

## **702 KAR 1:160. School health services.**

RELATES TO: KRS 156.160(1)(h), (i), (j), 156.501, 156.502, 158.035, 158.160, 158.838, 161.145, 214.034, 214.036, 29 C.F.R. 1910.1030

STATUTORY AUTHORITY: KRS 156.070, 156.160(1), 158.838

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.070(1) requires the Kentucky Board of Education to manage and control all the common schools and all programs operated in these schools. KRS 156.160(1)(h) requires the board to promulgate administrative regulations governing medical inspection, physical and health education and recreation, and other administrative regulations necessary or advisable for the protection of the physical welfare and safety of the public school children. KRS 156.160(1)(i) and (j) require the board to promulgate administrative regulations governing a required vision examination and a dental screening or examination. This administrative regulation establishes criteria for preventive student health care examinations at the local school district level.

### **Section 1. School Employee Medical Examinations.**

(1) Except as provided in subsection (2) of this section, a local board of education shall require a medical examination of each certified or classified employee, including each substitute teacher. The medical examination shall:

- (a) Be conducted prior to initial employment; and
- (b) Include a tuberculosis (TB) risk assessment.

1. If the individual is identified by that assessment as being at high risk for TB, the individual shall be required to undergo the administration of a tuberculin skin test (TST) or a blood test for *Mycobacterium tuberculosis* (BAMT).

2. The TB risk assessment shall be performed and reported by a physician, an advanced practice registered nurse, a physician's assistant, or a registered nurse.

(2) The medical examination requirement shall not apply to school bus drivers who are covered by 702 KAR 5:080.

(3) A local board of education may require by policy that a school employee physical examination be conducted no earlier than a ninety (90) day period prior to initial employment.

(4) A medical examination shall be reported on the form Medical Examination of School Employees, KDESHS001, or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form.

(5) A person who tests positive for TB shall be required to comply with the directives of the local board of health and the Kentucky Department for Public Health for further evaluation and treatment of the TB infection.

(6)

(a) Following the required medical examination for initial employment and any subsequent examinations as may be required for positive tuberculin reactors, a school district employee other than a bus driver shall submit to the local school superintendent the completed Medical Examination of School Employees form or an electronic medical record that includes all of the data equivalent to that on the Medical Examination of School Employees form required by subsection (4) of this section.

(b) The medical examination shall be performed and signed for by a physician, physician's assistant, or an advanced practice registered nurse. Transmission of an electronic medical record to the school district via email from the health care provider's office may be accepted as the official signature.

(7) Documentation of a TST, BAMT, and chest x-ray, if performed, shall include:

- (a) The date given;
- (b) Type of test;

- (c) Millimeters of induration;
  - (d) Date read and by whom; and
  - (e) Date x-ray taken and results as related to TB status.
- (8)
- (a)
    1. A local board of education shall require all school personnel exhibiting symptoms of chronic respiratory disease to undergo a TB risk assessment and examinations as indicated.
    2. The evaluation and any recommended treatment for TB infection shall be based upon the directives of the local board of health and the Kentucky Department for Public Health.
  - (b) An employee exposed to infectious TB shall be tested and, if necessary, treated for TB infection according to the directives of the local board of health.
  - (c) The school district shall require school district employees to undergo more extensive testing for TB if:
    1. The number of active TB cases in the county is equal to or greater than the national average, as established by the Department for Public Health, Division of Epidemiology and Health Planning, Tuberculosis Prevention and Control Program; and
    2. The local board of health, with the approval of the Kentucky Department for Public Health, requires more extensive testing for TB of school district employees.

## Section 2. Preventive Student Health Care Examinations.

- (1)
- (a) A local board of education shall require a preventive health care examination for students within one (1) year prior to initial entry to school.
  - (b) A second examination shall be required within one (1) year prior to entry into the sixth grade. (c) A third examination may be required by policy of the local board of education within one (1) year prior to entry into the ninth grade.
- (2) An out-of-state transfer student shall be required to submit documentation of a preventive health care examination.
- (3) A local board of education may extend the deadline by which to obtain a preventive student health care examination, not to exceed two (2) months.
- (4) A preventive student health care examination shall be performed and signed for by a physician, an advanced practice registered nurse, a physician's assistant, or by a health care provider in the early periodic screening diagnosis and treatment programs. Transmission of an electronic medical record to the school district via email from the health care provider's office may be accepted as the official signature.
- (5) A preventive student health care examination shall be reported on the Preventive Student Health Care Examination Form, KDESHS002, or an electronic medical record that includes all of the data equivalent to that on the Preventive Student Health Care Examination Form, and shall include:
- (a) A medical history;
  - (b) An assessment of growth and development and general appearance;
  - (c) A physical assessment including hearing and vision screening; and
  - (d) Recommendations to the school regarding health problems that may require special attention in classroom or physical education activities.
- (6)
- (a) A vision examination shall be reported on the form, Kentucky Eye Examination Form for School Entry, KDESHS004, or other electronic medical record that includes all of the data equivalent to that on the Kentucky Eye Examination Form for School Entry.

