

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 787 Session of
1997

INTRODUCED BY BATTISTO, SCHULER, LUCYK, E. Z. TAYLOR, COY,
GODSHALL, McCALL, BELARDI, KENNEY, KIRKLAND, PHILLIPS, DALLY,
LEH, STABACK, C. WILLIAMS, STERN, GRUPPO, DeLUCA, CARONE,
ROONEY, YEWIC, BROWN, CLYMER, ROBERTS, ALLEN, PETRARCA,
EGOLF, BROWNE, YOUNGBLOOD, MCGILL, LYNCH, OLASZ, GEIST,
VAN HORNE, ARMSTRONG, BUNT, FLEAGLE, BENNINGHOFF, LAUGHLIN,
TRELLO, BIRMELIN, McNAUGHTON, RAMOS AND SHANER,
MARCH 12, 1997

REFERRED TO COMMITTEE ON EDUCATION, MARCH 12, 1997

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for certain medical
6 examinations.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding sections
11 to read:

12 Section 501.1. Policy Relating to Medical Examinations and
13 Other Health Services.--The board of school directors in any
14 school district may, by the affirmative vote of a majority of
15 its members, establish a policy which excludes a child from
16 attending school unless the parent or guardian of the child has
17 provided the school district with acceptable evidence that a

1 medical examination has been conducted as required by section
2 1402(e). Acceptable evidence may include a medical report of
3 examination by a private physician as provided for in section
4 1407 or a parent may exercise their right to object to the
5 examination on religious grounds as provided in section 1419.
6 The board of school directors, at its discretion, may include
7 other required health services as required by 28 Pa. Code Ch. 23
8 (relating to school health) within the scope of the policy
9 established according to this section.

10 Section 1405.1. Informed Parental Consent Required for
11 Medical Examinations.--(a) No superintendent or a designee of
12 that superintendent shall allow a medical examination as
13 required by section 1402(e) to be administered by a school
14 physician unless the informed written consent of the parent has
15 been obtained prior to the examination.

16 (b) School districts shall inform parents or guardians of
17 their right to be present during the medical examination and
18 their right to have their child examined by a private physician.

19 (c) As used in this section, the term "informed written
20 consent" shall mean a signature by a parent or guardian giving
21 consent for the administration of a medical examination after
22 having received written notification from the school district
23 containing the approximate time, place, date and extent of the
24 medical examination to be conducted. The school district shall
25 include with the notification to parents a list of items and
26 areas to be examined.

27 Section 2. This act shall take effect in 60 days.