

10293

I N   A S S E M B L Y

May 18, 2012

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Introduced by M. of A. CUSICK -- read once and referred to the Committee  
on Education

AN ACT to amend the education law, in relation to requiring heart exam-  
inations for students

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 1 of section 903 of the education law, as sepa-  
2     rately amended by section 11 of part B of chapter 58 and chapter 281 of  
3     the laws of 2007, is amended to read as follows:  
4     1. A health certificate shall be furnished by each student in the  
5     public schools upon his or her entrance in such schools and upon his or  
6     her entry into the grades prescribed by the commissioner in regulations,  
7     provided that such regulations shall require such certificates at least  
8     twice during the elementary grades and twice in the secondary grades. An  
9     examination and health history of any child may be required by the local  
10    school authorities at any time in their discretion to promote the educa-  
11    tional interests of such child. Each certificate shall be signed by a  
12    duly licensed physician, physician assistant, or nurse practitioner, who  
13    is authorized by law to practice in this state, and consistent with any  
14    applicable written practice agreement, or by a duly licensed physician,  
15    physician assistant, or nurse practitioner, who is authorized to prac-  
16    tice in the jurisdiction in which the examination was given, provided  
17    that the commissioner has determined that such jurisdiction has stand-  
18    ards of licensure and practice comparable to those of New York. Each  
19    such certificate shall describe the condition of the student when the  
20    examination was made, which shall not be more than twelve months prior  
21    to the commencement of the school year in which the examination is  
22    required, and shall state whether such student is in a fit condition of  
23    health to permit his or her attendance at the public schools. Each such  
24    certificate shall also state the student's body mass index (BMI) and  
25    weight status category. For purposes of this section, BMI is computed  
26    as the weight in kilograms divided by the square of height in meters or  
27    the weight in pounds divided by the square of height in inches multi-  
28    plied by a conversion factor of 703. Weight status categories for chil-

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 dren and adolescents shall be as defined by the commissioner of health.  
2 EACH SUCH CERTIFICATE SHALL ALSO STATE THAT THE STUDENT HAS UNDERGONE A  
3 HEART TEST, SUCH AS AN ELECTROCARDIOGRAM, AND STATE WHETHER THE STUDENT  
4 IS FIT TO PARTICIPATE IN PHYSICAL EDUCATION OR OTHER PHYSICAL OR ATHLET-  
5 IC ACTIVITIES. In all school districts such physician, physician assist-  
6 ant or nurse practitioner shall determine whether a one-time test for  
7 sickle cell anemia is necessary or desirable and he or she shall conduct  
8 such a test and the certificate shall state the results.  
9 S 2. This act shall take effect immediately.