

1                                    AMENDMENT TO SENATE BILL 1081

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1081 by replacing  
3 everything after the enacting clause with the following:

4            "Section 5. The School Code is amended by changing  
5 Section 27-8.1 as follows:

6            (105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

7            Sec. 27-8.1. Health examinations and immunizations.

8            (1) In compliance with rules and regulations which the  
9 Department of Public Health shall promulgate, and except as  
10 hereinafter provided, all children in Illinois shall have a  
11 health examination as follows: within one year prior to  
12 entering kindergarten or the first grade of any public,  
13 private, or parochial elementary school; upon entering the  
14 fifth and ninth grades of any public, private, or parochial  
15 school; prior to entrance into any public, private, or  
16 parochial nursery school; and, irrespective of grade,  
17 immediately prior to or upon entrance into any public,  
18 private, or parochial school or nursery school, each child  
19 shall present proof of having been examined in accordance  
20 with this Section and the rules and regulations promulgated  
21 hereunder.

22            A tuberculosis skin test screening shall be included as a

1 required part of each health examination included under this  
2 Section if the child resides in an area designated by the  
3 Department of Public Health as having a high incidence of  
4 tuberculosis. Additional health examinations of pupils,  
5 including dental and vision examinations, may be required  
6 when deemed necessary by school authorities. Parents are  
7 encouraged to have their children undergo dental examinations  
8 at the same points in time required for health examinations.

9 (2) The Department of Public Health shall promulgate  
10 rules and regulations specifying the examinations and  
11 procedures that constitute a health examination and may  
12 recommend by rule that certain additional examinations be  
13 performed. The rules and regulations of the Department of  
14 Public Health shall specify that a tuberculosis skin test  
15 screening shall be included as a required part of each health  
16 examination included under this Section if the child resides  
17 in an area designated by the Department of Public Health as  
18 having a high incidence of tuberculosis. The Department of  
19 Public Health shall specify that a diabetes screening as  
20 defined by rule shall be included as a required part of each  
21 health examination. Diabetes testing is not required.

22 Physicians licensed to practice medicine in all of its  
23 branches, advanced practice nurses who have a written  
24 collaborative agreement with a collaborating physician which  
25 authorizes them to perform health examinations, or physician  
26 assistants who have been delegated the performance of health  
27 examinations by their supervising physician shall be  
28 responsible for the performance of the health examinations,  
29 other than dental examinations and vision and hearing  
30 screening, and shall sign all report forms required by  
31 subsection (4) of this Section that pertain to those portions  
32 of the health examination for which the physician, advanced  
33 practice nurse, or physician assistant is responsible. If a  
34 registered nurse performs any part of a health examination,

1 then a physician licensed to practice medicine in all of its  
2 branches must review and sign all required report forms.  
3 Licensed dentists shall perform all dental examinations and  
4 shall sign all report forms required by subsection (4) of  
5 this Section that pertain to the dental examinations.  
6 Physicians licensed to practice medicine in all its branches,  
7 or licensed optometrists, shall perform all vision exams  
8 required by school authorities and shall sign all report  
9 forms required by subsection (4) of this Section that pertain  
10 to the vision exam. Vision and hearing screening tests,  
11 which shall not be considered examinations as that term is  
12 used in this Section, shall be conducted in accordance with  
13 rules and regulations of the Department of Public Health, and  
14 by individuals whom the Department of Public Health has  
15 certified.

16 (3) Every child shall, at or about the same time as he  
17 or she receives a health examination required by subsection  
18 (1) of this Section, present to the local school proof of  
19 having received such immunizations against preventable  
20 communicable diseases as the Department of Public Health  
21 shall require by rules and regulations promulgated pursuant  
22 to this Section and the Communicable Disease Prevention Act.

23 (4) The individuals conducting the health examination  
24 shall record the fact of having conducted the examination,  
25 and such additional information as required, on uniform forms  
26 which the Department of Public Health and the State Board of  
27 Education shall prescribe for statewide use. The examiner  
28 shall summarize on the report form any condition that he or  
29 she suspects indicates a need for special services. The  
30 individuals confirming the administration of required  
31 immunizations shall record as indicated on the form that the  
32 immunizations were administered.

33 (5) If a child does not submit proof of having had  
34 either the health examination or the immunization as

1 required, then the child shall be examined or receive the  
2 immunization, as the case may be, and present proof by  
3 October 15 of the current school year, or by an earlier date  
4 of the current school year established by a school district.  
5 To establish a date before October 15 of the current school  
6 year for the health examination or immunization as required,  
7 a school district must give notice of the requirements of  
8 this Section 60 days prior to the earlier established date.  
9 If for medical reasons one or more of the required  
10 immunizations must be given after October 15 of the current  
11 school year, or after an earlier established date of the  
12 current school year, then the child shall present, by October  
13 15, or by the earlier established date, a schedule for the  
14 administration of the immunizations and a statement of the  
15 medical reasons causing the delay, both the schedule and the  
16 statement being issued by the physician, advanced practice  
17 nurse, physician assistant, registered nurse, or local health  
18 department that will be responsible for administration of the  
19 remaining required immunizations. If a child does not comply  
20 by October 15, or by the earlier established date of the  
21 current school year, with the requirements of this  
22 subsection, then the local school authority shall exclude  
23 that child from school until such time as the child presents  
24 proof of having had the health examination as required and  
25 presents proof of having received those required  
26 immunizations which are medically possible to receive  
27 immediately. During a child's exclusion from school for  
28 noncompliance with this subsection, the child's parents or  
29 legal guardian shall be considered in violation of Section  
30 26-1 and subject to any penalty imposed by Section 26-10.

31 (6) Every school shall report to the State Board of  
32 Education by November 15, in the manner which that agency  
33 shall require, the number of children who have received the  
34 necessary immunizations and the health examination as

1 required, indicating, of those who have not received the  
2 immunizations and examination as required, the number of  
3 children who are exempt from health examination and  
4 immunization requirements on religious or medical grounds as  
5 provided in subsection (8). This reported information shall  
6 be provided to the Department of Public Health by the State  
7 Board of Education.

8 (7) Upon determining that the number of pupils who are  
9 required to be in compliance with subsection (5) of this  
10 Section is below 90% of the number of pupils enrolled in the  
11 school district, 10% of each State aid payment made pursuant  
12 to Section 18-8 to the school district for such year shall be  
13 withheld by the regional superintendent until the number of  
14 students in compliance with subsection (5) is the applicable  
15 specified percentage or higher.

16 (8) Parents or legal guardians who object to health  
17 examinations or any part thereof, or to immunizations, on  
18 religious grounds shall not be required to submit their  
19 children or wards to the examinations or immunizations to  
20 which they so object if such parents or legal guardians  
21 present to the appropriate local school authority a signed  
22 statement of objection, detailing the grounds for the  
23 objection. If the physical condition of the child is such  
24 that any one or more of the immunizing agents should not be  
25 administered, the examining physician, advanced practice  
26 nurse, or physician assistant responsible for the performance  
27 of the health examination shall endorse that fact upon the  
28 health examination form. Exempting a child from the health  
29 examination does not exempt the child from participation in  
30 the program of physical education training provided in  
31 Sections 27-5 through 27-7 of this Code.

32 (9) For the purposes of this Section, "nursery schools"  
33 means those nursery schools operated by elementary school  
34 systems or secondary level school units or institutions of

1 higher learning.

2 (Source: P.A. 91-357, eff. 7-29-99; 92-703, eff. 7-19-02.)

3 Section 99. Effective date. This Act takes effect on  
4 January 1, 2004."