
A BILL FOR AN ACT

RELATING TO CHILDREN'S 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 his or her formal education healthy, safe, and ready to
11 learn and succeed. A child's ability to function in the
12 classroom is essential. This goal can be achieved by assuring
13 that each child can hear, see, and speak at a minimal level
14 prior to starting 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 to provide each child with ongoing access to
2 quality primary healthcare and, to the greatest extent possible,
3 a safe home and community environment. However, not all
4 children have access to quality primary healthcare prior to the
5 start of school. It is in the state's interest to provide
6 developmental screening and assessment that will detect
7 deficiencies and provide corrections before they hinder a
8 child's ability to 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, or
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 or elementary school, to
18 provide for diagnosis, referral, correction or treatment, and to
19 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 part to be appropriately designated and
3 to read as follows:

4 "PART . EARLY CHILDHOOD SCREENING

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

- 10 (1) The child's pediatrician; or
11 (2) Any primary healthcare provider.

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

16 (b) Beginning with the 2009-2010 school year, a
17 certificate of screening shall be presented to the school where
18 the student enters:

- 19 (1) Preschool; or
20 (2) Kindergarten or first grade, whichever is the
21 student's entry grade level for elementary school.



1 (c) The department of health shall be the lead department
2 in the development of screening guidelines and shall administer
3 the screening and certification process in collaboration with
4 the departments of education and human services, within the
5 framework defined by the Hawaii childhood screening initiative
6 advisory committee.

7 (d) As part of the screening and certification process
8 required by subsection (a), the department of health, child's
9 physician, or primary healthcare provider may:

- 10 (1) Provide information and referrals to programs and
11 services to help remediate any concerns revealed by
12 the screening;
- 13 (2) Inform parents and guardians of their responsibilities
14 to ensure that the child's psychological and
15 physiological development are progressing
16 satisfactorily;
- 17 (3) Provide assistance and advice to parents and guardians
18 in meeting their responsibilities under paragraph (2);
- 19 (4) Provide additional evaluation or referrals as deemed
20 necessary; and



1 (5) Use standardized screening tools and referral
2 protocols developed by the Hawaii childhood screening
3 initiative advisory committee.

4 (e) A waiver signed by a child's parents or guardian
5 indicating that they do not want to have the child screened
6 based on their religious beliefs shall be accepted by the school
7 in lieu of the certificate required in subsection (a).

8 (f) As used in this section, "primary healthcare provider"
9 means any healthcare practitioner who provides, or a facility
10 through which is provided, any medical evaluation or treatment
11 including dental and mental health evaluation or treatment.

12 **§321- Hawaii childhood screening initiative advisory**
13 **committee; establishment.** (a) There is established the Hawaii
14 childhood screening initiative advisory committee that shall be
15 attached to the department of health, for administrative
16 purposes, to:

17 (1) Plan and implement a statewide screening initiative
18 for all children from birth to eight years of age;

19 (2) Develop and implement a screening certification
20 program for children entering preschool and elementary
21 school; and



- 1 (3) Unify screening-related activities in the state by
- 2 January 1, 2009.
- 3 (b) The members of the advisory committee shall include:
- 4 (1) The director of health or the director's designee;
- 5 (2) The director of human services or the director's
- 6 designee;
- 7 (3) The superintendent of education or the
- 8 superintendent's designee;
- 9 (4) The director of the University of Hawaii, John A.
- 10 Burns school of medicine, or the director's designee
- 11 from the department of pediatrics;
- 12 (5) The executive director of the American Academy of
- 13 Pediatrics, Hawaii chapter or the executive director's
- 14 designee;
- 15 (6) The president of the Hawaii Academy of Family
- 16 Physicians or the president's designee;
- 17 (7) The executive director of the Hawaii Primary Care
- 18 Association or the executive director's designee;
- 19 (8) A representative from Family Voices of Hawaii, a
- 20 children's health advocacy organization;
- 21 (9) A representative from the Hilopaa Project;



1 (10) A representative from the Healthy Child Care Hawaii
2 Project;

3 (11) The executive administrator of the Hawaii state
4 advisory committee on developmental disabilities or
5 the executive administrator's designee;

6 (12) The chairperson of the Hawaii early intervention
7 coordinating advisory committee or the chairperson's
8 designee; and

9 (13) Consumer representation as represented by the
10 children's parents.

11 (c) The advisory committee may request assistance from the
12 department of health and other state agencies as necessary to
13 provide staff support.

14 (d) The director of health shall act as the head of the
15 advisory committee. The members of the advisory committee shall
16 serve without compensation but shall be reimbursed for necessary
17 expenses, including travel expenses, incurred in the performance
18 of their duties.

19 (e) The advisory committee shall:

20 (1) Provide recommendations for unifying screening-related
21 activities in the state by January 1, 2009, including
22 providing any enabling legislation;



- 1 (2) Recommend selection of standardized developmental
- 2 screening tools for children from birth through age
- 3 eight, including but not limited to:
- 4 (A) Cognitive development;
- 5 (B) Language development;
- 6 (C) Motor development;
- 7 (D) Adaptive skills;
- 8 (E) Behavioral or social-emotional development;
- 9 (F) Hearing; and
- 10 (G) Vision;
- 11 (3) Formalize referral protocols;
- 12 (4) Develop guidelines for reporting the completion of a
- 13 child's screening requirement for children entering
- 14 preschool or elementary school;
- 15 (5) Address issues related to physician participation; and
- 16 (6) Evaluate compliance and appropriateness of referrals.
- 17 (f) The advisory committee shall submit to the legislature
- 18 an annual report no later than twenty days prior to the start of
- 19 each regular session, beginning with the regular session of
- 20 2009, on the status of the early childhood screenings program
- 21 and any recommended legislation necessary to improve the
- 22 program.



1 §321- **Rules.** The director of health shall adopt rules
 2 pursuant to chapter 91, necessary for the purposes of this
 3 part."

4 SECTION 3. There is appropriated out of the general
 5 revenues of the State of Hawaii the sum of \$500,000 or so much
 6 thereof as may be necessary for fiscal year 2008-2009 for the
 7 planning, implementation, and evaluation of early childhood
 8 screenings.

9 The sum appropriated shall be expended by the department of
 10 health for the purposes of this Act.

11 SECTION 4. This Act shall take effect on July 1, 2008.

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Report Title:

Early Childhood; Vision and Hearing Testing

Description:

Provides a means for childhood screening required for entry into school, from birth to eight years of age, and establishes the Hawaii Childhood Screening Initiative Advisory Committee.

