

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 16, 1998 Revised: _____

Subject: School Entry Health Requirements

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Harkey</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

Section 232.0315, F.S., requires all first time students entering a private or public school to present certification of a school-entry health examination performed within 1 year prior to enrollment in school. This bill expands the requirement to include a school-entry comprehensive vision examination and analysis.

According to the Department of Health, this bill will result in increased costs to the department of \$7,650 for FY 1998-99 and \$4,378 in FY 1999-2000. The department also estimates the annual cost to parents of complying with the provisions of this bill at \$9 million.

The bill takes effect July 1, 1998.

This bill substantially amends section 232.0315 of the Florida Statutes.

II. Present Situation:

Section 232.0315, F.S., requires the school board of each district and the governing authority of each nonpublic school to require that each child who is entitled to admittance to prekindergarten or kindergarten, or is entitled to any other initial entrance into a public or nonpublic school in this state, present a certification of a school-entry health examination performed within 1 year prior to enrollment in school. The school board of each district, and the governing authority of each nonpublic school, may establish a policy which permits a student up to 30 school days to present a certification of a school-entry health examination. Any school board which establishes such a policy must include provisions in its local school health services plan to assist students in obtaining the health examinations. However, any child is exempt from the requirement of a health examination upon written request by the child's parent or guardian stating objections to such

examination on religious grounds. The Department of Education, subject to the concurrence of the Department of Health, is required to adopt rules to govern medical examinations performed under this section.

In addition, s. 232.032, F.S., requires the school board of each district and the governing authority of each nonpublic school to establish and enforce as policy that, prior to admittance to or attendance in a public or nonpublic school, grades preschool through 12, each child present or have on file with the school a certification of immunization for the prevention of those communicable diseases for which immunization is required by the Department of Health.

Article IX, Section 1 of the Florida Constitution requires states: "Adequate provision shall be made by law for a uniform system of free public schools..." Based on this constitutional requirement, it has been the policy of the state to provide both school-entry health examinations and immunizations to students free of charge through the county health departments if the parents choose not to obtain these services from their private physicians. Section 232.032, F.S., requires county health departments to make the immunizations available at no cost.

According to the Department of Health, an estimated 200,000 children enter school for the first time in Florida each year. Vision screening exams are currently performed for all kindergarten students as a part of basic school health services. Following the routine school screening exam, from 3 to 5 percent of children, or an estimated 10,000 children, are referred to medical providers for a comprehensive eye examination.

III. Effect of Proposed Changes:

Section 232.0315, F.S., is amended to require children to have a comprehensive vision examination and analysis within 1 year prior to first time school entry. School districts may provide for a policy which permits a student up to 120 school days to present a certification of compliance, after which the student must be excluded from school.

Local school districts, private schools, and health departments will have to establish policies for providing the vision services, tracking to ensure all students are in compliance, and excluding from school students who fail to comply.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

It is possible government would be required to provide a comprehensive vision examination and analysis to every first-time student into a Florida school, if the parent requests this service.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

According to the Department of Health, the average cost of a child's comprehensive eye exam is \$53 in Tallahassee, with a price ranging from \$43 to \$100. Medicaid will reimburse \$45 for a comprehensive vision examination, but only if a child is referred for the service by a physician as the result of an EPSDT screening. Given these price estimates, the annual cost of compliance with this bill would range from \$8.6 million to \$20 million. However, there are numerous voluntary organizations which would likely provide these services at a reduced price or for free. The proportion of this cost which will be paid by the parents, local school district, health department, private insurance, or public insurance program is uncertain.

C. Government Sector Impact:

The Department of Health estimates costs of \$3,670 for statewide video conference and instructional materials. The department estimates first year costs of \$3,980 and second year costs of \$4,378 for printing and distribution of forms. Thus, for FY 1998-99 total costs are \$7,650; for FY 1999-00 total costs are \$4,378.

VI. Technical Deficiencies:

None.

VII. Related Issues:

It is the goal of this bill to ensure all children are given a comprehensive vision examination and analysis prior to attending school. The enforcement mechanism used to achieve this goal is to exclude a child from school for non compliance. Current law provides for exclusion from school on medical grounds only for incomplete immunizations, quarantine due to a communicable disease (including head lice), or for failure to obtain a school entry health examination. There appears to be a clear public health policy basis for excluding from school a student who has a contagious

disease or a student who has not been immunized. A weaker argument can be made to justify excluding from school a student who has not had a school-entry health examination (a communicable disease could potentially be detected; however, accepting an examination which was performed up to a year prior to school entry weakens this argument). However, It would be quite difficult to justify excluding students from school on public health grounds for failure to obtain a vision examination.

There is uncertainty with regard to who will ultimately be responsible for paying for the comprehensive examination. Because of the requirement in the Florida Constitution for a uniform system of free public schools, it has been the policy of the state to provide immunizations and school entry health examinations free of charge through the county health departments. The constitutionality of a requirement on parents to pay for a school-entry comprehensive vision examination and analysis is uncertain.

If parents are required to pay for the examination, it could be problematic particularly for low and moderate income parents. Medicaid will only pay for a comprehensive vision examination if a referral is made for the service based on an EPSDT screening, and only 3 to 5 percent of children of such children are referred for this service. Like Medicaid, the Healthy Kids benefit package will only pay for a comprehensive vision examinations based on a referral.

VIII. Amendments:

None.