

# SENATE BILL REPORT

## SB 6563

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As of February 7, 2020

**Title:** An act relating to creating statutory authorization for school-based health centers.

**Brief Description:** Creating statutory authorization for school-based health centers.

**Sponsors:** Senators Conway, Zeiger, Hasegawa and Wilson, C.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 2/03/20.

**Brief Summary of Bill**

- Allows school districts to enter into agreements with health care providers to establish school-based health centers.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Ailey Kato (786-7434)

**Background:** Current state law authorizes school district boards of directors to permit the rental, lease, or occasional use of surplus real property if certain requirements are met.

In a 1988 Office of the Attorney General (AGO) opinion, the AGO concluded that school districts could not operate health clinics since there was no express authority in state law.

In a 1989 AGO opinion, the AGO concluded school districts may lease surplus school district property to public or private entities on the condition that the leased property be used for an adolescent health care clinic, where the board of directors finds that such a use is compatible with the district's other uses for its property, and where the clinic is not, directly or indirectly, operated or controlled by the school district.

**Summary of Bill:** Any school district may enter into agreements with health care providers to establish school-based health centers for the provision of services to students and other community members.

**Appropriation:** None.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Fiscal Note:** Available (partial).

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Some children have extreme health needs and do not have regular access to health care or do not feel like they can ask for help at home. School-based health centers increase access. The proximity of these centers means that students do not need to miss much school for an appointment and parents do not have to miss work. This bill provides express authority within state law for school-based health centers. It is not a mandate. It does not dictate the types of services the centers must offer. If there is express authority, school districts are less likely to be sued for malpractice of the health care provider.

CON: This bill continues to strip away parents' authority and undermines their ability to make crucial medical decisions. It takes away transparency in health care for children. School-based health centers provide confidential health services to students while they are at school. If these centers provide certain services like sterilizations and vaccines, there are life-threatening effects. This bill along with others feels like a tsunami of state overreach, which can lead to child abuse. Health care staff will have close and intimate access to children. There needs to be clear boundaries, including limits on the types of services and parental notification and consent, before a clinic is opened on a school campus.

**Persons Testifying:** PRO: Senator Steve Conway, Prime Sponsor; Krisula Brady, Bethel School District; Tom Seigel, Bethel School District.

CON: Allison Verhofstadt, citizen; Kimberly Wendt, citizen; Theresa Schrempp, citizen; Danille Turissini, Family Policy Institute of Washington.

**Persons Signed In To Testify But Not Testifying:** No one.