

PENNSYLVANIA STATUTES
TITLE 24. EDUCATION
CHAPTER 1. PUBLIC SCHOOL CODE OF 1949
ARTICLE XIV. SCHOOL HEALTH SERVICES
EXCERPTS FROM 24 P.S. RELATED TO DENTAL HEALTH SERVICES

§ 14-1401. Definitions

As used in this article—

(1) "CHILDREN OF SCHOOL AGE" or "CHILD OF SCHOOL AGE" means every child attending or who should attend an elementary grade or high school, either public or private, within the Commonwealth and children who are attending a kindergarten which is an integral part of a local school district.

(2) "TEACHERS" means professional employes, temporary professional employes and substitutes and instructors in public or private schools within the Commonwealth.

(3) "OTHER EMPLOYES" means janitors, bus drivers, cooks and other cafeteria help and all others employed at schools.

(4) "SCHOOL PHYSICIAN" means a physician legally qualified to practice medicine and surgery or osteopathy or osteopathic surgery in the Commonwealth, who has been appointed or approved by the Secretary of Health.

(5) "SCHOOL DENTIST" means a doctor of dental surgery or dental medicine legally qualified to practice dentistry in the Commonwealth, who has been appointed or approved by the Secretary of Health.

(6) "FAMILY PHYSICIAN" means either a doctor of medicine legally qualified to practice medicine and surgery in the Commonwealth, or an osteopath or osteopathic surgeon legally qualified to practice osteopathy or osteopathic surgery in the Commonwealth, who has been designated by the parent or guardian as the personal physician of the child.

(7) "FAMILY DENTIST" means a doctor of dental surgery or dental medicine legally qualified to practice dentistry in the Commonwealth, who has been designated by the parent or guardian as the personal dentist of the child.

(8) "SCHOOL NURSE" means a licensed registered nurse properly certificated by the Superintendent of Public Instruction as a school nurse who is employed by a school district or joint school board as a school nurse, or is employed in providing school nurse services to children of school age by a county health unit or a department or board of health of any municipality with which a school district or joint school board has contracted for school health services pursuant to the provisions of section 1411 of this act. The employment of any nurse employed by a school district or joint school board as a school nurse prior to the effective date of this act shall not be affected by a contract for school health services that may be entered into by any school district or joint school board under the provisions of this act.

(9) "DENTAL HYGIENIST" means a dental hygienist licensed by the State Dental Council and Examining Board, who is assigned to a school district or joint school board or a dental hygienist licensed by the

State Dental Council and Examining Board and certificated as a school dental hygienist by the Superintendent of Public Instruction, who is employed by a school district or joint school board as a dental hygienist. The employment of any dental hygienist employed by a school district or joint school board as a dental hygienist prior to the effective date of this act shall not be affected by a contract for school health services that may be entered into by any school district or joint school board under the provisions of this act.

(10) "MEDICAL TECHNICIAN" means a person skilled in the operation of X-ray or other diagnostic equipment having such training and experience as required by the Secretary of Health.

(11) "SANITARIAN" means a person having such training and experience as required by the Secretary of Health and qualified to conduct sanitary inspections of school buildings and grounds in connection with water supply, sewage and refuse disposal, food service, heating, lighting, ventilation and safety.

(12) "ASTHMA INHALER" means a prescribed device used for self-administration of short-acting, metered doses of prescribed medication to treat an acute asthma attack.

HISTORY: Act 2004-187 (H.B. 1113), P.L. 1471, § 2, approved Nov. 30, 2004, eff. Immediately

§ 14-1403. Dental examinations and dental hygiene services

(a) All children of school age, in the Commonwealth, (i) upon original entry into the school, (ii) while in the third grade, and (iii) while in the seventh grade, shall be given a dental examination by a school dentist: Provided, however, That this requirement shall not apply to those school districts or joint school boards which have instituted a program of dental hygiene services as provided in subsection (b) of this section.

(b) Any school district or joint school board may institute a program of dental hygiene services for children of school age, which program shall be approved by the Secretary of Health, and for that purpose may employ dental hygienists.

