
A BILL FOR AN ACT

RELATING TO SCHOOL-BASED HEALTH SERVICES.

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

1 SECTION 1. The legislature finds that the Hawaii keiki:
2 healthy and ready to learn program (Hawaii keiki program) is
3 designed to improve access to, and the quality of, school-based
4 health services available to Hawaii's public school students by
5 coordinating and expanding existing efforts of community
6 partners and resources. This partnership program with the
7 University of Hawaii at Manoa school of nursing and dental
8 hygiene supports the department of education in achieving
9 student, school, and system success by providing school health
10 nursing and primary care services to public schools in five
11 complex areas.

12 In 2015, the legislature appropriated general funds to
13 improve access to, and increase the quality of, health services
14 available to Hawaii's public school students. This
15 appropriation led to the expansion of the Hawaii keiki program,
16 with five advanced practice registered nurses and five
17 registered nurses serving seven complex areas across three



1 islands. During this time, the Hawaii keiki program also
2 established five school-based health centers.

3 The legislature further finds that the department of
4 education is working with other state agencies, partnering
5 organizations, and families to improve attendance, behavior, and
6 course marks by partnering to coordinate wraparound services
7 that address non-school factors that impede student success.
8 Further, through the Hawaii keiki program collaboration, the
9 departments of health and human services have identified the
10 extent of services provided within each department targeted to
11 public school children and the need to coordinate internal
12 departmental activity and cross departmental efforts to develop
13 sustainable school-based health services.

14 The legislature additionally finds that chronic
15 absenteeism, poor health, and delayed or limited access to
16 health care and preventive services continue to hinder academic
17 success and meeting the needs of the whole child. The
18 legislature acknowledges that the Hawaii keiki program is an
19 effective means by which to continue collaboration between
20 health, human services, and education policymakers and providers
21 to achieve sustainable, comprehensive school-based health



1 services in the State to improve the academic and health
2 outcomes of Hawaii's public school students. Working with each
3 complex area superintendent and school principals, the Hawaii
4 keiki program builds and enhances school-based health services
5 that reflect the specific needs of the individual complex area
6 according to student demographics, staffing, available support
7 services, and access to health care within the community,
8 including:

- 9 (1) Providing comprehensive screening for physical and
10 behavioral health conditions;
- 11 (2) Providing referrals to primary and behavioral health
12 care and patient-centered medical home services;
- 13 (3) Preventing and controlling communicable diseases and
14 other health problems;
- 15 (4) Providing emergency care for illness or injury; and
- 16 (5) Collaborating with community partners, including
17 federally qualified health centers, the Hawaii chapter
18 of the American Academy of Pediatrics, Hui for
19 Excellence in Education Coalition, and other key
20 stakeholders to develop and implement a comprehensive
21 plan to implement school-based health.



1 The legislature also finds that the expected cost to
2 continue and expand the Hawaii keiki program to include students
3 from pre-kindergarten through high school in the fifteen
4 department of education complex areas statewide; expand the
5 program to allow the Hawaii state public charter school
6 commission to launch the program in two public charter schools
7 serving disadvantaged keiki; provide access to preventive oral
8 health services and establish a pilot oral health screening and
9 preventative services program on a neighbor island; enhance data
10 collection, sharing, analysis, and reporting; and engage in
11 interdepartmental school health coordination is \$4,000,000
12 annually, in addition to a one-time allocation of \$500,000 for
13 an evidence based vision screening tool. These funds will
14 additionally establish school health services coordinator roles
15 in the department of health and the MedQUEST division of the
16 department of human services.

17 The purpose of this Act is to formally establish the Hawaii
18 keiki: healthy and ready to learn program, provide funding to
19 expand and sustain the program, and appropriate funds to
20 establish school health service coordinators in the departments
21 of health and human services to increase coordination and



1 facilitate departmental and interdepartmental activities related
2 to comprehensive school-based health services.

