

Article - Education

Section 7-403 and 7-403.1

Annotated Code of Maryland

(1989 Replacement Volume and 1989 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Education

7-401.1.

(A) THE DEPARTMENT OF EDUCATION IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL ADOPT REGULATIONS REQUIRING A PHYSICAL EXAMINATION FOR CHILDREN ENTERING THE MARYLAND PUBLIC SCHOOL SYSTEM FOR THE FIRST TIME.

(B) THE REGULATIONS SHALL REQUIRE EACH CHILD ENTERING THE MARYLAND PUBLIC SCHOOL SYSTEM FOR THE FIRST TIME ~~SHALL~~ HAVE A PHYSICAL EXAMINATION COMPLETED WITHIN:

(1) THE 9-MONTH PERIOD BEFORE ENTERING THE PUBLIC SCHOOL SYSTEM; OR

(2) THE 6-MONTH PERIOD AFTER ENTERING THE PUBLIC SCHOOL SYSTEM.

(C) THE PHYSICAL EXAMINATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE COMPLETED BY:

(1) A PHYSICIAN; OR

(2) A CERTIFIED NURSE PRACTITIONER.

(D) (1) FOR EACH SCHOOL YEAR EACH PUBLIC SCHOOL SHALL REPORT TO THE COUNTY BOARD OR COUNTY HEALTH DEPARTMENT THE NUMBER OF CHILDREN ENTERING THE PUBLIC SCHOOL SYSTEM FOR THE FIRST TIME WHO HAVE NOT HAD A PHYSICAL EXAMINATION BECAUSE OF:

(I) THE LACK OF ACCESS TO HEALTH CARE;

(II) INSUFFICIENT FINANCIAL RESOURCES; OR

(III) ANY OTHER REASON, INCLUDING A RELIGIOUS REASON, AS THE PUBLIC SCHOOL DEEMS APPROPRIATE.

(2) THE COUNTY BOARD OR COUNTY HEALTH DEPARTMENT SHALL REPORT THE INFORMATION OBTAINED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.