§ 14-1404. Place of examination, use of hospital facilities

The school physician and school dentist shall conduct medical, dental and other examinations in rooms set aside for this special purpose and equipped with adequate facilities and with such other accessories as may be required by the Secretary of Health for the thorough examination of children. The school physicians shall require the removal of sufficient clothing to insure complete examination. If facilities in schools are inadequate for conducting medical, dental and other examinations, the school districts or joint school boards and private schools may, subject to the approval of the Secretary of Health, make arrangements for the use of laboratories and facilities of hospitals or clinics for examinations herein provided for.

§ 14-1405. Assistance; presence of parents

Every school physician shall be assisted by a school nurse and every school dentist by a dental hygienist, if available, or trained assistant, who shall be present during each examination. Parents or guardians of children of school age shall be advised in advance of the date of examination and urged to be present.

Medical examinations shall be made in the presence of the parent or guardian of the child when so requested by the parent or guardian.

§ 14-1406. Recommendations

(a) Recommendations as to medical, surgical or dental care shall be sent to each parent or guardian and to the family physician or family dentist on forms prepared or approved by the Secretary of Health with instructions to the parent or guardian to consult the family physician or family dentist and to notify the school authorities of the action taken with respect to the recommendations.

(b) School physicians or school nurses shall inform teachers of the health conditions of pupils which may affect behavior, appearance or scholastic performance.

(c) Notice of the existence of and eligibility for the program under Article XXIII of the act of May 17, 1921 (P.L. 682, No. 284), known as "The Insurance Company Law of 1921," shall be prepared by, paid for and provided to each school district in Pennsylvania by the Insurance Department annually, not later than the fifteenth day of August, in sufficient quantities to provide the parent or legal guardian of every school student enrolled in the district with such notice. The school district shall provide such notice to the parent or guardian of each student enrolled in the district during the school year. The Insurance Department shall provide sufficient copies of the notice to nonpublic schools upon request.

HISTORY: Act 2002-153 (H.B. 204), P.L. 1317, § 3, approved Dec. 9, 2002, eff. immediately.

§ 14-1407. Examinations by examiners of own choice

In lieu of the medical or dental examinations prescribed by this article, any child of school age may furnish the local school officials with a medical or dental report of examination made at his own expense by his family physician or family dentist on a form approved by the Secretary of Health for this purpose. The in lieu examinations shall be made and the report shall be furnished prior to the date fixed for the regularly scheduled examination but no earlier than four months prior to the opening of the school term during which the regular examination is scheduled.

§ 14-1410. Employment of school health personnel

Except as otherwise provided in this article, all school districts alone or jointly with other districts or joint school boards shall employ school physicians and school dentists but only with the approval of the Secretary of Health, and shall compensate them on a basis agreed upon by the school physician or school dentist and the employing district or joint school board, and shall employ one or more school nurses. Health officers of municipalities may be appointed as school physicians by school districts or joint school boards. For special examinations recommended by school physicians, school districts or joint school boards may engage the services of ophthalmologists or other licensed medical specialists or of optometrists. Any school district alone or jointly with other districts or joint school boards may employ dental hygienists and such other technical and clerical personnel as are necessary to carry out the provisions of this article.

§ 14-1415. Public assistance for medical, dental or surgical care

If the medical record of any child at any time discloses a condition which requires medical, dental or surgical treatment and the parent or guardian states to the school authorities that he is financially unable to have a physician or dentist of his choice render such care, he shall be advised that the cost of such care may be provided if application is made to the appropriate county board of public assistance. Upon application, the county board of assistance shall authorize payment for necessary medical, dental or surgical care as assistance is defined in the standards, rules and regulations established by the Secretary of Public Welfare in consultation with the Secretary of Health. If it appears that the parent or guardian was financially able to pay for the medical, dental or surgical care for which payment was made on the authorization of a county board of assistance, the Department of Public Welfare shall recover the amounts thus expended from the parent or guardian liable for the support of such child as provided in the support law.

§ 14-1419. Objections to examination or treatment on religious grounds

This article shall not be construed to compel any person to submit to any medical or dental examination or treatment under the authority of this act when the person or the parent or guardian of the person, if a minor, objects to the examination or treatment on religious grounds or to permit any discrimination against any person on account of such objections: Provided, That exemption from medical or dental examination shall not be granted if the Secretary of Health finds that facts exist under which the exemption constitutes a present substantial menace to the health of other persons exposed to contact with the unexamined person.