

STATE OF NEW YORK

1006

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law and the public health law, in relation to requiring annual screenings for depression of students in grades seven through twelve

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 905-a
2 to read as follows:

3 § 905-a. Screening examination for depression. 1. The director of
4 school health services of each school district in this state that is
5 required to provide school health services, or the health department or
6 agency otherwise responsible to provide such services, shall conduct
7 annual screening examinations for depression of all students in grades
8 seven through twelve. The screening shall be administered by a qualified
9 professional and shall consist of the Patient Health Questionnaire 2 or
10 an equivalent depression screening tool, as determined by the commis-
11 sioner, with the assistance of the commissioner of health. The screen-
12 ings shall be conducted in a manner that ensures the privacy of the
13 student during the screening process and the confidentiality of the
14 results consistent with state and federal laws applicable to the confi-
15 dentiality of student records. The department, with the assistance of
16 the department of health, shall establish standards on the procedures to
17 be implemented to conduct the screenings for depression and provide for
18 other screening tools, including, but not limited to, a screening tool
19 for anxiety, such as the Generalized Anxiety Disorder 7 or an equivalent
20 anxiety screening tool, as determined by the commissioner, with the
21 assistance of the commissioner of health.

22 2. The positive results of any such screening examinations of students
23 for depression shall be in writing and the parent of, or person in

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

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1 parental relation to, any child whose screening for depression detects a
2 suspected deviation from the recommended standard shall be advised of
3 such results by the school authorities within ninety days after such
4 detection of a suspected deviation is made. The school authorities shall
5 inform the parent, or person in parental relation, that the screening is
6 not a diagnosis and shall encourage the parent, or person in parental
7 relation, to share the results of the screening with the student's
8 primary care physician.

9 3. The school authorities shall forward data collected from screenings
10 administered pursuant to this section to the department and the depart-
11 ment of health, provided that any data forwarded shall be aggregated and
12 shall not contain any identifying or confidential information with
13 regard to any individual. Data collected by the departments pursuant to
14 this subdivision shall be used by the departments to identify statewide
15 trends concerning teenage depression and to develop school and community
16 based initiatives to address teenage depression.

17 4. As used in this section, "qualified professional" means a school
18 psychologist, school nurse, school counselor, student assistance coordi-
19 nator, school social worker, or physician.

20 § 2. Section 206 of the public health law is amended by adding a new
21 subdivision 31 to read as follows:

22 31. The commissioner shall assist the commissioner of education in
23 developing rules and regulations relating to the annual screening for
24 depression of students in grades seven through twelve, in accordance
25 with section nine hundred five-a of the education law.

26 § 3. This act shall take effect on the first of September next
27 succeeding the date on which it shall have become a law.