



HOUSE BILL No. 4216

January 30, 1995, Introduced by Rep. Porreca and referred to the Committee on Education.

A bill to amend Act No. 368 of the Public Acts of 1978,
entitled as amended
"Public health code,"
as amended, being sections 333.1101 to 333.25211 of the Michigan
Compiled Laws, by adding part 97.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 368 of the Public Acts of 1978, as
2 amended, being sections 333.1101 to 333.25211 of the Michigan
3 Compiled Laws, is amended by adding part 97 to read as follows:

4 PART 97. COMPREHENSIVE HEALTH SCREENING

5 SEC. 9701. (1) A PARENT, GUARDIAN, OR PERSON IN LOCO PAREN-
6 TIS APPLYING TO HAVE A MINOR ADMITTED INTO KINDERGARTEN OR GRADE
7 6 OR 9 OR A PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS OF A
8 MINOR WHO IS TRANSFERRING FROM AN OUT-OF-STATE SCHOOL INTO ANY
9 GRADE SHALL PRESENT TO THE PRINCIPAL OF THE PUBLIC SCHOOL, AT THE

1 TIME OF REGISTRATION OR NOT LATER THAN THE FIRST DAY OF SCHOOL, A
2 COMPLETED COMPREHENSIVE HEALTH SCREENING SUMMARY FORM RECEIVED
3 PURSUANT TO SECTION 9703 OR A STATEMENT OF EXEMPTION UNDER
4 SECTION 9704.

5 (2) EXCEPT AS PROVIDED IN SECTION 9704, A PRINCIPAL SHALL
6 NOT PERMIT A MINOR TO BE ADMITTED INTO KINDERGARTEN OR GRADE 6 OR
7 9, OR A MINOR WHO IS TRANSFERRING FROM AN OUT-OF-STATE SCHOOL TO
8 BE ADMITTED INTO ANY GRADE, UNLESS A SUMMARY FORM DESCRIBED IN
9 SECTION 9705 IS SUBMITTED TO HIM OR HER INDICATING THAT THE MINOR
10 HAS UNDERGONE WITHIN THE IMMEDIATELY PRECEDING 12 MONTHS A COM-
11 PREHENSIVE HEALTH SCREENING AS DESCRIBED IN SECTION 9702.

12 SEC. 9702. (1) A PARENT, GUARDIAN, OR PERSON IN LOCO PAREN-
13 TIS WHO IS SUBJECT TO SECTION 9701(1) SHALL HAVE A HEALTH PROFES-
14 SIONAL LICENSED UNDER ARTICLE 15 WHO IS QUALIFIED AND TRAINED TO
15 CONDUCT A COMPREHENSIVE HEALTH SCREENING CONDUCT THE COMPREHEN-
16 SIVE HEALTH SCREENING REQUIRED UNDER THIS PART. THE PURPOSE OF
17 THE COMPREHENSIVE HEALTH SCREENING IS TO IDENTIFY HEALTH PROBLEMS
18 IN MINORS AS EARLY AS POSSIBLE IN ORDER TO SAFEGUARD THE HEALTH
19 OF MINORS AND TO ALLOW MINORS TO PARTICIPATE IN SCHOOL AS FULLY
20 AS POSSIBLE.

21 (2) A COMPREHENSIVE HEALTH SCREENING REQUIRED UNDER THIS
22 PART SHALL INCLUDE, AT A MINIMUM, AN ASSESSMENT OF ALL OF THE
23 FOLLOWING:

24 (A) THE HEALTH HISTORY OF THE MINOR AND THE MINOR'S FAMILY.

25 (B) THE MINOR'S IMMUNIZATION, NUTRITION, AND GENERAL HEALTH
26 STATUS.

1 (C) THE MINOR'S BLOOD PRESSURE, BLOOD LEAD, HEARING, VISION,
2 URINE, HEIGHT AND WEIGHT, AND ANEMIA AND SICKLE CELL STATUS.

3 (D) THE GENERAL PHYSICAL AND DENTAL STATUS OF THE MINOR, AS
4 DETERMINED BY A PHYSICAL INSPECTION.

5 (E) IF THE MINOR IS LESS THAN 6 YEARS OF AGE, THE DEVELOP-
6 MENTAL STATUS OF THE MINOR INCLUDING, BUT NOT LIMITED TO, ANY
7 SIGNIFICANT DEVIATION IN THE PERSONAL/SOCIAL, FINE
8 MOTOR/ADAPTIVE, LANGUAGE, OR GROSS MOTOR REALMS OF DEVELOPMENT OF
9 THE MINOR.

10 (F) OTHER INFORMATION AS REQUIRED BY RULE OF THE
11 DEPARTMENT.

