

ACT 134

H.B. NO. 2513

A Bill for an Act Relating to Education.

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

SECTION 1. The legislature reaffirms that 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. For those purposes, the department of education is authorized to establish a statewide school health services program. The purpose of this Act is to provide the department flexibility in administering and implementing the health services program.

SECTION 2. Section 302A-853, Hawaii Revised Statutes, is amended to read as follows:

~~“[§302A-853]—Department implementation.] Administration of medication. [The department 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 further provide the necessary number of health aides to serve each public school. The department may provide health-related screening services at each public school.]~~ School health aides may assist students by administering oral and topical medication, and in emergency situations, other premeasured medication; 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
- (4) The administration of the medication is necessary for the health of the student and for the student's attendance at school."

SECTION 3. Section 302A-854, Hawaii Revised Statutes, is amended to read as follows:

~~“[§302A-854] School health aides[;]; compensation. All full-time school health aides employed in the department shall be employed and have their compensation fixed in accordance with chapter 76 and the appropriate collective bargaining agreement, executive order, executive directive, or rule[;] provided that the compensation shall be based on a six and one-half hour work day; provided further 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; and~~
- ~~(3) The health aides shall have the same working schedule and leave allowance as school teachers in the department].”~~

SECTION 4. Section 302A-855, Hawaii Revised Statutes, is repealed.

SECTION 5. Statutory material to be repealed is bracketed and stricken.¹ New statutory material is underscored.

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

(Approved June 19, 2012.)

Note

1. Edited pursuant to HRS §23G-16.5.