

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1270

5 By: Representative Catlett  
6

## For An Act To Be Entitled

8 AN ACT TO REPEAL THE REQUIREMENT FOR TUBERCULOSIS  
9 SCREENING FOR PUBLIC SCHOOL EMPLOYEES AND VOLUNTEERS;  
10 AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 TO REPEAL THE REQUIREMENT FOR  
14 TUBERCULOSIS SCREENING FOR PUBLIC SCHOOL  
15 EMPLOYEES AND VOLUNTEERS.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code § 6-17-101 is repealed.

22 ~~6-17-101. Certificate of health—Tuberculosis tests.~~

23 ~~(a)(1) Except as provided in subdivision (a)(4) of this section, prior~~  
24 ~~to beginning employment each school year, every newly hired public school~~  
25 ~~employee within this state shall present to the secretary of the board of~~  
26 ~~directors of the employing a school district a certificate of health dated~~  
27 ~~not more than ninety (90) days prior to the date of its presentation stating~~  
28 ~~that the employee is free from tuberculosis.~~

29 ~~(2) The status of the individual regarding possible tuberculosis~~  
30 ~~infection must be determined by a method prescribed by regulation of the~~  
31 ~~State Board of Health, and reactors must undergo sufficient additional tests~~  
32 ~~prescribed by regulation of the State Board of Health and shall be scheduled~~  
33 ~~for a periodic reexamination according to the individual's risk status.~~

34 ~~(3) Certificates of health stating that public school employees~~  
35 ~~are free from tuberculosis infection may be issued by a regularly licensed~~  
36 ~~physician or regularly constituted health authority, but interpretation of~~



1 any X ray film must be made by a competent roentgenologist or physician  
 2 experienced in tuberculosis.

3 ~~(4) A newly hired employee who has had the required screening~~  
 4 ~~performed in the United States within the six (6) months prior to employment~~  
 5 ~~will not be required to have it repeated, provided that the employee presents~~  
 6 ~~documentation to the hiring school district in accordance with rules~~  
 7 ~~established by the State Board of Health.~~

8 ~~(b) All school cafeteria employees and other school employees handling~~  
 9 ~~food shall comply with the same health requirements imposed upon employees of~~  
 10 ~~restaurants and other food service establishments in the State of Arkansas.~~

11 ~~(c) Any teacher or other school employee or member of a school board~~  
 12 ~~of directors within this state violating the terms of this section shall be~~  
 13 ~~guilty of a violation and upon conviction be fined not less than twenty-five~~  
 14 ~~dollars (\$25.00) nor more than one hundred dollars (\$100).~~

15  
 16 SECTION 2. Arkansas Code § 6-22-105 is amended to read as follows:

17 6-22-105. Registered volunteers - Requirements.

18 The superintendent of any school district that develops a registered  
 19 volunteers program ~~as set forth in~~ under this chapter shall require all  
 20 potential registered volunteers to meet the following qualifications before  
 21 the volunteers have any significant unsupervised contact with students:

22 (1) To authorize release of the results of a statewide and  
 23 nationwide criminal records check by the Identification Bureau of the  
 24 Department of Arkansas State Police that conforms to the applicable federal  
 25 standards, which includes the taking of the potential volunteer's  
 26 fingerprints, and which is dated not more than ninety (90) days prior to the  
 27 date of its presentation; and

28 ~~(2)(A) To present a certificate of health dated not more than~~  
 29 ~~ninety (90) days prior to the date of its presentation stating that the~~  
 30 ~~potential volunteer is free from tuberculosis.~~

31 ~~(B) The certificate may be issued by a regularly licensed~~  
 32 ~~physician or regularly constituted health authority, but interpretation of~~  
 33 ~~any x-ray film must be made by a competent roentgenologist or physician~~  
 34 ~~experienced in tuberculosis; and~~

35 ~~(3)~~(2) To complete a minimum of six (6) hours of training  
 36 conducted under the direction of the school district for nonathletic

1 extracurricular or nonathletic interscholastic activities and a minimum of  
2 twelve (12) hours of training conducted under the direction of the school  
3 district for athletic extracurricular activities or under the direction of  
4 the Arkansas ~~Activites~~ Activities Association for athletic interscholastic  
5 activities.

6  
7  
8 **APPROVED: 03/01/2013**  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36