COMMITTEE REPORT

May 5, 2010

**S. 286**

Introduced by Senators Cleary, Rose and Scott

S. Printed 5/5/10--H. [SEC 5/6/10 3:39 PM]

Read the first time April 22, 2009.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (S. 286) to amend the Code of Laws of South Carolina, 1976, by adding Chapter 8 to Title 44 so as to require the Department of Health and Environmental Control to implement, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Title 44 of the 1976 Code is amended by adding:

“CHAPTER 8

Community Oral Health Coordinator

Section 44‑8‑10. The Department of Health and Environmental Control shall implement a targeted community program for dental health education, screening, and treatment referral in the public schools for children in kindergarten, third, seventh, and tenth grades or upon entry into a South Carolina school. The department shall target three to five counties of need. The program must seek collaboration from local school districts, other governmental entities, school nurses, and dentists to coordinate federal Medicaid assistance and any volunteer efforts to reduce costs to the State to the extent practicable. Program guidelines must be promulgated in regulations and must include procedures for screenings and for the issuance of an Acknowledgment of Dental Screening for a child indicating that the child has had the dental screening. These guidelines also must provide that the screenings required by this section be made by an authorized provider at no charge.

Section 44‑8‑20. Unless a different meaning is required by the context:

(1) ‘Acknowledgment of Dental Screening’ means a document designed to serve as official confirmation that a child has had a dental screening.

(2) ‘Authorized practitioner’ means dentists, hygienists, certified dental assistants, physicians, and nurses, and anyone who has qualified under the department’s training module.

(3) ‘Community oral health coordinator’ means someone located in the county of need that will provide support to county health departments and school districts to strengthen the capacity to respond to the oral health needs of school children. They will assist in facilitating the removal of barriers to dental care, partnership development or enhancement, building or enhancing of dental safety net systems, oral health training and education, and strategic planning for accessing additional resources.

(4) ‘County of need’ means any county in this State that is considered to be a dentally underserved area based on the most recent Oral Health Needs Assessment or any other data deemed appropriate by the department.

(5) ‘Department’ means the South Carolina Department of Health and Environmental Control.

(6) ‘School’ means any public school operating within the county, as defined by Section 59‑1‑120.

(7) ‘Screening’ means a visual scan of the oral cavity and facial structures performed consistent with national standards as recognized and approved by the department.

Section 44‑8‑30. (A) In the target counties of need, no later than one hundred twenty calendar days following a child’s start date to five year old kindergarten, third grade, seventh grade, tenth grade, or upon entry into a South Carolina school, the student shall present to the school an Acknowledgment of Dental Screening signed by an authorized practitioner.

Section 44‑8‑40. When a dental screening is performed by an authorized practitioner in a school setting in one of the targeted counties of need, the practitioner shall issue an Acknowledgment of Dental Screening for the child. The school nurse or other school employee designated by the school district superintendent shall notify and advise the child’s parent or guardian to seek further professional attention for the child if indicated by the screening. Upon receipt of written permission from the parent or guardian, the school also shall notify the community oral health coordinator who will serve as a facilitator if further attention is needed upon completion of the screening. The community oral health coordinator also shall maintain all records and data determined necessary by the department.

Section 44‑8‑50. A screening must be performed for students in the targeted counties of need unless a parent or guardian completes an exemption form provided to them by the school. The school shall accept a parental exemption form in place of the Acknowledgment of Dental Screening.

Section 44‑8‑60. The initial and continued implementation of the provisions of this chapter is contingent upon the appropriation of adequate funding. There is no mandatory financial obligation to the Department of Health and Environmental Control, the Department of Education, or school districts within the counties chosen to participate if adequate funding is not appropriated or made available.”

SECTION 2. Section 44‑1‑240 of the 1976 Code is repealed.

SECTION 3. This act takes effect July 1, 2010, and applies to students in the grade levels specified in Section 44‑8‑30 of the 1976 Code, as added by Section 1 of this act, no later than the 2011‑2012 school year, contingent upon regulations authorized in Section 44‑8‑10 of the 1976 Code, as added by Section 1 of this act, being effective and funding for this program being available to the Department of Health and Environmental Control. /

Renumber sections to conform.

Amend title to conform.

PHILLIP D. OWENS for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

Department of Health & Environmental Control

The department estimates that *2.00* Community Oral Health Coordinators would be needed to *plan and implement* this program. First year costs are estimated at *$129,672* (including *$79,924* for salary and fringes, *$44,748* for operating expenses and *$5,000* in one-time start-up costs). Annual costs thereafter for this geographically-limited program are estimated at *$124,672*.