12 SEC. 9703. A HEALTH PROFESSIONAL WHO CONDUCTS A COMPREHEN-
13 SIVE HEALTH SCREENING REQUIRED UNDER THIS PART SHALL DO ALL OF
14 THE FOLLOWING:

15 (A) MEET WITH THE MINOR AND HIS OR HER PARENT, GUARDIAN, OR
16 PERSON IN LOCO PARENTIS TO EXPLAIN THE RESULTS OF THE COMPREHEN-
17 SIVE HEALTH SCREENING.

18 (B) REFER THE MINOR, AS NECESSARY, TO OTHER HEALTH PROFES-
19 SIONALS FOR DIAGNOSIS, INTERVENTION, AND TREATMENT AND PROVIDE
20 FOLLOW-UP CARE.

21 (C) RECORD THE RESULTS OF THE COMPREHENSIVE HEALTH SCREENING
22 ON A SUMMARY FORM DEVELOPED PURSUANT TO SECTION 9705 AND DELIVER
23 A COPY OF THE SUMMARY FORM TO THE MINOR'S PARENT, GUARDIAN, OR
24 PERSON IN LOCO PARENTIS.

25 SEC. 9704. A MINOR IS EXEMPT FROM THIS PART IF A PARENT,
26 GUARDIAN, OR PERSON IN LOCO PARENTIS OF THE MINOR PRESENTS A
27 WRITTEN STATEMENT TO THE PRINCIPAL OF THE MINOR'S SCHOOL STATING

1 THAT THE COMPREHENSIVE HEALTH SCREENING VIOLATES THE PERSONAL
2 BELIEFS OF THE PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS.

3 SEC. 9705. (1) THE DEPARTMENT, IN COOPERATION WITH THE
4 DEPARTMENT OF EDUCATION, SHALL DEVELOP A SUMMARY FORM FOR PUR-
5 POSES OF SECTION 9703(C).

6 (2) THE DEPARTMENT MAY DO ALL OF THE FOLLOWING:

7 (A) TRAIN HEALTH PROFESSIONALS TO CONDUCT COMPREHENSIVE
8 HEALTH SCREENINGS.

9 (B) PROVIDE EDUCATIONAL AND OTHER MATERIAL TO ASSIST COMPRE-
10 HENSIVE HEALTH SCREENING PROGRAMS.

11 (C) DEVELOP PROCEDURES TO COLLECT STATISTICAL, NONIDENTI-
12 FYING DATA FROM THE COMPREHENSIVE HEALTH SCREENING SUMMARY
13 FORMS.

14 (D) ASSURE THAT THE COMPREHENSIVE HEALTH SCREENING REQUIRE-
15 MENTS DESCRIBED AS PROVIDED IN SECTION 9702(2) MEET THE MINIMUM
16 REQUIREMENTS OF THE EARLY AND PERIODIC SCREENING, DIAGNOSTIC, AND
17 TREATMENT SERVICES AS PROVIDED BY SECTION 1905(r) OF TITLE XIX OF
18 THE SOCIAL SECURITY ACT, 42 U.S.C. 1396d, AND ADMINISTERED BY THE
19 STATE DEPARTMENT OF SOCIAL SERVICES.

20 (E) PROMULGATE, AS NECESSARY, RULES TO IMPLEMENT THIS PART.

21 SEC. 9706. (1) A PUBLIC SCHOOL SHALL MAINTAIN THE COMPRE-
22 HENSIVE HEALTH SCREENING SUMMARY FORM OF EACH MINOR ATTENDING
23 THAT PUBLIC SCHOOL. IF A MINOR TRANSFERS TO ANOTHER PUBLIC
24 SCHOOL WITHIN THE STATE, THE PUBLIC SCHOOL THAT MAINTAINS THAT
25 MINOR'S COMPREHENSIVE HEALTH SCREENING SUMMARY FORM SHALL TRANS-
26 FER THAT MINOR'S COMPREHENSIVE HEALTH SCREENING SUMMARY FORM TO
27 THE SCHOOL THE MINOR WILL BE ATTENDING.

1 (2) THE INFORMATION CONTAINED IN THE COMPREHENSIVE HEALTH
2 SCREENING SUMMARY FORM OF A MINOR IS CONFIDENTIAL AND SHALL BE
3 RELEASED BY THE PRINCIPAL ONLY TO A SCHOOL NURSE OR A TEACHER OF
4 THE MINOR, OR AS DIRECTED BY THE PARENT, GUARDIAN, OR PERSON IN
5 LOCO PARENTIS OF THE MINOR. INFORMATION THAT DOES NOT IDENTIFY
6 THE MINOR MAY BE RELEASED TO THE DEPARTMENT PURSUANT TO
7 SECTION 9705(2)(C).

8 Section 2. This amendatory act shall take effect August 1,
9 1995.