

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: SB 370

INTRODUCER: Senator Sharief

SUBJECT: Health Screenings for K-12 Students

DATE: March 10, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	Favorable
2.			HP	
3.			RC	

I. Summary:

SB 370 allows health screenings to be performed on students after written notice is given to parents, allowing them a reasonable opportunity to deny consent or opt their child out.

The bill takes effect on July 1, 2025.

II. Present Situation:

District School Board Responsibilities on Student Welfare

Each district school board is required to establish procedures for notifying parents of any changes in their child's services or monitoring related to mental, emotional, or physical health and well-being, as well as the school's ability to provide a safe and supportive learning environment. These procedures must uphold the fundamental right of parents to make decisions regarding their child's upbringing by ensuring that school personnel encourage students to discuss well-being concerns with their parents or facilitate such discussions when appropriate. Additionally, the procedures may not restrict parents from accessing their child's educational and health records maintained by the school district.¹

At the beginning of each school year, school districts must inform parents about the health care services available at their child's school and provide them with the option to withhold consent or decline specific services. Parental consent for a health care service does not waive a parent's right to access their child's educational or health records. Additionally, parents must still be notified of any changes to their child's services or monitoring related to their health and well-being.²

¹ Section 1001.42(8)(c)1., F.S.

² Section 1001.42(8)(c)5., F.S.

Before administering a student well-being questionnaire or health screening form to a student in kindergarten through third grade, school districts must provide the form to the parent and obtain their permission.³ Each school district must also establish procedures that allow parents to notify the principal, or their designee of any concerns related to these requirements. The procedures must include a process for resolving such concerns within seven calendar days of parental notification.⁴

School Health Services Program

The School Health Services Program is developed collaboratively by county health departments, district school boards, and local school health advisory committees to support student well-being. The program includes a range of health services such as screenings for vision, hearing, scoliosis, and growth and development, as well as nurse assessments, preventive dental care, and health counseling. Additional components focus on emergency health needs, referrals for further medical care, collaboration with nonpublic schools, and parental notification procedures when a student requires urgent intervention, including involuntary examinations.⁵

The term "screening" in the context of school health services refers to the presumptive identification of diseases or defects that may be unknown or unrecognized in students. These screenings involve the use of simple and rapid tests to assess the health of apparently healthy individuals.⁶ Common school-based screenings may include vision, hearing, scoliosis, and growth and development assessments as part of a district's school health services plan.⁷

District school boards are responsible for integrating health services and education into the district's comprehensive plan to support student well-being. This includes providing in-service health training for school personnel, ensuring adequate physical facilities for health services, and sharing information with parents on promoting physical activity and healthy eating. At the beginning of each school year, parents must be informed in writing about the health services their child may receive, with the option to request an exemption in writing. Invasive screenings require prior written parental consent, and all health-related procedures must comply with regulations regarding communicable diseases and sanitation.⁸

Parental Consent for Health Care Services

A health care practitioner or an individual employed by such a practitioner may not provide, solicit, or arrange for health care services or prescribe medicinal drugs to a minor without first obtaining written parental consent. Likewise, a health care provider may not permit a medical procedure to be performed on a minor within their facility without obtaining written parental consent, unless authorized by a court order.⁹

³ Section 1001.42(8)(c)6., F.S.

⁴ Section 1001.42(8)(c)7., F.S.

⁵ Section 381.0056(4)(a), F.S.

⁶ Section 381.0056(1)(f), F.S.

⁷ Section 381.0056(4)(a), F.S.

⁸ Section 381.0056(6), F.S.

⁹ Section 1014.06(1)-(2), F.S.

A healthcare practitioner or provider who does not comply with these parental consent requirements may be subject to disciplinary action. Violations may result in criminal penalties, including classification as a first-degree misdemeanor, which can carry fines or other legal consequences.¹⁰

III. Effect of Proposed Changes:

The bill amends s. 1001.42, F.S., by authorizing health screenings to be conducted, provided the parents receive written notification and have a reasonable opportunity to deny consent or opt their child out of the screenings.

Additionally, the bill amends s. 1014.06, F.S., by providing a new exception to the parental consent requirements for health care services. For a minor child enrolled in a public school, health screenings may be conducted provided the minor child's parents receive written notice and have the reasonable opportunity to opt their child out of the specified services.

The bill maintains the prohibition in law for any health care practitioner to provide health care services, perform a medical procedure, or dispense medication without written parent consent. The bill authorizes simple health screenings (e.g., scoliosis, vision, or hearing) to be performed with adequate parental notification, but does not require written parent consent.

The bill takes effect on July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

¹⁰ Section 1014.06(5), F.S.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an insignificant negative fiscal impact on school districts related to updating forms that notify parents of health services offered at their child's school.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1001.42 and 1014.06 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.