

SECOND REGULAR SESSION

HOUSE BILL NO. 1463

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HODGES.

3150L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to sensory processing disorder.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be known as section 167.740, to read as follows:

167.740. 1. Beginning in the 2011-2012 school year, all public school districts shall conduct a screening for Sensory Processing Disorder (SPD) for each student once before the completion of first grade and again before the completion of third grade. The screening method utilized shall be one approved by the children's commission on sensory processing disorder and shall be performed by an appropriately trained school nurse or other trained and qualified employee of the school district.

2. Results of each SPD screening shall be recorded on a form provided by the department of health and senior services, developed and approved by the children's commission on sensory processing disorder established under this section:

(1) The screening results, with all individual identifying information removed, shall be sent to the state department of health and senior services via electronic form and shall compile the data contained in the reports for review and analysis by the commission or other interested parties;

(2) When a student fails the SPD screening, the school district shall send a notice developed by the commission to the parent or guardian notifying them of the results of the SPD screening and propose that the student receive a complete physical examination from a physician or doctor of osteopathy. Such notice shall have a place for the parent to

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 acknowledge receipt along with an indication as to whether the student has received a
19 complete physical examination and the results of the examination. Evidence of an
20 examination provided by a physician or doctor of osteopathy within the year preceding the
21 school SPD screening shall be sufficient for meeting the requirements of this section. The
22 notice completed by the parent or guardian is to be returned to the school and shall be
23 retained in the student's file and a copy shall be sent to the department of health and senior
24 services;

25 (3) Notwithstanding any law to the contrary, nothing in this section shall violate
26 any provisions of Public Law 104-191, 42 U.S.C. 201, et seq, Health Insurance Portability
27 and Accountability Act of 1996.

28 3. The "Children's Commission on Sensory Processing Disorder" is hereby
29 established:

30 (1) The commission shall be composed of five members appointed by the governor:
31 two physicians; one school nurse; one representative from the department of elementary
32 and secondary education; and one representative from the Missouri state school boards
33 association. Each physician shall serve a one-year term as chair of the commission.
34 Members of the commission shall serve without compensation, but may be reimbursed for
35 reasonable and necessary expenses associated with carrying out their duties;

36 (2) Duties of the commission shall be as follows:

37 (a) Analyze and adopt one or more standardized SPD screening tests to carry out
38 the requirements of this section to be used in all schools beginning with the 2010-2011
39 school year which, in the commission's estimation, have a reasonable expectation of
40 identifying SPD in children;

41 (b) Develop, in conjunction with the department of health and senior services, a
42 standardized reporting form which shall be used by all school districts in carrying out the
43 requirements of this section;

44 (c) Design and coordinate appropriate training programs for school district staff
45 who conduct the screening exams. Such training programs may utilize the volunteer
46 services of nonprofit professional organizations which, in the opinion of the commission,
47 are qualified to carry out those responsibilities associated with providing the training
48 required;

49 (d) Conduct a pilot project to track the results of the SPD screenings versus SPD
50 examinations conducted based on the reports submitted by school districts to the
51 department of health and senior services.

52 4. The department of health and senior services shall make a reasonable
53 accommodation for public review and inspection of the data collected as part of the SPD

54 screening pilot project provided that no information is revealed that could identify any
55 individual student who was screened or examined.

56 **5. In the event that a parent or legal guardian of a child objects to the child's**
57 **participation in the SPD screening program, the child shall be excused upon receipt by the**
58 **appropriate school administrator of a written request.**

59 **6. The department of health and senior services shall provide staff support to the**
60 **commission.**

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