3 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
4 amended by adding two new sections to part II to be
5 appropriately designated and to read as follows:

6 "§302A-A Hawaii keiki: healthy and ready to learn
7 program. (a) There is established within the department the
8 Hawaii keiki: healthy and ready to learn program to provide
9 school-based health services. The department shall convene the
10 program in collaboration with the department of health,
11 department of human services, University of Hawaii at Manoa
12 school of nursing and dental hygiene, community service
13 providers, and other health care and education stakeholders to
14 increase access to and reimbursement for school-based wellness
15 and health services.

16 The department shall also partner with the public health
17 nursing branch of the department of health pursuant to a
18 memorandum of understanding between the department, department
19 of health, and the Hawaii keiki: healthy and ready to learn
20 program, and each federally qualified health center and rural



1 health clinic geographically situated within each participating
2 complex of schools.

3 The Hawaii keiki: healthy and ready to learn program shall
4 be precluded from providing services at any school where a
5 school-based clinic established pursuant to a memorandum of
6 understanding or contract between a federally qualified health
7 center or rural health clinic and the department exists or may
8 exist in the future; provided that precluded services shall
9 include any service that duplicates any service that is either
10 provided or offered at a school-based clinic.

11 (b) The program shall be funded through appropriations to
12 the Hawaii keiki: healthy and ready to learn special fund
13 established under section 302A-B. The department or the program
14 may also seek:

15 (1) Private funding sources, including federal grants and
16 private, nonprofit, and not-for-profit organizations
17 to support the continuation and expansion of school-
18 based health services in the department; and

19 (2) Federal reimbursement for school-based health
20 services.



1 §302A-B Hawaii keiki: healthy and ready to learn special
2 fund. (a) There is established within the state treasury the
3 Hawaii keiki: healthy and ready to learn special fund into
4 which shall be deposited:

- 5 (1) Appropriations made by the legislature to the fund;
- 6 (2) Federal or state grant funds;
- 7 (3) Grant funds from private and nonprofit organizations;
- 8 (4) Federal reimbursements;
- 9 (5) Any interest that accrues upon the balance in the
10 fund; and
- 11 (6) Any other moneys designated for the fund.

12 (b) Moneys in the special fund shall be used to support
13 the operations of the Hawaii keiki: healthy and ready to learn
14 program.

15 (c) The special fund shall not be subject to the
16 requirements of sections 36-27 and 36-30."

17 SECTION 3. Section 36-27, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) Except as provided in this section, and
20 notwithstanding any other law to the contrary, from time to
21 time, the director of finance, for the purpose of defraying the



1 prorated estimate of central service expenses of government in
2 relation to all special funds, except the:

3 (1) Special out-of-school time instructional program fund
4 under section 302A-1310;

5 (2) School cafeteria special funds of the department of
6 education;

7 (3) Special funds of the University of Hawaii;

8 (4) State educational facilities improvement special fund;

9 (5) Convention center enterprise special fund under
10 section 201B-8;

11 (6) Special funds established by section 206E-6;

12 (7) Aloha Tower fund created by section 206J-17;

13 (8) Funds of the employees' retirement system created by
14 section 88-109;

15 (9) Hawaii hurricane relief fund established under chapter
16 431P;

17 (10) Hawaii health systems corporation special funds and
18 the subaccounts of its regional system boards;

19 (11) Tourism special fund established under section
20 201B-11;



- 1 (12) Universal service fund established under section
2 269-42;
- 3 (13) Emergency and budget reserve fund under section
4 328L-3;
- 5 (14) Public schools special fees and charges fund under
6 section 302A-1130;
- 7 (15) Sport fish special fund under section 187A-9.5;
- 8 [+](16) [+](16) Neurotrauma special fund under section 321H-4;
- 9 [+](17) [+](17) Glass advance disposal fee established by section
10 342G-82;
- 11 [+](18) [+](18) Center for nursing special fund under section
12 304A-2163;
- 13 [+](19) [+](19) Passenger facility charge special fund established by
14 section 261-5.5;
- 15 [+](20) [+](20) Solicitation of funds for charitable purposes special
16 fund established by section 467B-15;
- 17 [+](21) [+](21) Land conservation fund established by section 173A-5;
- 18 [+](22) [+](22) Court interpreting services revolving fund under
19 section 607-1.5;
- 20 [+](23) [+](23) Trauma system special fund under section 321-22.5;
- 21 [+](24) [+](24) Hawaii cancer research special fund;



