

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 124
HOUSE BILL 365

AN ACT TO REQUIRE PUBLIC SCHOOL CHILDREN TO RECEIVE A HEALTH
ASSESSMENT BEFORE ENTRY INTO KINDERGARTEN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-440 reads as rewritten:

"§ 130A-440. Health assessment required.

(a) Every child in this State entering kindergarten in the public schools shall receive a health assessment. The health assessment shall be made between the first of January prior to school entry and the ~~31st of December after school~~ date of school entry. No child shall attend kindergarten unless a health assessment transmittal form, developed pursuant to G.S. 130A-441, indicating that the child has received the health assessment required by this section, is presented to the school principal. The medical provider, or the parent, guardian, or person *in loco parentis*, must present a completed health assessment transmittal form to the principal of the school on or before the child's first day of attendance. If a health assessment transmittal form is not presented on or before the first day, the principal shall present a notice of deficiency to the parent, guardian, or responsible person. The parent, guardian, or responsible person shall have 30 calendar days from the first day of attendance to present the required health assessment transmittal form for the child. Upon termination of 30 calendar days, the principal shall not permit the child to attend the school until the required health assessment transmittal form has been presented.

(b) A health assessment shall include a medical history and physical examination with screening for vision and hearing and, if appropriate, testing for anemia and tuberculosis. The health assessment may also include dental screening and developmental screening ~~which may include for~~ cognition, language, and motor function.

(c) The health assessment shall be conducted by a physician licensed to practice medicine, a physician's assistant as defined in G.S. 90-18.1(a), a certified nurse practitioner, or a public health nurse meeting the Department's Standards for Early Periodic Screening, Diagnosis, and Treatment Screening.

(d) This Article shall not apply to children entering kindergarten in private church schools, schools of religious charter, or qualified nonpublic schools, regulated by Article 39 of Chapter ~~H5-115C~~ of the General Statutes."

Sec. 2. G.S. 130A-441 reads as rewritten:

"§ 130A-441. Reporting.

(a) Health assessment results shall be submitted to the school principal by the medical provider on health assessment transmittal forms developed by the Department and the Department of Public Instruction.

(b) Each school having a kindergarten shall maintain on file the health assessment results. The files shall be open to inspection by the Department, the Department of Public Instruction, or their authorized representatives and persons inspecting the files shall maintain the confidentiality of the files. Upon transfer of a child to another kindergarten, a copy of the health assessment results shall be provided upon request and without charge to the new kindergarten.

(c) Within ~~90~~60 calendar days after the commencement of a new school year, the principal shall file a health assessment status report with the Department of ~~Public Instruction~~ on forms developed by the Department and the Department of Public Instruction. The report shall document the number of children in compliance and not in compliance with G.S. 130A-440(a)."

Sec. 3. This act is effective upon ratification and applies to children entering kindergarten in the 1994-95 school year.

In the General Assembly read three times and ratified this the 7th day of June, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives