

By Senator Wilson

33-00945-10

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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  
7 for purposes of certain limitations on liability;  
8 providing an effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
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-

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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 organization  
40 that, at a minimum:

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

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

47 3. Provides comprehensive services that include, but are  
48 not limited to:

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

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

57 c. Immunizations.

58 d. Diagnosis and treatment of acute illnesses and injuries.

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59 e. Basic diagnostic laboratory tests.

60 f. Prescriptions or dispensing of commonly used medications  
61 for identified health conditions, in accordance with medical  
62 practice and pharmacy practice statutes.

63 g. Individual health education and anticipatory guidance  
64 for students and parents.

65 4. Provides comprehensive services that may include, but  
66 need not be limited to:

67 a. Age-appropriate reproductive health services, including  
68 health education; pelvic examinations; diagnosis and treatment  
69 of sexually transmitted diseases; testing and counseling for  
70 human immunodeficiency virus (HIV) or acquired immune deficiency  
71 syndrome (AIDS); and prescribing, dispensing, or referring for  
72 birth control, including condoms.

73 b. Basic mental health services, including assessment;  
74 individual, group, and family counseling; consultation with  
75 school administrators, parents, teachers, and students; and  
76 crisis intervention.

77 5. Maintains health records in a manner that is current,  
78 detailed, confidential, and organized and permits effective  
79 student care and quality review.

80 6. Does not deny access to health care services to students  
81 based upon insurance status or ability to pay and does not  
82 discriminate with regard to race or ethnicity, religion,  
83 national origin, age, disability, gender, or sexual orientation.

84 (f)-(e) "School health services plan" means the document  
85 that describes the services to be provided, the responsibility  
86 for provision of the services, the anticipated expenditures to  
87 provide the services, and evidence of cooperative planning by

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88 local school districts and county health departments.

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

93 Section 2. This act shall take effect July 1, 2010.