools will receive specified health

1 services as provided for in the district health services plan.
2 A student will be exempt from any of these services if his or
3 her parent or guardian requests such exemption in writing.
4 This paragraph shall not be construed to authorize invasive
5 screening; if there is a need for such procedure, the consent
6 of the student's parent or guardian shall be obtained in
7 writing prior to performing the screening. However, the laws
8 and rules relating to contagious or communicable diseases and
9 sanitary matters shall not be violated.

10 (8) The Department of Health, in consultation
11 ~~cooperation~~ with the Department of Education, may adopt rules
12 necessary to implement this section.

13 Section 2. Funds sufficient to administer this act
14 shall be allocated annually, including an appropriation to
15 fund the costs of administering and evaluating the program and
16 supervising the required personnel.

17 Section 3. This act shall take effect July 1, 1998.

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LEGISLATIVE SUMMARY

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Provides staff requirements for the school health
services program and conditions for the use of funds
appropriated for the program. Requires reports to the
Legislature based on the school health services plan.
Provides for appropriations.