

Honolulu, Hawaii

MAR 21 2012

RE: H.B. No. 2513  
H.D. 1  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 2513, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to provide flexibility to the Department of Education to implement student health programs by repealing:

- (1) Certain operational requirements established in chapter 302A, Hawaii Revised Statutes; and
- (2) The requirement that the Department of Education adopt administrative rules for its student health program.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, Community Children's Councils, and Special Education Advisory Council. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, HGEA/AFSCME, Local 152, AFL-CIO (HGEA).

Your Committee finds that this measure will give the Department of Education the flexibility necessary to ensure that schools are able to provide health programs and services that reflect the needs of their students and the school community. As this measure progresses, your Committee encourages the Department



of Education and Department of Health to consult with the appropriate bargaining units of HGEA.

Your Committee has amended this measure by clarifying that:

- (1) School health aides may assist with the administration of medication to students when administration of medication is based on a nursing assessment and consultation with the Department of Health, rather than solely with the approval of the Department of Health;
- (2) School health aides may assist with the administration of medication to students when medication is necessary for the readiness of the student to learn, rather than necessary for the student to attend school; and
- (3) This measure does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2513, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2513, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Education,



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JILL TOKUDA, Chair



