

JAN 20 2017

A BILL FOR AN ACT

RELATING TO SCHOOL-BASED HEALTH SERVICES.

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

1 SECTION 1. The legislature finds that the Hawaii keiki:
2 healthy and ready to learn program is designed to improve access
3 to, and the quality of, school-based health services available
4 to Hawaii's public school students by coordinating and expanding
5 the existing efforts of community partners and resources. This
6 partnership program with the University of Hawaii Manoa school
7 of nursing and dental hygiene supports the department of
8 education in achieving student, school, and system success by
9 providing school health nursing and primary care services to
10 public schools in five complex areas.

11 In 2015, the legislature appropriated general funds to
12 improve access to, and increase the quality of, health services
13 available to Hawaii's public school students. This
14 appropriation led to the expansion of the Hawaii keiki program,
15 with five advanced practice registered nurses and five
16 registered nurses serving seven complex areas across three



1 islands. During this time, the Hawaii keiki program also
2 established five school-based health centers.

3 The legislature further finds that the department of
4 education is working with other state agencies, partnering
5 organizations, and families to improve attendance, behavior, and
6 course marks by partnering to coordinate wraparound services
7 that address non-school factors that impede student success.
8 Further, through the Hawaii keiki program collaboration, the
9 departments of health and human services have identified the
10 extent of services provided within each department targeted to
11 public school children and the need to coordinate internal
12 departmental activity and cross departmental efforts to develop
13 sustainable school-based health services.

14 The legislature additionally finds that chronic
15 absenteeism, poor health, and delayed or limited access to
16 health care and preventive services continue to hinder academic
17 success and meeting the needs of the whole child. The
18 legislature acknowledges that the Hawaii keiki program is an
19 effective means by which to continue collaboration between
20 health, human services, and education policymakers and providers
21 to achieve sustainable comprehensive school-based health



1 services in the State to improve the academic and health
2 outcomes of Hawaii's public school students. Working with each
3 complex area superintendent and school principals, the Hawaii
4 keiki program builds and enhances school-based health services
5 that reflect the specific needs of the individual complex area
6 according to student demographics, staffing, available support
7 services, and access to health care within the community,
8 including:

- 9 (1) Comprehensive screening for physical and behavioral
10 health conditions;
- 11 (2) Providing referrals to primary and behavioral health
12 care and patient-centered medical home services;
- 13 (3) Preventing and controlling communicable diseases and
14 other health problems; and
- 15 (4) Providing emergency care for illness or injury.

16 The legislature also finds that the expected cost to
17 continue and expand the Hawaii keiki program to the fifteen
18 department of education complex areas statewide; expand the
19 program to allow the Hawaii state public charter school
20 commission to launch the program in two public charter schools
21 serving disadvantaged keiki; provide access to preventive oral



1 health services and establish a pilot oral health screening and
2 preventative services program on a neighbor island; enhance data
3 collection, sharing, analysis, and reporting; and engage in
4 interdepartmental school health coordination, is \$4,000,000
5 annually. These funds will additionally establish school health
6 services coordinator roles in the department of health and the
7 MedQUEST division of the department of human services.

8 The purpose of this Act is to formally establish the Hawaii
9 keiki program, provide funding to expand and sustain the
10 program, and establish school health service programs in the
11 departments of health and human services to increase
12 coordination and facilitate departmental and interdepartmental
13 activities related to comprehensive school-based health
14 services.

15 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
16 amended by adding two new sections to be appropriately
17 designated and to read as follows:

18 "§302A-A Hawaii keiki: healthy and ready to learn program.

19 (a) There is established within the department the Hawaii
20 keiki: healthy and ready to learn program to provide school-
21 based health services. The department shall convene the program



1 in collaboration with the department of health and the
2 department of human services to increase access to and
3 reimbursement for school-based wellness and health services.