- (b) A dental screening or examination shall be reported on the form, Kentucky Dental Screening/Examination Form for School Entry, KDESHS005, or other electronic medical record that includes all of the data equivalent to that on the Kentucky Dental Screening/Examination Form for School Entry.
- (7) A local school district shall establish a plan for implementation and compliance required for the sixth grade preventive student health care examination.
- (8) A current Immunization Certificate, EPID-230, incorporated by reference into 902 KAR 2:060, or an immunization certificate meeting the requirements of 902 KAR 2:060, Section 4, shall be on file within two (2) weeks of the child's enrollment in school.
- (9)
- (a) A board of education shall adopt a program of continuous health supervision for all currently enrolled students.
- (b) Supervision shall include scheduled screening tests for vision and hearing.
- (c) Supervision shall include the adoption of policies for the implementation of seizure action plans pursuant to KRS 158.838. Seizure action plan shall have the same meaning as in KRS 158.832.
- (10) A school shall have emergency care procedures, which shall include:
- (a) First aid facilities meeting the requirements of 702 KAR 4:170, including provisions for designated areas for the child to recline;
- (b) A requirement that whenever children are present during school hours, there shall be at least one (1) adult present in the school who is certified in a standard first aid course which includes CPR for infants and children;
- (c) A requirement that, at all times when enrolled students, for whom documentation under KRS 158.838(2) or (7), including seizure action plans, has been provided to the school, are present during school hours or participating in school-related activities, there is a school employee who is trained to administer and can administer or assist with the self-administration of glucagon, insulin, or seizure medications approved by the United States Food and Drug Administration or successor agency and administered pursuant to a student's seizure action plan. A student shall be permitted to conduct the actions and possess the supplies and equipment described in KRS 158.838(7) at school-related activities regardless of whether the student is a participant or mere observer of the school-related activity;
- (d) A number at which parents can be reached; and
- (e) The name of a family physician.

### Section 3. Cumulative Health Records.

- (1) A school shall initiate a cumulative health record for each student entering its school.
- (a) The record shall be maintained throughout the student's attendance.
- (b) The record shall be uniform and shall be on the form Student's Cumulative Health Record, KDESHS006, or the record shall be maintained electronically in the student information system.
- (c) The record shall include screening tests related to growth and development, vision, hearing, and any dental screenings other than the initial dental screening recorded on the Kentucky Dental Screening/Examination Form for School Entry, KDESHS005, and findings and recommendations of a health care provider and a dentist.
- (d) A follow-up by the proper health or school authorities shall be made on each abnormality noted, and the result shall be recorded.
- (2) A local school district shall report all known or suspected cases of communicable disease immediately to the local health department.

### Section 4. School District Health Personnel.

- (1) A superintendent shall designate a person to serve as school health coordinator for the district. The person designated shall meet the following minimum qualifications:

(a) A valid license to practice as a registered nurse, issued under KRS 314.041 by the Kentucky Board of Nursing, and three (3) years of registered nursing practice, as defined in KRS 314.011(6);

(b) A school psychologist certificate, issued by the Education Professional Standards Board (EPSB) pursuant to 16 KAR 2:090, and a minimum of three (3) years of related work experience in a school setting; or

(c) A school social worker certificate, issued by the EPSB pursuant to 16 KAR 2:070, and a minimum of three (3) years of work experience practicing social work in a school setting.

(2) The school health coordinator shall work in cooperation with all school personnel, the local board of education, the department, the local health department, and family resource and youth services centers, in promoting and implementing a school health services program.

Section 5. Delegation to Perform Medication Administration. A local board of education shall require proof that all unlicensed school personnel who have accepted delegation to perform medication administration in school have completed a training course provided by the department or allowed under KRS 158.838(1)(c). The department's course shall be developed in consultation with the Kentucky Board of Nursing to ensure compliance with 201 KAR 20:400 and KRS 156.502.

Section 6. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Medical Examination of School Employees", KDESHS001, January 1, 2015;

(b) "Preventive Student Health Care Examination Form", KDESHS002, January 1, 2015;

(c) "Student's Cumulative Health Record", KDESHS006, January 2, 2015;

(d) "Kentucky Eye Examination Form for School Entry", KDESHS004, January 1, 2015; and

(e) "Kentucky Dental Screening/Examination Form For School Entry", KDESHS005, January 2, 2015.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of District Support, Department of Education, 300 Sower Boulevard, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

(SBE 48.011; 1 Ky.R. 81; eff. 11-13-1974; 5 Ky.R. 1086; eff. 8-1-1979; 7 Ky.R. 28; eff. 9-3-1980; 8 Ky.R. 1162; 9 Ky.R. 114; eff. 6-22-1982; 1315; eff. 7-6-1983; 17 Ky.R. 2245; eff. 3-13-1991; 18 Ky.R. 1202; 2256; eff. 1-10-1992; 19 Ky.R. 2494; 20 Ky.R. 75; 509; eff. 8-5-1993; 26 Ky.R. 1449; eff. 3-10-2000; 27 Ky.R. 1332; eff. 1-15-2001; 34 Ky.R. 628; 1421; eff. 1-4-2008; 36 Ky.R. 653; 1218; eff. 1-4-2010; Recodified from 704 KAR 4:020, 1-13-2012; 38 Ky.R. 1799; 39 Ky.R. 28; eff. 7-13-2012; 41 Ky.R. 597; 1101; 1337; eff. 1-5-2015; 45 Ky.R. 2744, 3066; eff. 5-31-2019.)