

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 1136

INTRODUCER: Education Pre-K - 12 Committee and Senator Calatayud

SUBJECT: Dental Screenings for K-12 Students

DATE: January 22, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brick</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav/CS</u>
2.	_____	_____	<u>HP</u>	_____
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1136 modifies provisions relating to school-based dental screenings by:

- Defining a limited, noninvasive dental screening in the School Health Services Act.
- Clarifying that the screening follows the existing written notice and parent exemption process used for specified school health services.
- Providing an exception to the written parental consent requirement for health care services to minors when the screening is provided through the school health services program.

The bill takes effect July 1, 2026.

II. Present Situation:

Oral Health Need and School-Based Preventive Programs

Statewide school-based oral health surveillance of Florida public-school students reflects measurable levels of untreated decay and treatment need. Among third grade students, 29.3 percent have untreated decay; 36.9 percent have at least one dental sealant; 27.8 percent have early dental treatment needs; and 1.7 percent have urgent dental treatment needs.¹ Among ninth grade students, 20.7 percent have untreated decay; 29.2 percent have at least one dental sealant;

¹ Florida Department of Health, *Oral Health Status of Florida's Third Grade Students, 2021–2022* (report), available at <https://www.astdd.org/www/docs/florida-3rd-grade-2021-2022.pdf>, at 6, 11.

18.6 percent have early dental treatment needs; and 2.7 percent have urgent dental treatment needs.²

County health departments administer school-based sealant programs that offer preventive dental services, which may include screenings or assessments, fluoride varnish, dental sealants, and referrals; 42 counties provide school-based services, with programs focusing on children at high risk of cavities and those less likely to access dental care.³ National evidence reviews identify school-based dental sealant delivery programs as increasing sealant receipt and reducing tooth decay, with economic evidence indicating benefits can exceed costs when implemented in schools serving children at high risk for cavities.⁴ Centers for Disease Control (CDC) materials similarly report that school sealant programs can reduce treatment costs (including reporting savings per sealed tooth) when targeted to children at high risk for tooth decay.⁵

School Health Services Program

Each school health services plan developed jointly by the county health department and district school board is required to include a preventive dental program.⁶ The plan includes a range of health services, including health appraisal, records review, nurse assessment, nutrition assessment, and health counseling, and screenings for vision, hearing, scoliosis, and growth and development.⁷

“Screening” means presumptive identification of unknown or unrecognized diseases or defects by the application of tests that can be given with ease and rapidity to apparently healthy persons.⁸

“Invasive screening” means any screening procedure in which the skin or any body orifice is penetrated.⁹

Participating nonpublic schools inform parents at the beginning of each school year that students will receive specified health services under the district health services plan, and a student is exempt from any of those services if the parent requests an exemption in writing.¹⁰ That notice provision is not construed to authorize invasive screening, and written parental consent is obtained before an invasive screening is performed.¹¹

² Florida Department of Health, *Oral Health Status of Florida’s Ninth Grade Students, 2025* (report), available at <https://www.floridahealth.gov/wp-content/uploads/2026/01/oral-health-status-florida-ninth-grade-students-2025-1.pdf>, at 6, 9.

³ Florida Department of Health, *School-Based Sealant Programs*, <https://www.floridahealth.gov/individual-family-health/dental-health/school-based-sealant-programs/> (last visited Jan. 14, 2026).

⁴ The Community Guide, *Dental Caries (Cavities): School-Based Dental Sealant Delivery Programs (findings summary and economic evidence)*, <https://www.thecommunityguide.org/findings/dental-caries-cavities-school-based-dental-sealant-delivery-programs.html> (last visited Jan. 14, 2026).

⁵ Centers for Disease Control and Prevention, *Return on Investment: School Sealant Programs* (infographic text), <https://www.cdc.gov/oral-health/php/infographics/roi-school-sealant.html> (last visited Jan. 14, 2026).

⁶ Section 381.0056(4)(a)5., F.S.

⁷ Section 381.0056(4)(a)1.-10., F.S.

⁸ Section 381.0056(2)(f), F.S.

⁹ Section 381.0056(2)(c), F.S.

¹⁰ Section 381.0056(5)(g), F.S.

¹¹ Section 381.0056(5)(g), F.S.

District schools inform parents at the beginning of each school year that students will receive specified health services under the district health services plan, and a student is exempt from any of those services if the parent requests an exemption in writing.¹² That notice provision is not construed to authorize invasive screening, and written parental consent is obtained before an invasive screening is performed.¹³

Parental Rights and Consent for Health Care Services to Minors

Parents retain the right to direct the education and care of their minor children and to make health care decisions for their minor children, unless otherwise prohibited by law.¹⁴ Health care practitioners may not provide, solicit, or arrange to provide health care services or prescribe medicinal drugs to a minor child without first obtaining written parental consent, except as otherwise provided by law.¹⁵

District School Board Notice of School-Based Health Care Services

Each school district notifies parents at the beginning of the school year of each health care service offered at the student's school and the option to withhold consent or decline any specific service. Parental consent to a health care service does not waive the parent's right to access the student's educational or health records or to be notified about a change in the student's services or monitoring.¹⁶

III. Effect of Proposed Changes:

CS/SB 1136 modifies provisions relating to school-based dental screenings by:

- Defining a limited, noninvasive dental screening in the School Health Services Act.
- Clarifying that the screening follows the existing written notice and parent exemption process used for specified school health services.
- Providing an exception to the written parental consent requirement for health care services to minors when the screening is provided through the school health services program.

School Health Services Program

The bill amends s. 381.0056, F.S., to define "dental screening" as a limited, noninvasive visual inspection of the mouth and oral cavity for the purpose of identifying obvious signs of dental disease or abnormality. The bill provides that the dental screening does not include diagnosis or treatment, may not use instruments that penetrate tissue, and does not constitute a comprehensive dental examination.

The bill clarifies that a dental screening that is part of the preventive dental program in the school health services plan may be provided after the written notice required under the school health services program and a reasonable opportunity for the parent or guardian to request an

¹² Section 381.0056(6)(e), F.S.

¹³ Section 381.0056(6)(e), F.S.

¹⁴ Section 1014.04(1)(a), (e), F.S.

¹⁵ Section 1014.06(1), F.S.

¹⁶ Section 1001.42(8)(c)5., F.S.

exemption in writing. The bill also clarifies that the defined dental screening is not an “invasive screening.”

District School Board Parent Notification of School-Based Health Care Services

The bill amends s. 1001.42, F.S., to conform the district notice provision for school health services to reference the School Health Services Act framework for the preventive dental program dental screening.

Parental Consent for Health Care Services

The bill amends s. 1014.06, F.S., to provide that the written parental consent requirement for health care services to minors does not apply to the noninvasive dental screening defined in the School Health Services Act when the screening is provided as part of the school health services program’s preventive dental program.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 381.0056, 1001.42, and 1014.06.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 on January 20, 2026:

- Relocates the dental screening definition and the notice and written exemption clarification to the School Health Services Act.
- Conforms the district notice and parental consent provisions to reference the requirements of the School Health Services Act.

B. Amendments:

None.