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**HOUSE BILL No. 2359**

By Representative Campbell  
(By request)

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10 AN ACT concerning school districts; relating to persons authorized to  
11 sign certifications of health of employees; amending K.S.A. 2000 Supp.  
12 72-5213 and repealing the existing section.

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14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 2000 Supp. 72-5213 is hereby amended to read as  
16 follows: 72-5213. (a) Every board of education shall require all employ-  
17 ees of the school district, who come in regular contact with the pupils of  
18 the school district, to submit a certification of health on a form prescribed  
19 by the secretary of health and environment and signed by a person li-  
20 censed to practice medicine and surgery under the laws of any state, or  
21 by a person who is registered as a physician's assistant under the laws of  
22 this state when such person is working at the direction of or in collabo-  
23 ration with a person licensed to practice medicine and surgery, or by a  
24 person holding a certificate of qualification to practice as an advanced  
25 registered nurse practitioner under the laws of this state when such per-  
26 son is working at the direction of or in collaboration with a person licensed  
27 to practice medicine and surgery, *or by a person licensed to practice*  
28 *chiropractic under the laws of this state.* The certification shall include a  
29 statement that there is no evidence of physical condition that would con-  
30 flict with the health, safety, or welfare of the pupils; and that freedom  
31 from tuberculosis has been established by chest x-ray or negative tuber-  
32 culin skin test. If at any time there is reasonable cause to believe that any  
33 such employee of the school district is suffering from an illness detri-  
34 mental to the health of the pupils, the school board may require a new  
35 certification of health.

36 (b) Upon presentation of a signed statement by the employee of a  
37 school district, to whom the provisions of subsection (a) apply, that the  
38 employee is an adherent of a religious denomination whose religious  
39 teachings are opposed to physical examinations, the employee shall be  
40 permitted to submit, as an alternative to the certification of health re-  
41 quired under subsection (a), certification signed by a person licensed to  
42 practice medicine and surgery under the laws of any state, or by a person  
43 who is registered as a physician's assistant under the laws of this state

1 when such person is working at the direction of or in collaboration with  
2 a person licensed to practice medicine and surgery, or by a person holding  
3 a certificate of qualification to practice as an advanced registered nurse  
4 practitioner under the laws of this state when such person is working at  
5 the direction of or in collaboration with a person licensed to practice  
6 medicine and surgery that freedom of the employee from tuberculosis  
7 has been established.

8 (c) Every board of education may require persons, other than em-  
9 ployees of the school district, to submit to the same certification of health  
10 requirements as are imposed upon employees of the school district under  
11 the provisions of subsection (a) if such persons perform or provide serv-  
12 ices to or for a school district which require such persons to come in  
13 regular contact with the pupils of the school district. No such person shall  
14 be required to submit a certification of health if the person presents a  
15 signed statement that the person is an adherent of a religious denomi-  
16 nation whose religious teachings are opposed to physical examinations.  
17 Such persons shall be permitted to submit, as an alternative to a certifi-  
18 cation of health, certification signed by a person licensed to practice med-  
19 icine and surgery under the laws of any state, or by a person who is  
20 registered as a physician's assistant under the laws of this state when such  
21 person is working at the direction of or in collaboration with a person  
22 licensed to practice medicine and surgery, or by a person holding a cer-  
23 tificate of qualification to practice as an advanced registered nurse prac-  
24 titioner under the laws of this state when such person is working at the  
25 direction of or in collaboration with a person licensed to practice medicine  
26 and surgery that freedom of such persons from tuberculosis has been  
27 established.

28 (d) The expense of obtaining certifications of health and certifications  
29 of freedom from tuberculosis may be borne by the board of education.

30 Sec. 2. K.S.A. 2000 Supp. 72-5213 is hereby repealed.

31 Sec. 3. This act shall take effect and be in force from and after its  
32 publication in the statute book.

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