

STATE OF NEW YORK

2005

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. CUSICK, ASHBY -- 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
2 amended by chapter 183 of the laws of 2017, is amended to read as
3 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
14 subdivision three of section six thousand nine hundred two of this chap-
15 ter, or by a duly licensed physician, physician assistant, or nurse
16 practitioner, who is authorized to practice in the jurisdiction in which
17 the examination was given, provided that the commissioner has determined
18 that such jurisdiction has standards of licensure and practice compara-
19 ble to those of New York. Each such certificate shall describe the
20 condition of the student when the examination was made, which shall not
21 be more than twelve months prior to the commencement of the school year
22 in which the examination is required, and shall state whether such
23 student is in a fit condition of health to permit his or her attendance
24 at the public schools. The examination may include a diabetes risk anal-
25 ysis. Each such certificate shall also state the student's body mass

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

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1 index (BMI) and weight status category. For purposes of this section,
2 BMI is computed as the weight in kilograms divided by the square of
3 height in meters or the weight in pounds divided by the square of height
4 in inches multiplied by a conversion factor of 703. Weight status cate-
5 gories for children and adolescents shall be as defined by the commis-
6 sioner of health. Each certificate shall also state that the student has
7 undergone a heart test such as an electrocardiogram, and state whether
8 the student is fit to participate in physical education or other phys-
9 ical or athletic activities. In all school districts such physician,
10 physician assistant or nurse practitioner shall determine whether a
11 one-time test for sickle cell anemia is necessary or desirable and he or
12 she shall conduct such a test and the certificate shall state the
13 results.

14 § 2. This act shall take effect immediately.