



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/07/2023

Time: 02:00 PM

Location: 309 VIA VIDEOCONFERENCE

Committee: House Education

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB 1046 RELATING TO EDUCATIONAL HEALTH SERVICES.

Purpose of Bill: Allows the administration of medication to public school students by health assistants with the approval of a health care professional within the Department of Education, Department of Health, or a health care service per a written agreement with the Department of Education. Replaces the term "school health aides" with "school health assistants" to reflect recent changes to the job title.

Department's Position:

The Hawaii State Department of Education (Department) supports HB 1046. This bill would update the position title of school health aid to school health assistant and allow the position to administer student medication with approval by a healthcare professional within the Department, Department of Health, or a health care service provider per a written agreement with the Department.

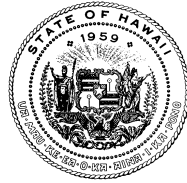
All medication requests in a public school setting are currently reviewed and must be approved by the Department of Health. Student care would be more efficient, accessible, and safe if the administration of the medication could be performed with the approval of a health care professional within the Department, Department of Health, or a health care services per a written agreement with the Department.

The current law prevents health care professionals who are already on campus from performing the function of medication administration approval.

Should this measure pass, the Department acknowledges that new protocols would

need to be developed and implemented in coordination with the Department of Health.

Thank you for the opportunity to provide testimony in support of HB 1046.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB1046
RELATING TO EDUCATIONAL HEALTH SERVICES**

REPRESENTATIVE JUSTIN WOODSON, CHAIR
HOUSE COMMITTEE ON EDUCATION

Hearing Date: February 7, 2023

Room Number: 309

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) supports HB 1046. This bill
3 expands administration of medications by school health assistants (SHAs) at school with the
4 approval of a health care professional within the Department of Education (DOE), DOH, or
5 health care service per a written agreement with the DOE. This bill also amends statutes to match
6 the existing DOE practice for administration of medication at schools. HB 1046 also updates the
7 term “school health aides” to “school health assistants” to reflect updated job titles at the DOE.

8 The DOE has expanded access to health care on campus. Many schools currently have a
9 registered nurse, advanced practice registered nurse, or other specialized health care provider on
10 campus through written agreements with the DOE such as school-based health centers from
11 federally qualified health centers and the University of Hawai`i at Manoa School of Nursing.
12 This bill would also enable school-based, licensed healthcare staff through a written agreement
13 with DOE to approve medication requests provided by clinicians outside the school system that
14 would be administered by SHAs. Without the amendments proposed by this bill, only DOH can
15 approve medications that would be administered by SHAs.

16 Thank you for the opportunity to testify.

17 **Offered Amendments:** None.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Education
Tuesday, February 7, 2023 at 2:00 p.m.

By

Dr. Clementina Ceria-Ulep, Interim Dean
Nancy Atmospera-Walch School of Nursing
and

Michael Bruno, Provost
University of Hawai'i at Mānoa

HB 1046 – RELATING TO EDUCATIONAL HEALTH SERVICES

Chair Woodson, Vice Chair Marten, and Members of the Committee:

Thank you for the opportunity to present testimony **in strong support** of this measure, HB 1046, which aims to allow the administration of medication to public school students by health assistants with the approval of a health care professional within the Department of Education, Department of Health, or a health care service per a written agreement with the Department of Education.

The University of Hawai'i Nancy Atmospera-Walch School of Nursing (NAWSON) partnered with the Department of Education in 2014 to instill the school nursing program by placing advanced practice registered nurses (APRNs) in each complex area. The Legislature, recognizing the great importance of ensuring children are healthy and ready to learn, supported this program by allocating state funds to ensure that children enrolled in Hawai'i's public school system may access school nursing care. Today, the program, Hawai'i Keiki: Healthy and Ready to Learn, has 51 nurses, including APRNs and registered nurses, serving each complex, and school health technicians who support the Hawai'i Keiki program in 171 schools. In quarters 1 and 2 of this school year (fall semester 2022), Hawai'i Keiki RNs and APRNs conducted 9,112 in person visits and 272 virtual visits for illness or injury. The Hawai'i Keiki nurses are well positioned throughout the state to support review of medication requests to assess the appropriateness to be administered on school grounds.

The Hawai'i Keiki: Healthy and Ready to Learn Program is nearing a decade of established school nursing care within the department's public education system and is confident that this law change, as well as resulting modifications to existing departmental processes and protocols will lead to an improvement in access to healthcare and quality of care for Hawai'i's children. Secondly, NAWSON is confident in Hawai'i Keiki's ability to support these new processes and protocols related to approvals of medication administration on school grounds.

