

1 IN THE SENATE

BY COMMITTEE ON HEALTH, WELFARE
AND EDUCATION

2

SENATE BILL NO. 72

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

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For an Act entitled: "An Act to provide for payment of school

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health examinations by parents or guardians

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able to pay; or by the Alaska Department

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of Health for medically indigent children;

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to give the Commissioner of Health certain

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supervisory and discretionary powers relating

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to school health examinations, to provide

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for exclusion from attendance, and for

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vaccination; amending Sec. 37-7-11 ACLA

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1949, as amended by Chapter 118 SLA 1949,

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as further amended by Chapter 72 SLA 1953,

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and amending Sec. 3, Chapter 72 SLA 1953."

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BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

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Section 1. Sec. 37-7-11 ACLA 1949, as amended by Chapter

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118 SLA 1949, as amended by Chapter 72 SLA 1953, is hereby

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amended to read as follows:

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Sec. 37-7-11. PHYSICAL EXAMINATION OF CHILDREN IN

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ELEMENTARY AND SECONDARY SCHOOLS: EXCLUSION FROM ATTEND-

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ance; VACCINATION: School boards and school officials

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including, where applicable, the Commissioner of Education,

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exercising administrative or governing functions over any

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elementary or secondary school in the Territory of Alaska,

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shall require a physical examination of every child atten-

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ing an elementary or secondary school upon entering said

1 school. In the communities where no physician resides, the
2 examination shall be done as soon as practicable after
3 school entrance, and at such regular intervals thereafter
4 as may be deemed advisable by the Commissioner of Health.
5 Such examinations shall be made by a licensed physician,
6 or a physician who is an employee of the United States
7 Government or of the Alaska Department of Health, in
8 accordance with minimum standards established by the
9 Commissioner of Health. The parent or legal guardian shall
10 pay for the examination of the school child performed by
11 a private physician except in those instances where such
12 parent or guardian certifies to the Alaska Department of
13 Health that he is unable to pay. Inspections of school
14 children by nurses shall not be deemed examinations within
15 the meaning of this Act.

16 The examination of pupils in this section as above
17 required shall be made under the general supervision of the
18 Commissioner of Health who is hereby authorized to expend
19 not to exceed two and one half dollars per pupil examined,
20 out of funds appropriated for this purpose, when the parent
21 or guardian certifies to the Department that he cannot
22 afford to pay for the examination. Provided, however,
23 that no child be obliged to submit to physical examination
24 where parents or guardians object thereto on the grounds
25 of religious principles. Such objections shall be made
26 in writing, shall be signed by the parent or guardian of
27 such child, and shall be delivered to the child's teacher
28 or to the person who might order or conduct such physical
29 examination in the absence of such objection; and

1 provided, further, that exemption from physical examination
2 shall not be granted when in the judgment of the teacher,
3 principal, superintendent, Board of Education, or physician,
4 a child shows symptoms of physical inadequacy making school
5 duties hazardous to himself, or shows symptoms of or has
6 been exposed to any contagious, infectious, obnoxious, or
7 communicable disease.

8 Inspections may be made by a nurse of the pupils attend-
9 ing said school, and said school boards or school officials
10 are authorized and empowered to, and shall exclude from
11 school attendance all children afflicted with or suffering
12 from, or who have been exposed to or suspected of having,
13 any communicable diseases and are authorized and empowered
14 to, and shall require, if in the judgment of the Commis-
15 sioner of Health such actions are necessary for the welfare
16 of the community the children attending such schools, to
17 be vaccinated against such diseases as the Commissioner
18 of Health may specify.

19 Section 2. Sec. 3 Chapter 72 SLA 1953 is hereby amended
20 to read as follows:

21 Sec. 3 Chapter 72 SLA 1953. APPROPRIATIONS. AUTHORI-
22 ZATION: There shall be appropriated to the Alaska
23 Department of Health funds in the treasury not otherwise
24 appropriated, sufficient to the carrying out of the pur-
25 poses of this Act. THE ALASKA DEPARTMENT OF HEALTH WILL
26 PROVIDE FOR REIMBURSEMENT TO AND IN A MANNER PRESCRIBED
27 BY THE DEPARTMENT OF EDUCATION, SCHOOL BOARDS, OR OTHER
28 SCHOOL OFFICIALS FOR EXAMINATIONS PERFORMED UNDER THIS
29 ACT, NOT TO EXCEED TWO AND ONE-HALF DOLLARS PER PUPIL