

ACT 200

H.B. NO. 1679

A. Bill for an Act Relating to School Health Services.

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

SECTION 1. Section 321-242, Hawaii Revised Statutes, is amended to read as follows:

“§321-242 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. The department of health may provide health related screening services at each public school.

School health aides may assist the student by administering oral and topical medication, provided that:

- (1) If the student receiving the medication is a minor, a parent requests such administration of medication;
- (2) The medication has been prescribed by a physician;
- (3) The administration of such medication is with the approval of the department of health; and
- (4) The administration of the medication is necessary for the health of the student and for his attendance at school.”

SECTION 2. Section 457-13, Hawaii Revised Statutes, is amended to read as follows:

“§457-13 Exceptions. This chapter does not prohibit:

- (1) The furnishing of nursing assistance in an emergency.
- (2) The practice of nursing which is incidental to their program of study by students enrolled in nursing education programs accredited by the board.
- (3) The practice of nursing by permit pending the results of licensing examination by graduates of schools whose accreditation is recognized by the board; providing the candidates enter the first licensing examination scheduled by the board following graduation.

- (4) The practice of any legally qualified nurse of another state who is employed by the United States or any bureau, division, or agency thereof, while in the discharge of his or her official duties.
- (5) The practice of nursing in connection with healing by prayer or spiritual means alone in accordance with the tenets and practice of any well recognized church or religious denomination, provided that no person practicing such nursing holds himself out to be a registered nurse or a licensed practical nurse.
- (6) The administration of oral and topical medication by school health aides as provided in section 321-242.”

SECTION 3. Section 321-244, Hawaii Revised Statutes, is repealed.

SECTION 4. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to part XIX to be appropriately designated and to read as follows:

“§321- Rules. The director of health shall adopt rules pursuant to chapter 91 necessary for the purposes of this part.”

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored.*

SECTION 6. This Act shall take effect upon its approval.

(Approved June 18, 1981.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.