



INTRODUCTION

I know you are expecting to hear about all the work done on the budget last week and the efforts being made to wind down the session that should be over by now. Unfortunately, the session continues on with no end in sight. In fact, it does not even seem that legislators have any sense of urgency over the budget and the extended session. Both sides seem to be daring the other to come to the negotiating table and the response is that they are willing to stay as long as it takes. We have heard several reports that there are NO negotiations yet on the budget and that the Senate will not negotiate the budget until Medicaid Reform is agreed upon. We understand that legislators are negotiating that issue - outside of the budget framework. This reminds me of an old MASH episode (my favorite show growing up as an Army brat) where Hawkeye goes to the war negotiations because he is so frustrated that they cannot resolve the important issue of the table being round or square!

The other complicating factor is the increasingly bitter feud between the Senate and the Governor's office. While most insiders know that there is no love lost between them, last week the feud came into the open with the Governor and some in the Senate leadership sending press releases with personal attacks. Some in Senate leadership have basically called the Governor irrelevant to the budget discussions and have also questioned whether he is still advocating for Charlotte and not the entire state. The Governor responded with a promise to veto the Senate sales tax plan... even if it is part of the final budget package. Hard to see how they can bridge their differences right now.

In this environment, we have to learn to duck and weave through our issues and try to avoid any landmines that may be just around the corner. We will continue to monitor the happenings on Jones Street and I promise to go easy on the military references in the future - thanks for your indulgence!



NORTH CAROLINA COLLEGE OF EMERGENCY PHYSICIANS



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BILL UPDATES

HOUSE BILL 13, Amend School Health Assessment Requirement, was amended in the Senate Health Care Committee to:

- require the Department of Health and Human Services and the Department of Public Instruction to develop a health assessment transmittal form for the 2016-17 school year, and report to the Joint Legislative Oversight Committee on Health and Human Services and the Joint Legislative Education Oversight Committee on the revised health assessment transmittal form by December 1, 2015;
- prohibit a child from being suspended for absences accrued for failure to present the required health assessment transmittal form upon the termination of 30 calendar days, allow the child to make up work missed, and require that a note be made in the child's official school record when the health assessment transmittal form has been received;
- remove language that allowed the health assessment to include dental screening and developmental screening for cognition, language, and motor function;
- expand the specific items required to be included in the health assessment form as follows:
 - a statement that the form and information on the form will be maintained on file in the school once it has been completed;
 - the name of the school the student is attending or will attend;
 - a student information section to be completed by the parent, guardian, or person standing in loco parentis for the student that requires the following about the student: first, middle, and last name; date of birth; sex; race; ethnicity; county of residence; and home address;
 - a parent information section that includes the following: name of the parent, guardian, or person standing in loco parentis for the student; a telephone number; and space allowing the parent to share any concerns about the student's health with those individuals authorized to have access to the form;
 - a section that includes the following information, if applicable, supplied by a health care provider: a list of medications prescribed for the student; a list of the student's allergies, the type of allergic reaction, and the response required; guidance regarding a special diet for the student; health-related recommendations to enhance the student's school performance; information on whether the student passed a vision screening and any concerns related to the student's vision; information on whether the student passed a hearing screening and any concerns related to the student's hearing; an opportunity to indicate whether there are recommendations, concerns, or needs related to the student's health and whether school follow-up is needed; and an opportunity to provide comments;
 - instructions to the health care provider to attach the student's current immunization record and, if applicable a school medication authorization form, diabetes care plan, asthma action plan; or health care plans for any other condition for which the school needs to be aware;
 - a certification from a specified health care provider stating: "I certify that I performed, on the student named above, a health assessment in accordance with G.S. 130A-440(b) that included a medical history and physical examination with screening for vision and hearing and, if appropriate, testing for anemia and tuberculosis. I certify that the information on this form is accurate and complete to the best of my knowledge";
 - the date the health assessment was conducted;

- the health care provider's name, signature, telephone and fax number, and the name and address for the health care provider's practice; and
- a section for the health care provider's stamp;
- require the student's official school record to only reflect whether or not a health assessment transmittal form has been received (instead of permanently maintained in the student's official school record);
- clarify that the health assessment transmittal form is open to inspection only by authorized North Carolina public school administrators, teachers, and other school personnel who require such access to perform their assigned duties and by authorized employees of the Department of Health and Human Services who require such access to perform their assigned duties; and
- remove the provision that would have required the official record to include a health assessment transmittal form.

The bill was further amended in the Senate Education/Higher Education Committee to:

- allow a specified health care provider to submit the health assessment transmittal form, if authorized in writing by the parent, guardian, or person standing in loco parentis;
- provide that the health assessment transmittal form is open to inspection only by authorized North Carolina public school administrators, teachers, and other school personnel who require such access to perform their assigned duties; and
- require the local board of education to provide, upon request, de-identified health assessment information from the forms to authorized employees of the Department of Health and Human Services who require such information to perform their assigned duties.

The bill as amended was approved by the Senate Health Care and Education/Higher Education Committees and will next be considered by the full Senate.

HOUSE BILL 562, Amend Firearm Laws. This bill to amend various provisions of the State's firearms laws was approved by the Senate Judiciary II Committee and will next be considered by the full Senate. In a surprise, the Senate Committee made no changes to the bill and approved the House version.

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