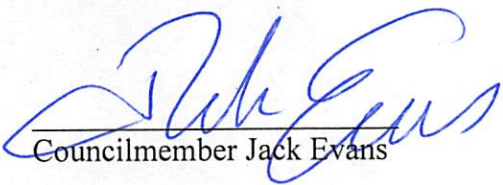
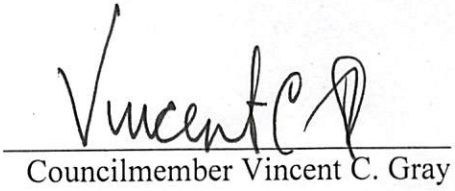


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Councilmember Jack Evans

  
Councilmember Vincent C. Gray

  
Councilmember Anita Bonds

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Student Health Care Act of 1985 and the Immunization of School Students Act of 1979 to establish a more efficient system for delivery of certificates of immunization, health, lead poisoning, and dental health, by requiring the Mayor to establish a method by which the certificates can be transmitted to the Mayor by the examining professionals.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Student Certificate of Health Amendment Act of 2018".

Sec. 2. The District of Columbia Student Health Care Act of 1985, effective December 3, 1985 (D.C. Law 6-66; D.C. Official Code § 38-601 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 38-602) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a) Except as provided in section 4, each student attending prekindergarten through grade 12 in a public or public charter school in the District shall be examined by a physician or advanced practice nurse during the 12-month period immediately preceding the 1<sup>st</sup> day of the school year or the date of the student’s enrollment in school, whichever occurs later.

The examination shall cover all items required by the certificate of health form for the student's

1 particular age group.”.

2 (2) New subsections (e) and (f) are added to read as follows:

3 “(e) The examining physician, advanced practice nurse, dentist or other health  
4 professional shall transmit a certificate of health, lead poisoning, or dental health to the Mayor.  
5 The Mayor shall make available or otherwise establish a uniform method by which all examining  
6 physicians, advanced practice nurses, dentists or other health professional shall transmit a  
7 certificate of health, lead poisoning, or dental health to the Mayor.”.

8 “(f) Notwithstanding examination fees, an examining physician, advanced  
9 practice nurse, dentist or other health professional may not charge fees to a minor student’s  
10 parent(s) or guardian for completing the certificate of health, lead poisoning, or dental health and  
11 transmitting it to the Mayor.”

12 (b) Section 5 (D.C. Official Code § 38-604) is amended as follows:

13 (1) Subsection (a) is amended to read as follows:

14 “(a) No student shall be excluded from school on account of his or her failure to  
15 comply with section 3(a). If a certificate of health, testing for lead poisoning or dental health is  
16 not furnished when required, the principal or other appropriate school official shall give both oral  
17 and written notice to a minor student's parent(s) or guardian or an adult student that submission  
18 of the certificate is required by law. The notice shall explain how to notify the Mayor of an  
19 examination by a health professional, and how to contact the public health authorities for the  
20 purpose of having the student examined if health care is not available or desired. If after 30  
21 calendar days the student has still not furnished the required certificate of health, testing for lead  
22 poisoning or dental health, the principal or other appropriate school official shall inquire into

1 whether the student has had an examination. If the student has not been given an examination  
2 and none is scheduled, the principal or other appropriate school official shall notify the public  
3 health authorities, who shall make prompt and, if necessary, continuing efforts to secure the  
4 consent of the parent(s), guardian, or adult student so that the student may as soon as possible be  
5 given the required examination(s) either in a public health facility or at school.”.

6 Sec. 3. Section 3 of the Immunization of School Students Act of 1979, effective  
7 September 28, 1979 (D.C. Law 3-20; D.C. Official Code § 38-502), is amended as follows:

8 (a) Designate the existing text as subsection (a).

9 (b) Add a new subsection (b) to read as follows:

10 “(b) The immunizing physician shall transmit a certificate of immunization to the  
11 Mayor. The Mayor shall make available or otherwise establish a uniform method by which the  
12 certificate of immunization shall be transmitted to the Mayor.”.

13 Sec. 4. Fiscal impact statement.

14 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
15 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
16 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

17 Sec. 5. Effective date.

18 This act shall take effect following approval by the Mayor, (or in the event of veto by the  
19 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
20 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
21 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
22 Columbia Register.