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# A BILL FOR AN ACT

RELATING TO HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that recent neuroscience  
2 research demonstrates that a child's early years are the most  
3 crucial in the child's cognitive, emotional, social, and  
4 physical development. The legislature affirms that there are  
5 tremendous opportunities for preventive work with children and  
6 families as well as the predictable, costly consequences of not  
7 doing so. The legislature further finds that quality early  
8 childhood education and child care that support all aspects of  
9 early development are crucial to ensuring that every child  
10 starts their formal education healthy, safe, and ready to learn  
11 and succeed. A child's ability to function in the classroom is  
12 essential. This can be achieved by assuring that each child can  
13 hear, see, and speak at a minimal level prior to starting  
14 school.

15           The legislature further finds that early screening,  
16 identification, and intervention for developmental delays and  
17 psychosocial problems improve children's outcomes and have a  
18 critical influence on school success and family functioning.

1 The ideal is for each child to have ongoing access to quality  
2 primary health care and, to the greatest extent possible, a safe  
3 home and community environment. However, not all children have  
4 access to quality primary health care prior to the start of  
5 school. It is in the state's interest to provide developmental  
6 screening and assessment that will detect deficiencies and  
7 provide corrections before they hinder a child's ability to  
8 function in school.

9 The departments of health, education, and human services  
10 currently provide families access to various community health  
11 services. However, parents are often unaware of or choose not  
12 to avail themselves of these services. Meanwhile, their  
13 children do not receive proper screening, evaluation, and  
14 referrals for correction or treatment.

15 The purpose of this Act is to provide a means for a child  
16 to be screened prior to the start of the child's education, at  
17 the child's first entry into preschool and or elementary school,  
18 to provide for diagnosis, referral, correction or treatment, and  
19 to integrate the efforts of community and state organizations  
20 related to screening under this, Hawaii childhood screening  
21 initiative.



1 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§321- Early childhood screenings. (a) Prior to the  
5 start of a child's entry into either preschool or kindergarten,  
6 the parents or guardians of a child shall have the child  
7 screened for vision, hearing, and development. Screening  
8 certification of the child may be provided by:

9 (1) The child's pediatrician; or

10 (2) Any primary healthcare provider.

11 If the child does not have a pediatrician or primary healthcare  
12 provider, the department may provide the screening or refer the  
13 child to a primary health care provider at no cost to the child  
14 or family.

15 Beginning with the 2007-2008 school year, a certificate of  
16 screening shall be presented to the school where the student  
17 enters preschool; and at kindergarten or first grade, whichever  
18 is the entry grade level for elementary school.

19 The department of health shall be the lead department in  
20 the development of screening guidelines, and shall administer  
21 the screening and certification process in collaboration with  
22 the departments of education and human services within the



1 framework defined by the Hawaii childhood screening initiative  
2 task force.

3 (b) As part of the screening and certification process  
4 required by subsection (a), the department, physician, or  
5 provider may:

6 (1) Provide information and referrals to programs and  
7 services to help remediate any concerns revealed by  
8 the screening;

9 (2) Inform parents and guardians of their responsibilities  
10 to ensure that the child's psychological and  
11 physiological development is progressing  
12 satisfactorily;

13 (3) Provide assistance and advice to parents and guardians  
14 in meeting their responsibilities under paragraph (2);

15 (4) Provide additional evaluation or referrals as deemed  
16 necessary; and

17 (5) Use standardized screening tools and referral  
18 protocols developed by the Hawaii childhood screening  
19 initiative task force.

20 (c) A waiver signed by a child's parents or guardian  
21 indicating that they do not want to have the child screened



1 based on their religious beliefs shall be accepted by the school  
2 in lieu of the certificate required in subsection (a)."

3 SECTION 3. There is established the Hawaii childhood  
4 screening initiative task force to plan and implement a  
5 statewide screening initiative for all children from birth to  
6 eight years of age, to develop and implement a screening  
7 certification program for children entering preschool and  
8 elementary school, and to unify screening related activities in  
9 the state by January 1, 2007.

10 (a) The members of the task force shall include but not be  
11 limited to representatives from:

- 12 (1) The department of health;
- 13 (2) The department of human services;
- 14 (3) The department of education;
- 15 (4) The University of Hawaii, John A. Burns school of  
16 medicine, department of pediatrics;
- 17 (5) The American Academy of Pediatrics, Hawaii chapter;
- 18 (6) The Hawaii Academy of Family Physicians;
- 19 (7) The Hawaii Primary Care Association;
- 20 (8) The Family Voices of Hawaii (A children's health  
21 advocacy organization);
- 22 (9) The Hilopaa Project;



1 (10) The healthy child care Hawaii project;

2 (11) The Hawaii state council on developmental  
3 disabilities;

4 (12) The Hawaii early intervention coordinating council;  
5 and

6 (13) Consumer representation as represented by their  
7 parents.

8 (b) The task force may request assistance from the  
9 department of health and other state agencies as necessary to  
10 provide staff support.

11 (c) The members of the task force shall serve without  
12 compensation but shall be reimbursed for necessary expenses,  
13 including travel expenses, incurred in the performance of their  
14 duties.

15 (d) The task force shall:

16 (1) Recommend selection of standardized developmental  
17 screening tools for children from birth through age  
18 eight years of age, including but not limited to:

19 (A) Cognitive development;

20 (B) Language development;

21 (C) Motor development;

22 (D) Adaptive skills;



- 1 (E) Behavioral or social-emotional development;
- 2 (F) Hearing; and
- 3 (G) Vision;
- 4 (2) Formalize referral protocols;
- 5 (3) Develop guidelines for reporting the completion of a
- 6 child's screening requirement for children entering
- 7 preschool or elementary school;
- 8 (4) Address issues related to physician participation; and
- 9 (5) Evaluate compliance and appropriateness of referrals.
- 10 (e) The task force shall submit a report annually to the
- 11 legislature no later than twenty days prior the start of each
- 12 regular session, beginning with the regular session of 2007, on
- 13 the status of the early childhood screenings program and any
- 14 recommended legislation necessary to improve the program.

15 SECTION 4. There is appropriated out of the general

16 revenues of the State of Hawaii the sum of \$500,000 or so much

17 thereof as may be necessary for fiscal year 2006-2007 for the

18 planning, implementation, and evaluation of early childhood

19 screenings.

20 The sum appropriated shall be expended by the department of

21 health for the purposes of this Act.



- 1 SECTION 5. New statutory material is underscored.
- 2 SECTION 6. This Act shall take effect on July 1, 2006.





*H. B. 3139 H. D. 2*

**Report Title:**

Early Childhood

**Description:**

Provides a means for childhood screening required for entry into school, from birth to eight years of age, and establishes a childhood screening taskforce. (HB3139 HD2)

HB3139 HD2 HMS 2006-2161

