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# 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           "~~[+]§302A-853[-] 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]~~ based on a nursing assessment and  
14 consultation with the department of health; and

15 (4) The administration of the medication is necessary for  
16 the health of the student and ~~[for the student's~~  
17 ~~attendance at]~~ the student's readiness to learn in  
18 school."

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

21 "[+]§302A-854[+] **School health aides[-]; compensation.**

22 All full-time school health aides employed in the department

1 shall be employed and have their compensation fixed in  
2 accordance with chapter 76 and the appropriate collective  
3 bargaining agreement, executive order, executive directive, or  
4 rule[; ~~provided that the compensation shall be based on a six~~  
5 ~~and one-half hour work day; provided further that:~~

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

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

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

17 SECTION 4. Section 302A-855, Hawaii Revised Statutes, is  
18 amended to read as follows:

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



1 SECTION 5. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 6. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect upon its approval.



**Report Title:**

Public Schools; School Health Aides

**Description:**

Repeals certain operational requirements for student health programs established for a 1970 pilot project. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

