

SB 343 - AS INTRODUCED

2024 SESSION

24-2849

10/05

SENATE BILL        **343**

AN ACT            relative to school based health services.

SPONSORS:        Sen. Innis, Dist 7; Sen. Gray, Dist 6; Sen. Carson, Dist 14; Sen. Murphy, Dist 16;  
Rep. Wolf, Merr. 7

COMMITTEE:      Education

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ANALYSIS

This bill allows school districts to contract with a health care provider, health system, or community partner to establish a school based health center for the purpose of providing services to students beyond the scope of school nursing services.

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Explanation:      Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Four*

AN ACT                    relative to school based health services.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 New Section; School Health Services. Amend RSA 200 by inserting after section 31 the  
2 following new section:

3            200:31-a School Based Health Services.

4            I. In this section:

5                    (a) "School based health center" means a health clinic that:

6                            (1) Is located in or near a school or school facility of a school corporation;

7                            (2) Is organized or promoted through school, community, or health care provider  
8 relationships; and

9                            (3) Provides primary health services to a student of the school corporation on a day  
10 that the student is in attendance at school by health care providers, in accordance with state and  
11 federal law.

12                    (b) "School nursing services" refers to the responsibilities of a school nurse as described  
13 this chapter. The term does not include services provided in a school based health center or by an  
14 individual who is not employed by the school. School nursing services must be provided in  
15 accordance with all state and federal laws and regulations and the applicable standard of care.

16            II. A school district may contract with a health care provider, health system, or community  
17 partner to establish a school based health center for the purpose of providing services to students  
18 beyond the scope of school nursing services if the following requirements are met:

19                    (a) The school based health center must be a distinct legal entity that is separate from  
20 the school district.

21                    (b) The establishment of a school based health center may not replace the role of school  
22 nurses who are employed by the school corporation to provide first aid and emergency services.

23                    (c) Student participation in services provided by a school based health center must be  
24 voluntary.

25                    (d) The school based health center or school district may not offer an incentive to a  
26 student or parent of a student in exchange for participation in services provided by the school based  
27 health center.

28                    (e) A student, if the student is an emancipated minor, or the student's parent or  
29 guardian if the student is an unemancipated minor, must provide written informed consent for the  
30 student to receive services at a school based health center.

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1           (f) If the student is an unemancipated minor the parent or an adult approved by the  
2 parent must be present at the time the student receives services at a school based health center.

3           (g) Services provided at a school based health center must be provided by a health care  
4 provider.

5           (h) A health care provider employed by or working in a school based health center must  
6 maintain health records in accordance with the federal Health Insurance Portability and  
7 Accountability Act (HIPAA).

8           (i) Except as required by law, a school or school corporation may not access a student's  
9 health records.

10          III. The state board of education shall adopt rules necessary to implement the provisions of  
11 this section.

12          2 Effective Date. This act shall take effect 60 days after its passage.