

1                   A bill to be entitled  
 2           An act relating to the school health services program;  
 3           amending s. 381.0056, F.S.; defining the term "school-  
 4           based health center" for purposes of the School Health  
 5           Services Act; providing that such a center is a health  
 6           care entity acting as an instrumentality of the state for  
 7           purposes of certain limitations on liability; providing an  
 8           effective date.

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

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 12           Section 1. Subsection (3) of section 381.0056, Florida  
 13   Statutes, is amended to read:

14           381.0056 School health services program.--

15           (3) When used in or for purposes of this section:

16           (a) "Emergency health needs" means onsite management and  
 17   aid for illness or injury pending the student's return to the  
 18   classroom or release to a parent, guardian, designated friend,  
 19   or designated health care provider.

20           (b) "Entity" or "health care entity" means a unit of local  
 21   government or a political subdivision of the state; a hospital  
 22   licensed under chapter 395; a health maintenance organization  
 23   certified under chapter 641; a health insurer authorized under  
 24   the Florida Insurance Code; a community health center; a migrant  
 25   health center; a federally qualified health center; an  
 26   organization that meets the requirements for nonprofit status  
 27   under s. 501(c)(3) of the Internal Revenue Code; a private  
 28   industry or business; a school-based health center; or a

29 philanthropic foundation that agrees to participate in a public-  
 30 private partnership with a county health department, local  
 31 school district, or school in the delivery of school health  
 32 services, and agrees to the terms and conditions for the  
 33 delivery of such services as required by this section and as  
 34 documented in the local school health services plan.

35 (c) "Invasive screening" means any screening procedure in  
 36 which the skin or any body orifice is penetrated.

37 (d) "Physical examination" means a thorough evaluation of  
 38 the health status of an individual.

39 (e) "School-based health center" means an entity that:

40 1. Provides a minimum of 25 hours per week of primary care  
 41 services to adolescents or other school-age children in  
 42 accordance with state law for the majority of the year.

43 2. Primarily provides services onsite at the school, but  
 44 may also offer linkages and referrals to primary care providers  
 45 if confidentiality is maintained.

46 3. Provides comprehensive services that include, but are  
 47 not limited to, the following:

48 a. Acute management and ongoing monitoring of chronic  
 49 conditions, such as asthma, diabetes, and seizure disorder, in  
 50 conjunction with a student's regular doctor.

51 b. Well-child or adolescent examinations consisting of a  
 52 comprehensive health history, including an assessment of high-  
 53 risk behavior for adolescents, a complete physical assessment,  
 54 screening procedures, and anticipatory guidance appropriate to  
 55 age.

56 c. Immunizations.

- 57        d. Diagnosis and treatment of acute illnesses and  
58 injuries.
- 59        e. Basic diagnostic laboratory tests.
- 60        f. Prescriptions or dispensing of commonly used  
61 medications for identified health conditions, in accordance with  
62 generally accepted standards of medical practice and pharmacy  
63 practice standards as defined in chapter 465 and rules adopted  
64 under that chapter.
- 65        g. Individual health education and anticipatory guidance  
66 for students and parents.
- 67        4. Provides comprehensive services that may include, but  
68 need not be limited to, the following:
- 69        a. Age-appropriate reproductive health services, including  
70 health education; pelvic examinations; diagnosis and treatment  
71 of sexually transmitted diseases; testing and counseling for  
72 human immunodeficiency virus (HIV) or acquired immune deficiency  
73 syndrome (AIDS); and prescribing, dispensing, or referring for  
74 birth control, including condoms.
- 75        b. Basic mental health services, including assessment;  
76 individual, group, and family counseling; consultation with  
77 school administrators, parents, teachers, and students; and  
78 crisis intervention.
- 79        5. Maintains health records in a manner that is current,  
80 detailed, confidential, organized, and permits effective student  
81 care and quality review.
- 82        6. Does not deny access to health care services to  
83 students based upon insurance status or ability to pay or  
84 discriminate with regard to race or ethnicity, religion,

85 national origin, age, disability, gender, or sexual orientation.

86 (f)~~(e)~~ "School health services plan" means the document  
87 that describes the services to be provided, the responsibility  
88 for provision of the services, the anticipated expenditures to  
89 provide the services, and evidence of cooperative planning by  
90 local school districts and county health departments.

91 (g)~~(f)~~ "Screening" means presumptive identification of  
92 unknown or unrecognized diseases or defects by the application  
93 of tests that can be given with ease and rapidity to apparently  
94 healthy persons.

95 Section 2. This act shall take effect upon becoming a law.