

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 health examinations by parents or guardians able to pay; or by the Alaska Department of Health for medically indigent children; to give the Commissioner of Health certain supervisory and discretionary powers relating to school health examinations, to provide for the exclusion from attendance, and for vaccination; repealing and re-enacting Sec. 37-7-11 ACLA 1949, as amended by Chapter 118 SLA 1949, as further amended by Chapter 72 SLA 1953, 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 118

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SLA 1949, as amended by Chapter 72 SLA 1953, is hereby repealed and

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re-enacted 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 attend-

SB #72, Engrossed as amended

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

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

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

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

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

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

1 ACT, NOT TO EXCEED TWO AND ONE-HALF DOLLARS PER PUPIL.7

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