The State Department of Education (SDE)

The department estimates this bill will have no fiscal impact on the General Fund of the State or on federal and/or other funds.

**SPECIAL NOTES:**

SDE estimates the recurring fiscal impact to be *$243,100* to the local school districts. In making this estimate, the department assumed the program would be conducted in five counties, and that approximately 10,000 hours of additional staff time would be required. This cost consists of screenings, referrals, and copies of the Acknowledgement of Dental Screening, Exemption, and Permission Forms. SDE estimates that approximately *23,600* students would receive the screenings.

*The italicized portion of this impact indicates the items that have been revised. For this impact, the revised constitutes information that was not available in the original impact.*

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 8 TO TITLE 44 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IMPLEMENT A TARGETED COMMUNITY HEALTH PROGRAM IN THREE TO FIVE COUNTIES OF NEED FOR DENTAL HEALTH EDUCATION, SCREENING, AND TREATMENT REFERRALS IN PUBLIC SCHOOLS FOR CHILDREN IN KINDERGARTEN, THIRD, SEVENTH, AND TENTH GRADES OR UPON ENTRY INTO PUBLIC SCHOOLS, TO REQUIRE PROGRAM GUIDELINES TO BE PROMULGATED IN REGULATIONS, TO REQUIRE AN ACKNOWLEDGMENT OF DENTAL SCREENING TO BE ISSUED UPON COMPLETION OF THE SCREENING AND TO REQUIRE THIS ACKNOWLEDGMENT TO BE PRESENTED TO THE CHILD’S SCHOOL, TO REQUIRE NOTIFICATION TO THE CHILD’S PARENT IF PROFESSIONAL ATTENTION IS INDICATED BY THE SCREENING AND IF AUTHORIZED BY THE CHILD’S PARENTS, TO PROVIDE NOTIFICATION TO THE COMMUNITY HEALTH COORDINATOR TO FACILITATE FURTHER ATTENTION IF NEEDED, AND TO PROVIDE THAT A SCREENING MUST BE COMPLETED UNLESS A CHILD’S PARENT COMPLETES AN EXEMPTION FORM.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Title 44 of the 1976 Code is amended by adding:

“CHAPTER 8

Community Oral Health Coordinator

Section 44‑8‑10. The Department of Health and Environmental Control shall implement a targeted community program for dental health education, screening, and treatment referral in the public schools for children in kindergarten, third, seventh, and tenth grades or upon entry into a South Carolina school. The department shall target three to five counties of need. The program must seek collaboration from local school districts, other governmental entities, school nurses, and dentists to coordinate federal Medicaid assistance and any volunteer efforts to reduce costs to the State to the extent practicable. Program guidelines must be promulgated in regulations and must include procedures for screenings and for the issuance of an Acknowledgment of Dental Screening for a child indicating that the child has had the dental screening. These guidelines also must provide that the screenings required by this section be made by an authorized provider at no charge.

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Section 44‑8‑30. (A) In the target counties of need, no later than one hundred twenty calendar days following a child’s start date to five year old kindergarten, third grade, seventh grade, tenth grade, or upon entry into a South Carolina school, the student shall present to the school an Acknowledgment of Dental Screening signed by an authorized practitioner.

Section 44-8-40. When a dental screening is performed by an authorized practitioner in a school setting in one of the targeted counties of need, the practitioner shall issue an Acknowledgment of Dental Screening for the child. The school nurse or other school employee designated by the school district superintendent shall notify and advise the child’s parent or guardian to seek further professional attention for the child if indicated by the screening. Upon receipt of written permission from the parent or guardian, the school also shall notify the community oral health coordinator who will serve as a facilitator if further attention is needed upon completion of the screening. The community oral health coordinator also shall maintain all records and data determined necessary by the department.

Section 44‑8‑50. A screening must be performed for students in the targeted counties of need unless a parent or guardian completes an exemption form provided to them by the school. The school shall accept a parental exemption form in place of the Acknowledgment of Dental Screening.”

SECTION 2. This act takes effect July 1, 2009, and applies to students in the grade levels specified in Section 44-8-30 of the 1976 Code, as added by Section 1 of this act, no later than the 2010‑2011 school year, contingent upon regulations authorized in Section 44-8-10 of the 1976 Code, as added by Section 1 of this act, being effective and funding for this program being available to the Department of Health and Environmental Control.

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