

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 390 Session of 2009

INTRODUCED BY YOUNGBLOOD, CRUZ, BROWN, BELFANTI, BRENNAN,  
MANDERINO, MURT, SEIP, SIPTROTH AND THOMAS, FEBRUARY 13, 2009

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 13, 2009

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," further providing for health services  
6 and for dental examinations and dental hygiene services.

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

9 Section 1. Section 1402(a.1) and (e) of the act of March 10,  
10 1949 (P.L.30, No.14), known as the Public School Code of 1949,  
11 repealed and added July 15, 1957 (P.L.937, No.404) and amended  
12 December 7, 1965 (P.L.1041, No.390), are amended and the section  
13 is amended by adding subsections to read:

14 Section 1402. Health Services.--\* \* \*

15 (a.1) Every child of school age shall be provided with  
16 school nurse services: Provided, however, That the number of  
17 pupils under the care of each school nurse shall not exceed [one  
18 thousand five hundred (1,500)] seven hundred fifty (750).

19 \* \* \*

20 (e) The school physicians of each district or joint board

1 shall make a medical examination and a comprehensive appraisal  
2 of the health of every child of school age, (1) upon original  
3 entry into school in the Commonwealth, (2) while in [sixth]  
4 fifth grade, (3) while in [eleventh] eighth grade, and (4)  
5 [prior to the issuance of a farm or domestic service permit  
6 unless the child has been given a scheduled or special medical  
7 examination within the preceding four months.] while in eleventh  
8 grade. The health record of the child shall be made available to  
9 the school physician at the time of the regularly scheduled  
10 health appraisals.

11 \* \* \*

12 (g) A child shall be eligible for practice or participation  
13 in a sport only when there is on file with the school nurse a  
14 certificate of consent for each sport which is signed by the  
15 child's parent or guardian.

16 (h) (1) No child shall be eligible to represent the child's  
17 high school in any interscholastic athletic contest unless the  
18 child has been examined by a licensed physician of medicine or  
19 osteopathic medicine, a certified school nurse practitioner or  
20 physician assistant before the child's first sports season of  
21 that academic year, and the physician, certified school nurse  
22 practitioner or physician assistant has signed an examination  
23 certificate.

24 (2) Before each subsequent sports season of the same  
25 academic year, the child shall be reexamined or certified by a  
26 licensed physician of medicine or osteopathic medicine, a  
27 certified school nurse practitioner or a physician assistant  
28 that the child's condition is satisfactory before the child  
29 commences to train or practice the intended sport, and the  
30 physician, certified school nurse practitioner or physician

1 assistant shall sign the examination certificate.

2 (3) The examination for fall sports shall not be given  
3 earlier than July 1. The examination, reexamination or  
4 certification for all other sports shall not be given earlier  
5 than six (6) weeks prior to the beginning of practice for each  
6 applicable sport.

7 Section 2. Section 1403 of the act, amended August 27, 1963  
8 (P.L.1380, No.535), is amended to read:

9 Section 1403. Dental Examinations and Dental Hygiene  
10 Services.--(a) All children of school age in the Commonwealth,  
11 (i) upon original entry into the school, (ii) while in the third  
12 grade, [and] (iii) while in the seventh grade, and (iv) while in  
13 the tenth grade, shall be given a dental examination by a school  
14 dentist: Provided, however, That this requirement shall not  
15 apply to those school districts or joint school boards which  
16 have instituted a program of dental hygiene services as provided  
17 in subsection (b) of this section.

18 (b) Any school district or joint school board may institute  
19 a program of dental hygiene services for children of school age,  
20 which program shall be approved by the Secretary of Health, and  
21 for that purpose may employ dental hygienists.

22 Section 3. This act shall take effect in 60 days.