

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1031

By: Representative Flanagin AS ENGROSSED 1/15/87

"AN ACT TO PROTECT THE HEALTH AND WELFARE OF ARKANSAS
CHILDREN BY REQUIRING THE DEPARTMENT OF HEALTH TO INSTITUTE
SCOLIOSIS SCREENING PROGRAMS; AND FOR OTHER PURPOSES."

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

SECTION 1. The General Assembly recognizes that scoliosis is a terrible disease of the spine which attacks young children during their formative years, and that the spinal curvature can be relatively easily detected and should be treated as early as possible. Furthermore, the General Assembly has determined that the most logical entities to conduct a scoliosis screening program are our public schools and other State supported institutions providing education to our children. Therefore, every public elementary and secondary school in this State and every other institution supported by State funds which provides education to our minor children shall, as soon as possible, institute a continuing scoliosis screening program to be conducted in accordance with regulations promulgated by the State Board of Health. The State Board of Health is directed to promulgate regulations as soon as possible to implement this Act. The regulations shall not be effective until concurred in by the State Board of Education. Furthermore, the regulations shall provide that no child shall be screened if its parent or guardian objects to the screening in writing stating as the basis of the objection that it is contrary to the parent's or guardian's religious beliefs. Furthermore, the regulations shall provide that the schools shall not be required to hire personnel on a full-time, part-time or consultant basis to conduct the screening, but shall utilize school health personnel, volunteers and other school employees who are not classroom teachers and who meet the qualifications prescribed by the regulations.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. Emergency. It is hereby found and determined by the General Assembly that scoliosis attacks children in their developing years; that it is relatively easy to conduct a scoliosis screening program and thereby detect the spinal curvature as soon as possible and begin treatment at the earliest stages of the disease; that the scoliosis screening program should commence as soon as possible; that it is necessary for the State Board of Health to promulgate regulations establishing the detailed procedures for conducting the scoliosis screening program; that the regulations should be promulgated as soon as possible in order to assure that the screening program can be implemented as soon as possible; and that this Act is immediately necessary to grant the Board of Health the authority to commence promulgating those regulations. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/ Pat Flanagan

