



GOV. MSG. NO. 1236

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 19, 2012

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

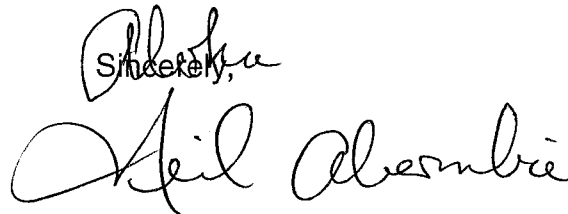
The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 19, 2012, the following bill was signed into law:

HB2513 HD1 SD2 CD1

RELATING TO EDUCATION.  
**Act 134 (12)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

---

---

# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. The legislature reaffirms that it is in the  
2 general welfare of the State to protect, preserve, care for, and  
3 improve the physical and mental health of Hawaii's children by  
4 making available at the public schools first aid and emergency  
5 care, preventive health care, health appraisals and follow-ups,  
6 and health room facilities. For those purposes, the department  
7 of education is authorized to establish a statewide school  
8 health services program. The purpose of this Act is to provide  
9 the department flexibility in administering and implementing the  
10 health services program.

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

13 " ~~[(f)]§302A-853 [f] Department implementation.~~  
14 Administration of medication. ~~[The department shall implement~~  
15 ~~this program with the present health services now provided to~~  
16 ~~those schools under the pilot project established under Act 130,~~  
17 ~~Session Laws of Hawaii 1970, to each public school, and further~~  
18 ~~provide the necessary number of health aides to serve each~~



1 ~~public school. The department may provide health-related~~  
2 ~~screening services at each public school.]~~ School health aides  
3 may assist students by administering oral and topical  
4 medication, and in emergency situations, other premeasured  
5 medication; provided that:

- 6 (1) If the student receiving the medication is a minor, a  
7 parent or guardian requests and authorizes the  
8 administration of medication;
- 9 (2) The medication has been prescribed by a licensed  
10 physician, as defined in section 334-1, or by a  
11 practitioner with prescriptive authority;
- 12 (3) The administration of the medication is with the  
13 approval of the department of health; and
- 14 (4) The administration of the medication is necessary for  
15 the health of the student and for the student's  
16 attendance at school."

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

19 " ~~[+]§302A-854[+]~~ School health aides[-]; compensation.

20 All full-time school health aides employed in the department  
21 shall be employed and have their compensation fixed in  
22 accordance with chapter 76 and the appropriate collective



1 bargaining agreement, executive order, executive directive, or  
2 rule[~~;~~ provided that the compensation shall be based on a six  
3 and one half hour work day; provided further that:

4 (1) ~~The monthly rate of compensation for all school health~~  
5 ~~aides employed less than full time shall be based on~~  
6 ~~the number of hours they actually work;~~

7 (2) ~~The monthly rate of compensation for full time health~~  
8 ~~aides so determined shall be multiplied by ten and~~  
9 ~~then divided by twelve and the resulting amount shall~~  
10 ~~be the employee's monthly salary payable over a~~  
11 ~~twelve month period; and~~

12 (3) ~~The health aides shall have the same working schedule~~  
13 ~~and leave allowance as school teachers in the~~  
14 ~~department]."~~

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

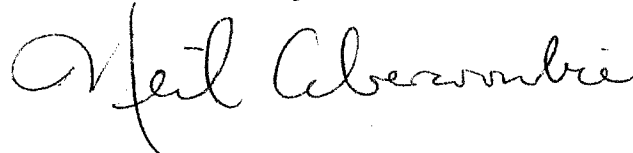
17 [~~"§302A-855~~ Rules. ~~The superintendent of education~~  
18 ~~shall adopt rules pursuant to chapter 91 for the purposes of~~  
19 ~~this [subpart]."~~]



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

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

APPROVED this 19 day of JUN , 2012



GOVERNOR OF THE STATE OF HAWAII

