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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 94 Session of  
2019

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INTRODUCED BY BROWN, KAUFFMAN, PICKETT, ROTHMAN, T. DAVIS,  
JAMES, McNEILL, JOZWIAK, MURT, HILL-EVANS, KORTZ, BARRAR,  
READSHAW, BOBACK, STAATS, B. MILLER, PASHINSKI, FREEMAN,  
KAUFER, TOOHIL, QUINN AND DRISCOLL, JANUARY 28, 2019

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REFERRED TO COMMITTEE ON EDUCATION, JANUARY 28, 2019

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AN ACT

1 Providing for school entity procedures for tick removal, for  
2 notification and for duties of the Department of Health and  
3 the Department of Education.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Lyme Disease  
8 Prevention in Schools Act.

9 Section 2. Declaration of policy.

10 The General Assembly finds and declares as follows:

11 (1) In the last six years, this Commonwealth ranked  
12 highest in the country in the number of confirmed cases of  
13 Lyme disease.

14 (2) In 2016, Pennsylvania reported 12,200 cases of Lyme  
15 disease, which translates to 122,000 new cases and about 40%  
16 of the nation's cases.

17 (3) The Department of Environmental Protection published

1 a study in 2015 that confirmed a high risk of Lyme disease in  
2 every county of this Commonwealth and found that all 67  
3 counties had the blacklegged tick.

4 (4) Early clinical diagnosis and appropriate treatment  
5 of tick-borne diseases can greatly reduce the risks of  
6 continued, diverse and chronic symptoms that can affect every  
7 system and organ of the human body and often every aspect of  
8 an individual's life.

9 (5) Residents of this Commonwealth should be aware of  
10 early disseminated and persistent Lyme disease symptoms and  
11 should know that a negative test for Lyme disease cannot rule  
12 out Lyme disease.

13 (6) The high burden of tick-borne diseases in this  
14 Commonwealth requires an urgent and ongoing response.  
15 Increasing education and prevention in a school setting is a  
16 specific recommended strategy.

17 (7) With children representing the highest risk group,  
18 schools are an accessible channel to quickly reduce exposures  
19 and diagnose disease early.

20 Section 3. Definitions.

21 The following words and phrases when used in this act shall  
22 have the meanings given to them in this section unless the  
23 context clearly indicates otherwise:

24 "Department." The Department of Health of the Commonwealth.

25 "School entity." A public school operating within this  
26 Commonwealth, including a charter school or cyber charter  
27 school, private school, nonpublic school, intermediate unit or  
28 area vocational-technical school.

29 "School nurse." As defined in section 1401(8) of the act of  
30 March 10, 1949 (P.L.30, No.14), known as the Public School Code

1 of 1949.

2 "School physician." As defined in section 1401(4) of the  
3 Public School Code of 1949.

4 Section 4. Duties of school entities.

5 (a) General rule.--In the event a school nurse or school  
6 physician discovers a tick on a student during the school day,  
7 the school nurse or school physician shall:

8 (1) Remove the tick from the student.

9 (2) Store the tick appropriately for a period of seven  
10 days.

11 (3) Label the tick with the date of removal and the name  
12 of the student.

13 (4) Notify the parent or guardian of the student, by  
14 telephone or e-mail and by letter addressed to the parent or  
15 guardian that is delivered by the student, on the same day  
16 the tick is discovered. The notice shall include the  
17 following:

18 (i) The student's name.

19 (ii) The date of tick removal.

20 (iii) A statement that:

21 (A) The school is holding the tick for seven  
22 days and the parent or guardian may pick up the tick  
23 for testing for Lyme disease or other tick-borne  
24 diseases.

25 (B) A list of options for tick testing in this  
26 Commonwealth is available through the department's  
27 publicly accessible Internet website.

28 (b) Tick removal.--When removing a tick, a school nurse or  
29 school physician shall act in accordance with guidelines issued  
30 by the department.

1 (c) Unavailability of school nurse and school physician.--If  
2 a tick is discovered by an employee of a school entity and a  
3 school nurse or school physician is not available, the school  
4 entity shall immediately notify the parent or guardian of the  
5 student.

6 Section 5. Duties of department.

7 (a) Guidelines.--The department shall publish guidelines  
8 consistent with section 4 on the department's publicly  
9 accessible Internet website and, in consultation with the  
10 Department of Education, provide the guidelines to school  
11 entities.

12 (b) Tick testing options.--The department shall provide on  
13 its publicly accessible Internet website a list of facilities in  
14 this Commonwealth where tick testing is available and contact  
15 information for the facilities.

16 Section 6. Regulations.

17 The department and the Department of Education shall  
18 promulgate regulations as necessary to carry out the provisions  
19 of this act.

20 Section 7. Effective date.

21 This act shall take effect in 60 days.