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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 959 Session of  
2021

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INTRODUCED BY R. BROWN, PICKETT, BURGOS, MILLARD, KAUFFMAN,  
THOMAS, CIRESI, ZIMMERMAN, PASHINSKI AND GILLEN,  
MARCH 18, 2021

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REFERRED TO COMMITTEE ON EDUCATION, MARCH 18, 2021

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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 seven years, this Commonwealth ranked  
12 highest in the country in the number of confirmed cases of  
13 Lyme disease.

14 (2) In 2019, 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  
18 a study in 2015 that confirmed a high risk of Lyme disease in

1 every county of this Commonwealth and found that all 67  
2 counties had the blacklegged tick.

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

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

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

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

19 Section 3. Definitions.

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

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

24 "Nonpublic school." As defined in section 922.1-A of the act  
25 of March 10, 1949 (P.L.30, No.14), known as the Public School  
26 Code of 1949.

27 "School entity." A public school operating within this  
28 Commonwealth, including a charter school or cyber charter  
29 school, intermediate unit or area career and technical school.

30 "School nurse." As defined in section 1401(8) of the Public

1 School Code 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:

8 (1) Shall remove the tick from the student.

9 (2) May store the tick appropriately for a period of up  
10 to seven days, but a parent, guardian or an individual  
11 authorized by the parent or guardian under paragraph (4)(iii)  
12 (A) must pick up the tick within the seven-day time period.

13 (3) Shall label the tick with the date of removal and  
14 the name of the student.

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

20 (i) The student's name.

21 (ii) The date of tick removal.

22 (iii) A statement that:

23 (A) The school is holding the tick for up to  
24 seven days and the parent, guardian or an individual  
25 authorized by the parent or guardian must pick up the  
26 tick for testing for Lyme disease or other tick-borne  
27 diseases.

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

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

4 (c) Unavailability of school nurse and school physician.--If  
5 a tick is discovered by an employee of a school entity or  
6 nonpublic school and a school nurse or school physician is not  
7 available, the school entity or nonpublic school shall  
8 immediately notify the parent or guardian that a tick has been  
9 discovered on the student.

10 (d) Release of stored ticks.--

11 (1) Except as provided under paragraph (2), only a  
12 school nurse or school physician may release a stored tick  
13 under subsection (a) (2) within the seven-day period to the  
14 student's parent, guardian or authorized individual.

15 (2) If a school nurse or school physician is unavailable  
16 under paragraph (1), a school official may release a stored  
17 tick with an additional form and signature as provided by the  
18 department under section 5.

19 Section 5. Duties of department.

20 (a) Guidelines.--The department shall publish guidelines  
21 consistent with section 4 on the department's publicly  
22 accessible Internet website and, in consultation with the  
23 Department of Education, provide the guidelines to school  
24 entities.

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

29 Section 6. Regulations.

30 The department and the Department of Education shall

1 promulgate regulations as necessary to carry out the provisions  
2 of this act.  
3 Section 7. Effective date.  
4 This act shall take effect in 60 days.