

House Bill 3231

Sponsored by COMMITTEE ON HEALTH CARE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires child to undergo oral health screening or to state exemption from screening before entering kindergarten. Requires Department of Human Services to develop and make available oral health screening form and to report to Legislative Assembly. Requires school districts to report annually to department regarding oral health screenings.

A BILL FOR AN ACT

1
2 Relating to oral health screenings.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. As used in sections 2 and 3 of this 2009 Act:**

5 (1) **"Administrator" has the meaning given that term in ORS 433.235.**

6 (2) **"Oral health screening" means an examination for tooth decay and other dental con-**
7 **ditions performed by a dentist licensed under ORS chapter 679 or a person authorized to**
8 **perform oral health screenings under ORS 680.172.**

9 (3) **"Parent" has the meaning given that term in ORS 433.235.**

10 (4) **"School" has the meaning given that term in ORS 433.235.**

11 **SECTION 2. (1) As a condition of attendance in any school in this state, a child who is**
12 **entering kindergarten shall submit to the administrator one of the following statements:**

13 (a) **An oral health screening was performed no more than 12 months before the date of**
14 **enrollment of the child;**

15 (b) **An oral health screening was not performed because the oral health screening poses**
16 **an undue financial burden on the parent;**

17 (c) **An oral health screening was not performed because the parent and child lack access**
18 **to a dentist or a person authorized to perform oral health screenings; or**

19 (d) **An oral health screening was not performed because the parent does not consent to**
20 **the screening.**

21 (2) **A child who is entering first grade at a school that the child has not previously at-**
22 **tended must submit the statement described in subsection (1) of this section before attending**
23 **the school.**

24 (3) **The administrator shall review the records submitted pursuant to subsection (1) of**
25 **this section to determine whether the child has submitted a statement that complies with**
26 **the requirements of subsection (1) of this section. If the child has not submitted a statement**
27 **that complies with the requirements of subsection (1) of this section, the child may not at-**
28 **tend the school until the child submits such a statement.**

29 (4) **A school shall provide the parent of a child who is subject to subsection (1) or (2) of**
30 **this section with an oral health screening form. The Department of Human Services shall**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 develop the form and make the form available on the Internet. The form must include:

- 2 (a) An explanation of the requirements of subsections (1) and (2) of this section;
- 3 (b) Information on the importance of primary teeth;
- 4 (c) Information on the importance of oral health to overall health and to learning;
- 5 (d) Information on applying for medical assistance;
- 6 (e) Contact information for county health departments;
- 7 (f) A section that can be used by the dentist or person authorized to perform oral health
- 8 screenings to record the results of the screening; and
- 9 (g) A section in which the parent can indicate that the screening has been completed or
- 10 the reason why the screening could not be completed by marking a box next to the appro-
- 11 priate statement.

12 (5) Notwithstanding ORS 339.030, nothing in this section operates to remove parental li-

13 ability under compulsory attendance laws.

14 **SECTION 3.** (1) A school district shall report to the Department of Human Services re-

15 garding oral health screenings by December 31 of each year. The report must include:

- 16 (a) The total number of children in the district, listed by school, who are subject to the
- 17 requirements of section 2 of this 2009 Act;
- 18 (b) The number of children who submitted a statement that the child received an oral
- 19 health screening;
- 20 (c) The number of children who submitted a statement that the oral health screening
- 21 imposes an undue financial burden;
- 22 (d) The number of children who submitted a statement that the parent and child lack
- 23 access to a dentist or a person authorized to perform oral health screenings;
- 24 (e) The number of children who submitted a statement that the parent does not consent
- 25 to the oral health screening;
- 26 (f) The number of children whose oral health screening revealed untreated tooth decay;
- 27 and
- 28 (g) The number of children who did not submit a statement to an administrator under
- 29 section 2 of this 2009 Act.

30 (2) The department shall keep individually identifiable information about oral health

31 screenings confidential, but the department may share statistical data collected under this

32 section with other government agencies and nonprofit organizations for the purposes of data

33 analysis.

34 **SECTION 4.** The Department of Human Services shall report to the Seventy-sixth Leg-

35 islative Assembly in the manner provided in ORS 192.245 by June 1, 2011, on the status of

36 oral health screenings required by section 2 of this 2009 Act.

37 **SECTION 5.** Sections 2 and 3 of this 2009 Act first apply to the 2010-2011 school year.