4 (b) The program shall be funded through appropriations to
5 the special fund established under section 302A-B. The
6 department or the program may also seek:

7 (1) Private funding sources, including federal grants and
8 private, nonprofit, and not-for-profit organizations
9 to support the continuation and expansion of school-
10 based health services in the department; and

11 (2) Federal reimbursement for school-based health
12 services.

13 **§302A-B Hawaii keiki: healthy and ready to learn special**
14 **fund.** (a) There is established within the state treasury the

15 Hawaii keiki: healthy and ready to learn special fund into which
16 shall be deposited:

17 (1) Appropriations made by the legislature to the fund;

18 (2) Federal or state grant funds;

19 (3) Grant funds from private, nonprofit, and not-for-
20 profit organizations;

21 (4) Federal reimbursements;



1 (5) Any interest that accrues upon the balance in the
2 fund; and

3 (6) Any other moneys designated for the fund.

4 (b) Moneys in the special fund shall be expended according
5 to a memorandum of understanding between the department and the
6 Hawaii keiki: healthy and ready to learn program to support
7 program activities."

8 SECTION 3. Section 36-27, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 " (a) Except as provided in this section, and
11 notwithstanding any other law to the contrary, from time to
12 time, the director of finance, for the purpose of defraying the
13 prorated estimate of central service expenses of government in
14 relation to all special funds, except the:

15 (1) Special out-of-school time instructional program fund
16 under section 302A-1310;

17 (2) School cafeteria special funds of the department of
18 education;

19 (3) Special funds of the University of Hawaii;

20 (4) State educational facilities improvement special fund;



- 1 (5) Convention center enterprise special fund under
- 2 section 201B-8;
- 3 (6) Special funds established by section 206E-6;
- 4 (7) Aloha Tower fund created by section 206J-17;
- 5 (8) Funds of the employees' retirement system created by
- 6 section 88-109;
- 7 (9) Hawaii hurricane relief fund established under chapter
- 8 431P;
- 9 (10) Hawaii health systems corporation special funds and
- 10 the subaccounts of its regional system boards;
- 11 (11) Tourism special fund established under section
- 12 201B-11;
- 13 (12) Universal service fund established under section
- 14 269-42;
- 15 (13) Emergency and budget reserve fund under section
- 16 328L-3;
- 17 (14) Public schools special fees and charges fund under
- 18 section 302A-1130;
- 19 (15) Sport fish special fund under section 187A-9.5;
- 20 [H] (16) [H] Neurotrauma special fund under section 321H-4;



- 1 [+] (17) [+] Glass advance disposal fee established by section
2 342G-82;
- 3 [+] (18) [+] Center for nursing special fund under section
4 304A-2163;
- 5 [+] (19) [+] Passenger facility charge special fund established by
6 section 261-5.5;
- 7 [+] (20) [+] Solicitation of funds for charitable purposes special
8 fund established by section 467B-15;
- 9 [+] (21) [+] Land conservation fund established by section 173A-5;
- 10 [+] (22) [+] Court interpreting services revolving fund under
11 section 607-1.5;
- 12 [+] (23) [+] Trauma system special fund under section 321-22.5;
- 13 [+] (24) [+] Hawaii cancer research special fund;
- 14 [+] (25) [+] Community health centers special fund;
- 15 [+] (26) [+] Emergency medical services special fund;
- 16 [+] (27) [+] Rental motor vehicle customer facility charge special
17 fund established under section 261-5.6;
- 18 [+] (28) [+] Shared services technology special fund under section
19 27-43;
- 20 [+] (29) [+] Automated victim information and notification system
21 special fund established under section 353-136;



1 [+] (30) [+] Deposit beverage container deposit special fund under
2 section 342G-104;

3 [+] (31) [+] Hospital sustainability program special fund under Act
4 217, Session Laws of Hawaii 2012, as amended;

5 [+] (32) [+] Nursing facility sustainability program special fund
6 under Act 156, Session Laws of Hawaii 2012;