- 1 [+](25) [+]Community health centers special fund;
- 2 [+](26) [+]Emergency medical services special fund;
- 3 [+](27) [+]Rental motor vehicle customer facility charge special
4 fund established under section 261-5.6;
- 5 [+](28) [+]Shared services technology special fund under section
6 27-43;
- 7 [+](29) [+]Automated victim information and notification system
8 special fund established under section 353-136;
- 9 [+](30) [+]Deposit beverage container deposit special fund under
10 section 342G-104;
- 11 [+](31) [+]Hospital sustainability program special fund under
12 [+]section 346G-4 [+];
- 13 [+](32) [+]Nursing facility sustainability program special fund
14 under [+]section 346F-4 [+];
- 15 [+](33) [+]Hawaii 3R's school improvement fund under section
16 302A-1502.4;
- 17 [+](34) [+]After-school plus program revolving fund under section
18 302A-1149.5; [~~and~~
- 19 [+](35) [+] Civil monetary penalty special fund under section
20 321-30.2 [~~7~~]; and



1 (36) Hawaii keiki: healthy and ready to learn special fund
2 under section 302A-B,
3 shall deduct five per cent of all receipts of all other special
4 funds, which deduction shall be transferred to the general fund
5 of the State and become general realizations of the State. All
6 officers of the State and other persons having power to allocate
7 or disburse any special funds shall cooperate with the director
8 in effecting these transfers. To determine the proper revenue
9 base upon which the central service assessment is to be
10 calculated, the director shall adopt rules pursuant to chapter
11 91 for the purpose of suspending or limiting the application of
12 the central service assessment of any fund. No later than
13 twenty days prior to the convening of each regular session of
14 the legislature, the director shall report all central service
15 assessments made during the preceding fiscal year."

16 SECTION 4. Section 36-30, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) Each special fund, except the:

19 (1) Special out-of-school time instructional program fund
20 under section 302A-1310;



- 1 (2) School cafeteria special funds of the department of
- 2 education;
- 3 (3) Special funds of the University of Hawaii;
- 4 (4) State educational facilities improvement special fund;
- 5 (5) Special funds established by section 206E-6;
- 6 (6) Aloha Tower fund created by section 206J-17;
- 7 (7) Funds of the employees' retirement system created by
- 8 section 88-109;
- 9 (8) Hawaii hurricane relief fund established under chapter
- 10 431P;
- 11 (9) Convention center enterprise special fund established
- 12 under section 201B-8;
- 13 (10) Hawaii health systems corporation special funds and
- 14 the subaccounts of its regional system boards;
- 15 (11) Tourism special fund established under section
- 16 201B-11;
- 17 (12) Universal service fund established under section
- 18 269-42;
- 19 (13) Emergency and budget reserve fund under section
- 20 328L-3;



- 1 (14) Public schools special fees and charges fund under
2 section 302A-1130;
- 3 (15) Sport fish special fund under section 187A-9.5;
- 4 [+](16) [+](16) Neurotrauma special fund under section 321H-4;
- 5 [+](17) [+](17) Center for nursing special fund under section
6 304A-2163;
- 7 [+](18) [+](18) Passenger facility charge special fund established by
8 section 261-5.5;
- 9 [+](19) [+](19) Court interpreting services revolving fund under
10 section 607-1.5;
- 11 [+](20) [+](20) Trauma system special fund under section 321-22.5;
- 12 [+](21) [+](21) Hawaii cancer research special fund;
- 13 [+](22) [+](22) Community health centers special fund;
- 14 [+](23) [+](23) Emergency medical services special fund;
- 15 [+](24) [+](24) Rental motor vehicle customer facility charge special
16 fund established under section 261-5.6;
- 17 [+](25) [+](25) Shared services technology special fund under section
18 27-43;
- 19 [+](26) [+](26) Nursing facility sustainability program special fund
20 established pursuant to [+](26) section 346F-4 [+](26);