It is with great pleasure that NAWSON partners with the department in the delivery of school nursing care so that the teachers, staff, and principals can focus on their exemplary education.

NAWSON respectfully requests favorable consideration of this measure, HB 1046.



**Written Testimony Presented Before the
House Committee on Education
Tuesday, February 07, 2023 at 2:00 P.M.
Conference Room 309 or via Videoconference
by
Laura Reichhardt, APRN, AGPCNP-BC
Hawai'i State Center for Nursing
University of Hawai'i at Mānoa**

Testimony in Strong Support for H.B. 1046

Chair Woodson, Vice Chair Marten, and Members of the Committee: Thank you for the opportunity to present testimony **in strong support** of this measure, H.B. 1046, which aims to allow the administration of medication to public school students by health assistants with the approval of a health care professional within the Department of Education, Department of Health, or a health care service per a written agreement with the Department of Education.

Section 3 proposes to expand the qualified workforce authorized to approve medication administration on school grounds to include health care professionals within the department of education, department of health, or health care service as defined in section 323D-2 per a written agreement with the department of education. In this section, health care professionals include Registered Nurses (RNs). Registered Nurses have the knowledge, skills, and abilities to perform this duty and are present in school environments. In 2021, the Hawai'i State Center for Nursing (HSCN) found in the nursing workforce supply survey that approximately 270 RNs (11%) and 60 APRNs (9%) reported working in a school health room/clinic.

HSCN reviewed section 5, which appears to ensure alignment with Chapter 457 relative to terminology changes proposed in sections 2 and 4.

The Hawai'i State Center for Nursing urges you to pass this measure through your committee. Thank you for the dedication and care for healthcare workers and the people in Hawai'i.

The mission of the Hawai'i State Center for Nursing is that through collaborative partnerships, the Center provides accurate nursing workforce data for planning, disseminates nursing knowledge to support excellence in practice and leadership development, promotes a diverse workforce, and advocates for sound health policy to serve the changing health care needs of the people of Hawai'i.



**Testimony to the House Committee on Education
Tuesday, February 7, 2023; 2:00 p.m.
State Capitol, Conference Room 309
Via Videoconference**

RE: RELATING TO EDUCATIONAL HEALTH SERVICES.

Chair Woodson, Vice Chair Marten, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** House Bill No. 1046, RELATING TO EDUCATIONAL HEALTH SERVICES.

By way of background, the HPCA represents Hawaii's Federally Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines to over 150,000 patients each year who live in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of healthcare.

This bill, as received by your Committee, would allow school health assistants to dispense medications at school with the approval of a health care professional within the Department of Education (DOE), the Department of Health (DOH), or health care service per a written agreement with the DOE.

This bill would also take effect upon approval.

During the COVID-19 pandemic, our network of fourteen (14) health centers have diligently worked with the DOH and DOE to provide essential vaccination and other health-related services to communities throughout the State via our public schools. We are committed to this cause and will continue to work with all parties to improve the provision of health care services at our schools.

After discussing this bill with the Epilepsy Foundation of Hawaii (EFH), and looking back at efforts in recent years to statutorily authorize DOE personnel to dispense epinephrine for anaphylaxis, bronchodilators for asthma, and seizure rescue medication for seizure disorders in times of dire emergency, the HPCA believes this bill could greatly clarify the department's authority to dispense these medications in the future. As such, the HPCA supports the friendly amendment proposed by EFH:

"SECTION 3. Section 302A-853, Hawaii Revised Statutes, is amended to read as follows:

"§302A-853 Administration of medication. (a) School health ~~[aides]~~ assistants may assist students by administering oral, nasal, and topical medication, and in emergency situations, other premeasured medication, including but not limited to auto-injectable epinephrine for anaphylaxis, bronchodilators for asthma, and seizure rescue medication for seizure disorders; provided that:

- (1) If the student receiving the medication is a minor, a parent or guardian requests and authorizes the administration of medication;
- (2) The medication has been prescribed by a licensed physician, as defined in section 334-1, or by a practitioner with prescriptive authority;

(3) The administration of the medication is with the approval of ~~[the department of health; and]~~ a health care professional within the department of education, department of health, or health care service as defined in section 323D-2 per a written agreement with the department of education; and

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

(b) For purposes of this section, "health care professional" means physicians, surgeons, and others licensed pursuant to chapter 453 and nurses licensed pursuant to chapter 457. [Proposed language highlighted.]