7 [+] (33) [+] Hawaii 3R's school improvement fund under section
8 302A-1502.4;

9 [+] (34) [+] After-school plus program revolving fund under section
10 302A-1149.5; [and

11 +] (35) [+] Civil monetary penalty special fund under section
12 321-30.2 [7]; and

13 (36) Hawaii keiki: healthy and ready to learn special fund
14 under section 302A-B,

15 shall deduct five per cent of all receipts of all other special
16 funds, which deduction shall be transferred to the general fund
17 of the State and become general realizations of the State. All
18 officers of the State and other persons having power to allocate
19 or disburse any special funds shall cooperate with the director
20 in effecting these transfers. To determine the proper revenue
21 base upon which the central service assessment is to be



1 calculated, the director shall adopt rules pursuant to chapter
2 91 for the purpose of suspending or limiting the application of
3 the central service assessment of any fund. No later than
4 twenty days prior to the convening of each regular session of
5 the legislature, the director shall report all central service
6 assessments made during the preceding fiscal year."

7 SECTION 4. Section 302A-853, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§302A-853 Administration of medication.** School health
10 aides may assist students by administering oral and topical
11 medication, and in emergency situations, other premeasured
12 medication; provided that:

- 13 (1) If the student receiving the medication is a minor, a
14 parent or guardian requests and authorizes the
15 administration of medication;
- 16 (2) The medication has been prescribed by a licensed
17 physician[7] as defined in section 334-1, a licensed
18 advanced practice registered nurse as defined in
19 section 457-2.7, or by a practitioner with
20 prescriptive authority;



1 (3) The administration of the medication is with the
2 approval of the department of health[+] or the Hawaii
3 keiki: healthy and ready to learn program under
4 section 302A-A; and

5 (4) The administration of the medication is necessary for
6 the health of the student and for the student's
7 attendance at school."

8 SECTION 5. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$75,000 or so much
10 thereof as may be necessary for fiscal year 2017-2018 and the
11 same sum or so much thereof as may be necessary for fiscal year
12 2018-2019 for a school health services coordinator within the
13 department of health.

14 The sums appropriated shall be expended by the department
15 of health for the purposes of this Act.

16 SECTION 6. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$75,000 or so much
18 thereof as may be necessary for fiscal year 2017-2018 and the
19 same sum or so much thereof as may be necessary for fiscal year
20 2018-2019 for a school health services coordinator within the
21 department of human services.



1 The sums appropriated shall be expended by the department
2 of human services for the purposes of this Act.

3 SECTION 7. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$4,000,000 or so much
5 thereof as may be necessary for fiscal year 2017-2018 and the
6 same sum or so much thereof as may be necessary for fiscal year
7 2018-2019 to be deposited into the Hawaii keiki: healthy and
8 ready to learn special fund.

9 SECTION 8. There is appropriated out of the Hawaii keiki:
10 healthy and ready to learn special fund the sum of \$4,000,000 or
11 so much thereof as may be necessary for fiscal year 2017-2018
12 and the same sum or so much thereof as may be necessary for
13 fiscal year 2018-2019 to implement, expand, and sustain the
14 Hawaii keiki: healthy and ready to learn program.

15 The sums appropriated shall be expended by the department
16 of education for the purposes of this Act.

17 SECTION 9. In codifying the new sections added by section
18 2 of this Act, the revisor of statutes shall substitute
19 appropriate section numbers for the letters used in designating
20 the new sections in this Act.



1 SECTION 10. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 11. This Act shall take effect on July 1, 2017.
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S.B. NO. 510

Report Title:

Hawaii Keiki: Healthy and Ready to Learn Program; Department of Education; Department of Health; Department of Human Services; Special Fund; Appropriation

Description:

Formally establishes the Hawaii keiki: healthy and ready to learn program within the department of education. Establishes a special fund and appropriates \$4,000,000 to expand and sustain the program.

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