

STAND. COM. REP. NO. 2220

Honolulu, Hawaii

FEB 12 2014

RE: S.B. No. 2235  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committees on Education and Health, to which was referred S.B. No. 2235 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

beg leave to report as follows:

The purpose and intent of this measure is to require children to undergo a physical examination prior to attending kindergarten, sixth grade, and ninth grade beginning with the 2015-2016 school year.

Your Committees received testimony in support of this measure from the University of Hawaii John A. Burns School of Medicine, Hawai'i Pacific Health, American Diabetes Association, Hawaii Chapter of the American Academy of Pediatrics, Hawai'i Primary Care Association, Waianae Coast Comprehensive Health Center, and four individuals. Your Committees received testimony in opposition to this measure from the Department of Education. Your Committees received comments on this measure from the Department of Health, Office of Hawaiian Affairs, and one individual.

Your Committees find that currently, children are required to undergo a physical examination only prior to attending school in Hawaii for the first time, unless they play sports. Back-to-school checkups are often the only visit most children and teenagers have with their doctors. Requiring children to undergo a physical examination will promote greater wellness for Hawaii's school children. In addition, the federal Patient Protection and



Affordable Care Act mandates insurance coverage for regular child wellness exams.

Your Committees recognize the concerns raised by the Department of Education that mandating students to undergo a physical examination before they may attend kindergarten, sixth, and ninth grades, may serve as a deterrent to some for maintaining continuous enrollment and attendance.

Accordingly, your Committees have amended this measure by:

- (1) Requiring a child to undergo a physical examination within twelve months before or after attendance in the seventh grade, rather than prior to attendance in kindergarten, sixth, and ninth grades; provided that a child must undergo a physical examination prior to attending school for the first time in the State;
- (2) Deleting language regarding the submission of certain documentation to allow provisional attendance while in the process of undergoing a physical examination for seventh grade attendance;
- (3) Adding language to specify that documentation showing that the required physical examination has been completed shall be submitted to the appropriate school official prior to the child's completion of seventh grade, rather than prior to three months after the date of attendance;
- (4) Deleting language that would have exempted children who are subject to the physical examination requirement for seventh grade attendance from the physical examination requirement for first-time school attendance in the State, thereby requiring documentation showing completion of the physical examination to be submitted prior to completion of seventh grade in the former case and no later than three months after a child's first attendance in school in the latter case;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

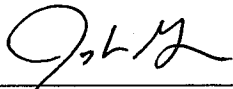


If this measure is considered for passage by your Committee on Ways and Means, your Committees note that the Department of Education has indicated it will need funding in the amount of \$1,600,000 and fifty-five full-time equivalent (55.0 FTE) positions to carry out the purposes of this measure.

In addition, if this measure is considered for passage by your Committee on Ways and Means, your Committees request an examination of whether immunization requirements should be similarly amended to allow a child to receive the required immunizations within twelve months before or after school attendance.

As affirmed by the records of votes of the members of your Committees on Education and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2235, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2235, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Education and  
Health,



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JOSH GREEN, Chair



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JILL N. TOKUDA, Chair