Lastly, try to imagine how traumatic it would be for a child to experience a seizure in a classroom. Imagine how traumatic it would be for the other students in the classroom who watch while this occurs. . . And also try to imagine how helpless the teacher will feel if he or she sees a student under his or her care in distress and not knowing what to do when this happens?

If you were that teacher, would you be able to sleep that night and would you be hesitant to go back to school the next day?

With the foregoing amendment, the HPCA strongly urges your favorable consideration of this bill.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiiipca.net.



February 6, 2023

House Representative Justin Woodson, Chair

House Representative, Lisa Marten, Vice Chair

Testimony to the House Committee on Education

Tuesday, February 7, 2023; 2:00 pm. State Capitol, Conf. Room 309 or via Videoconference

RE: House Bill 1046 – RELATING TO EDUCATIONAL HEALTH SERVICES

Aloha Chair Woodson and Vice Chair Marten:

On behalf of the Epilepsy Foundation of Hawaii (EFH), we urge your **SUPPORT** of House Bill 1046, RELATING TO EDUCATIONAL HEALTH SERVICES. This bill supports a critical priority for the epilepsy community – safety and continuity of care in the event of a seizure. This legislation would allow school health assistants to dispense medications at school with the approval of a health care professional within the Department of Education (DOE), the Department of Health (DOH), or health care service per a written agreement with the DOE.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of the at least 3.4 million Americans with epilepsy and seizures. Epilepsy Foundation of Hawaii, advocates and provides services for the almost 14,000 individuals living with epilepsy throughout Hawaii. Collectively, we foster the wellbeing of children and adults affected by seizures through research programs, educational activities, advocacy, and direct services. Epilepsy is a medical condition characterized by seizures, which are sudden surges of electrical activity in the brain, that affects a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy, and approximately 1 in 10 people will experience a seizure, at some point in their lifetime.

A seizure can happen to any person, in any place, at any time, and it is vital that members of the public, including school personnel, are prepared to appropriately and effectively respond in this very unpredictable event. Much like diabetic emergencies and anaphylaxis, seizures do not occur every single day in schools. However, 1:26 children may have epilepsy and, for them, the risk of a life threatening seizure is present every single day of their lives. This is why it is vital that school personnel are prepared to appropriately and efficiently respond.

Compared to students with other health concerns, one Centers for Disease Control and Prevention study showed that students aged 6-17 years old living with epilepsy were more likely to miss 11 or more days of school in the past year. For these students, proper seizure first aid and consistency of care while they are at school is crucial to ensuring they can reach their full potential with as minimal disruption to their learning environment as possible. With that said, EFH humbly supports an amendment as follows:

SECTION 3. Section 302A-853, Hawaii Revised Statutes, is amended to read as follows:

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at epilepsy.com/advocacy.**



"§302A-853 Administration of

medication. (a) School health [~~aides~~] assistants may assist students by administering oral, nasal, and topical medication, and in emergency situations, other premeasured medication, including but not limited to auto-injectable epinephrine for anaphylaxis, bronchodilators for asthma, and seizure rescue medication for seizure disorders; provided that:

(1) If the student receiving the medication is a minor, a parent or guardian requests and authorizes the administration of medication;

(2) The medication has been prescribed by a licensed physician, as defined in section 334-1, or by a practitioner with prescriptive authority;

(3) The administration of the medication is with the approval of [~~the department of health; and~~] a health care professional within the department of education, department of health, or health care service as defined in section 323D-2 per a written agreement with the department of education; and

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

(b) For purposes of this section, "health care professional" means physicians, surgeons, and others licensed pursuant to chapter 453 and nurses licensed pursuant to chapter 457."

[Proposed language highlighted.]



Approximately 2,000 children and teens live with active epilepsy in Hawaii. Passing House Bill 1046 with suggested ammendmens would greatly improve the care and safety of students with epilepsy and seizures in schools.

On behalf of the Epilepsy Foundation of Hawaii and our Board of Directors, we humbly thank you for the opportunity to testify, offer suggested ammendments, and urge your **support for House Bill 1046**.

Mahalo nui loa,

A handwritten signature in blue ink that reads "Naomi Manuel".

Naomi Manuel
Executive Director
Epilepsy Foundation of Hawaii

Our mission is to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives. **Please learn more about our advocacy work at epilepsy.com/advocacy.**