

who appears is entitled to an appearance fee of twenty-five dollars and reasonable attorney fees.

Passed the Senate April 15, 1985.

Passed the House April 9, 1985.

Approved by the Governor May 7, 1985.

Filed in Office of Secretary of State May 7, 1985.

## CHAPTER 216

[Engrossed Senate Bill No. 4227]

### SCOLIOSIS SCREENING

AN ACT Relating to scoliosis screening in public schools; amending RCW 28A.31.130, 28A.31.132, 28A.31.134, 28A.31.136, and 28A.31.140; and adding a new section to chapter 28A.31 RCW.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 47, Laws of 1979 and RCW 28A.31.130 are each amended to read as follows:

The legislature recognizes that the condition known as ((idiopathic)) scoliosis, a lateral curvature of the spine commonly appearing in adolescents, can develop into a permanent, crippling disability if left untreated. Early diagnosis and referral can often result in the successful treatment of this condition and greatly reduce the need for major surgery. Therefore, the purpose of RCW 28A.31.130 through 28A.31.142 is to recognize that a school screening program is an invaluable tool for detecting the number of adolescents with scoliosis. It is the intent of the legislature to insure that the superintendent of public instruction provide and require screening for the condition known as scoliosis of all children in the highest risk age group, grades 5 through ((8)) 10, to ascertain which, if any, of these children have defects requiring corrective treatment.

Sec. 2. Section 2, chapter 47, Laws of 1979 and RCW 28A.31.132 are each amended to read as follows:

As used in ((this chapter)) RCW 28A.31.130 through 28A.31.142, the following terms have the meanings indicated.

(1) "Superintendent" means the superintendent of public instruction of public schools in the state, or his designee.

(2) "Pupil" means a student enrolled in the public school system in the state.

(3) "Scoliosis" includes idiopathic scoliosis and kyphosis.

(4) "Screening" means an examination to be performed on all pupils in grades 5 through ((8)) 10 for the purpose of detecting the condition known as scoliosis, except as provided in section 6 of this 1985 act.

((4)) (5) "Public schools" means the common schools referred to in Article IX of the state Constitution and those schools and institutions of

learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense.

Sec. 3. Section 3, chapter 47, Laws of 1979 and RCW 28A.31.134 are each amended to read as follows:

The superintendent shall provide for and require the yearly examination of all children attending public schools in grades 5 through ~~((8))~~ 10, except as provided in section 6 of this 1985 act, in accordance with procedures and standards adopted by rule of the state board of health in cooperation with the superintendent of public instruction. The examination shall be made by a school physician, school nurse, qualified licensed health practitioner, or physical education instructor or by other school personnel. Proper training of the personnel in the screening process for scoliosis shall be provided by the superintendent.

Sec. 4. Section 4, chapter 47, Laws of 1979 and RCW 28A.31.136 are each amended to read as follows:

Every person performing the screening under RCW 28A.31.134 shall promptly prepare a record of the screening of each child found to have or suspected of having scoliosis and shall send copies of the records to the parents or guardians of the children. The notification shall include an explanation of ~~((idiopathic))~~ scoliosis, the significance of treating it at an early stage, and the services generally available from a qualified licensed health practitioner for the treatment after diagnosis.

Sec. 5. Section 6, chapter 47, Laws of 1979 and RCW 28A.31.140 are each amended to read as follows:

Any pupil shall be exempt from the examination upon written request of his or her parent or guardian if the parent or guardian certifies that:

- (1) The screening conflicts with the philosophical or religious beliefs; or
- (2) The student is presently under the care of a health care provider for spinal curvature or a related medical condition.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.31 RCW to read as follows:

After July 1, 1987, the superintendent of public instruction may waive screening for scoliosis for grades 9 and/or 10, notwithstanding RCW 28A.31.132(4) and 28A.31.134, after conducting a cost/benefit analysis of such screening for school years 1985-86 and 1986-87.

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