

ACT 149

H.B. NO. 2827-78

A Bill for an Act Relating to School Health Services.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to establish a statewide school health services program. There shall be within the department of health a permanent comprehensive school health services program for grades kindergarten through twelve in all the public schools of this State. It is in the general welfare of the State to protect, preserve, care for, and improve the physical and mental health of Hawaii's children by making available at the public schools first aid and emergency care, preventive health care, health appraisals and follow-ups, and health room facilities.

SECTION 2. Department of health; implementation. The department of health shall implement this program with the present health services now provided to those schools under the pilot project established under Act 130, Session Laws of Hawaii 1970, to each public school, and shall further provide the necessary number of health aides in order to service each public school. School health aides may provide health related screening services at each public school.

SECTION 3. The department of health shall provide registered professional nurses at the entry or next level, and each nurse shall be placed at a school health complex established by the department of health in consultation with the school health services advisory committee.

SECTION 4. School health services advisory committee; appointment and duties. There is created a school health services advisory committee, consisting of fifteen members, the purpose of which is to coordinate, guide, and evaluate the school health services program and make recommendations to the director of the department of health or his assigned representative. Furthermore,

the function of the committee shall be to provide coordination, guidance, evaluations, and make recommendations for school health related services including but not limited to school health education, vision and hearing screening, dental education, immunization, nutrition, and individual health counseling. The committee shall consist of seven members from the city and county of Honolulu; one from the county of Maui; two from the county of Hawaii; one from the county of Kauai; and four statewide members. The members of the school health services advisory committee shall be appointed by the governor and shall serve without pay.

Two years from the approval of this act the committee and the director of the department of health shall make a determination as to the future need of the advisory committee. If at that time the purpose and function of the committee is no longer needed the department of health shall assume the function and purpose of the advisory committee.

SECTION 5. School health aides. All full-time school health aides employed in the department of health shall be employed under chapter 76 and shall have their compensation fixed in accordance with chapter 77; provided that their compensation shall be based on a six and one-half hour work day and provided that:

- (1) The monthly rate of compensation for all school health aides employed less than full-time shall be based on the number of hours they actually work;
- (2) The monthly rate of compensation for full-time health aides so determined shall be multiplied by ten and then divided by twelve and the resulting amount shall be the employee's monthly salary payable over a twelve-month period;
- (3) The health aides shall have the same working schedule and leave allowance of school teachers in the department of education.

SECTION 6. Personnel transfer. All officers and employees, including "full-time" nurses, "full-time" but not "substitute" health aides, and clerks whether or not subject to chapters 76 and 77, or under contractual employment of the department of health or the department of education for the school health services pilot project established under Act 130, Session Laws of Hawaii 1970, and any expansion of services thereafter, shall be transferred to the school health services program established by this Act with their functions and shall continue to perform their duties upon their transfer, subject to the state personnel laws and this Act.

No officer or employee so transferred shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefit or privilege as a consequence of this Act, but may be transferred or appointed to a civil service position without the necessity of examination; provided that the person possesses the minimum qualifications for the position to which the person is transferred or appointed; and provided that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

SECTION 7. Appropriation. There is appropriated out of the general

revenues of the State of Hawaii the sum of \$653,179 (168.90), or so much thereof as may be necessary, for the purpose of funding the school health services program.

The sum appropriated shall be expended by the department of health for the purpose of this Act.

Any unexpended or unencumbered balance of any appropriation made by this Act as of the close of business on June 30, 1979 shall lapse into the general fund.

SECTION 8. Act 130, Session Laws of Hawaii 1970, is repealed.

SECTION 9. This Act shall take effect upon approval.

(Approved June 1, 1978.)