

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

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 examinations for students

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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

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

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1 weight status category. For purposes of this section, BMI is computed
2 as the weight in kilograms divided by the square of height in meters or
3 the weight in pounds divided by the square of height in inches multi-
4 plied by a conversion factor of 703. Weight status categories for chil-
5 dren and adolescents shall be as defined by the commissioner of health.
6 EACH SUCH CERTIFICATE SHALL ALSO STATE THAT THE STUDENT HAS UNDERGONE A
7 HEART TEST, SUCH AS AN ELECTROCARDIOGRAM, AND STATE WHETHER THE STUDENT
8 IS FIT TO PARTICIPATE IN PHYSICAL EDUCATION OR OTHER PHYSICAL OR ATHLET-
9 IC ACTIVITIES. In all school districts such physician, physician assist-
10 ant or nurse practitioner shall determine whether a one-time test for
11 sickle cell anemia is necessary or desirable and he or she shall conduct
12 such a test and the certificate shall state the results.
13 S 2. This act shall take effect immediately.