1 [+] (27) [+] Automated victim information and notification system
2 special fund established under section 353-136;
3 [+] (28) [+] Hospital sustainability program special fund under
4 [+] section 346G-4 [+-] and
5 [-] (29) [+] Civil monetary penalty special fund under section
6 321-30.2 [-]; and
7 (30) Hawaii keiki: healthy and ready to learn special fund
8 under section 302A-B,
9 shall be responsible for its pro rata share of the
10 administrative expenses incurred by the department responsible
11 for the operations supported by the special fund concerned."

12 SECTION 5. Section 302A-853, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§302A-853 Administration of medication.** School health
15 aides may assist students by administering oral and topical
16 medication, and in emergency situations, other premeasured
17 medication; provided that:

18 (1) If the student receiving the medication is a minor, a
19 parent or guardian requests and authorizes the
20 administration of medication;



- 1 (2) The medication has been prescribed by a licensed
2 physician[7] as defined in section 334-1, a licensed
3 advanced practice registered nurse as defined in
4 section 457-2.7, or by a practitioner with
5 prescriptive authority;
- 6 (3) The administration of the medication is with the
7 approval of the department of health[7] or other on-
8 campus, school-based, health care provider pursuant to
9 a written agreement with the department; and
- 10 (4) The administration of the medication is necessary for
11 the health of the student and for the student's
12 attendance at school."

13 SECTION 6. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2019-2020 and
16 the same sum or so much thereof as may be necessary for fiscal
17 year 2020-2021 for a school health services coordinator within
18 the department of health.

19 The sums appropriated shall be expended by the department
20 of health for the purposes of this Act.



1 SECTION 7. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2019-2020 and
 4 the same sum or so much thereof as may be necessary for fiscal
 5 year 2020-2021 for a school health services coordinator within
 6 the department of human services.

7 The sums appropriated shall be expended by the department
 8 of human services for the purposes of this Act.

9 SECTION 8. There is appropriated out of the general
 10 revenues of the State of Hawaii the sum of \$ or so
 11 much thereof as may be necessary for fiscal year 2019-2020 and
 12 the same sum or so much thereof as may be necessary for fiscal
 13 year 2020-2021 for an evidence-based vision screening and eye
 14 assessment tool appropriate for children in kindergarten through
 15 grade twelve as part of the Hawaii keiki: healthy and ready to
 16 learn program.

17 The sums appropriated shall be expended by the department
 18 of education for the purposes of this Act.

19 SECTION 9. There is appropriated out of the general
 20 revenues of the State of Hawaii the sum of \$ or so
 21 much thereof as may be necessary for fiscal year 2019-2020 and



1 the same sum or so much thereof as may be necessary for fiscal
2 year 2020-2021 to be deposited into the Hawaii keiki: healthy
3 and ready to learn special fund established pursuant to section
4 302A-B, Hawaii Revised Statutes.

5 The sums appropriated shall be expended by the department
6 of education for the purposes of this Act.

7 SECTION 10. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2019-2020 and
10 the same sum or so much thereof as may be necessary for fiscal
11 year 2020-2021 to implement, expand, and sustain the Hawaii
12 keiki: healthy and ready to learn program.

13 The sums appropriated shall be expended by the department
14 of education for the purposes of this Act.

15 SECTION 11. In codifying the new sections added by section
16 2 of this Act, the revisor of statutes shall substitute
17 appropriate section numbers for the letters used in designating
18 the new sections in this Act.

19 SECTION 12. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 13. This Act shall take effect on July 1, 2050.



Report Title:

Hawaii Keiki: Healthy and Ready to Learn; Appropriation

Description:

Formally establishes the Hawaii Keiki: Healthy and Ready to Learn program and special fund within the Department of Education. Appropriates funds for positions and a vision screening and eye assessment tool, and to implement, expand, and sustain the program. Effective 7/1/2050. (SD1)

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