

Regular Session, 1997

HOUSE BILL NO. 2393

BY REPRESENTATIVE BOWLER

HEALTH/SCHOOL CLINICS: Provides, relative to school-based health centers, certain requirements related to abortion and contraception

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AN ACT

To amend and reenact R.S. 40:31.3(D) and to enact R.S. 40:31.3(C)(3) and (4) and (E), relative to school-based health centers; to prohibit health centers in schools from referring students to organizations for the distribution of any contraceptive or abortifacient drug, device, or similar product, from counseling students relative to any contraceptive or abortifacient drug, device, or similar product, or referring any student to an organization for such counseling; to specify certain information to be required on consent forms to be signed by the parent or guardian of a student; to require school-based health centers to post signs stating the prohibitions placed upon the centers which include a telephone number for reporting violations; to require employees of school-based health centers to sign statements acknowledging certain limitations imposed upon them; to require all requests for proposals to establish school-based health centers to recite certain state law relative to the counseling or referring of students for abortions, distributing or counseling relative to contraceptives or abortifacients, and referring of a student for such distribution or counseling; and to require all contracts for the operation of school-based health centers to clearly

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 recite such state law and possible sanctions; and to provide for related
2 matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 40:31.3(D) is hereby amended and reenacted and R.S.
5 40:31.3(C)(3) and (4) and (E) are hereby enacted to read as follows:

6 §31.3. Adolescent school health initiative; health centers in schools

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8 C. Health centers in schools are prohibited from:

9 * * *

10 (3) Referring any student to any organization for the
11 distribution of any contraceptive or abortifacient drug, device, or other
12 similar product.

13 (4) Counseling any student relative to any contraceptive or
14 abortifacient drug, device, or other similar product or referring any
15 student to an organization for such counseling.

16 D. The office of public health shall also:

17 (1) Require all consent forms that require the signature of the
18 parent or guardian of a student to state the prohibitions provided in
19 Subsection C of this Section.

20 (2) Require the name and telephone number of a person who is
21 to be contacted to report a violation of Subsection C of this Section to
22 be included on the consent forms provided by the department.

23 (3) Require school-based health centers to conspicuously post
24 signs in the center which state that the center is prohibited from
25 counseling or referring students for abortions, from distributing or
26 counseling a student relative to any type of contraceptive or
27 abortifacient, or referring a student for such distribution or counseling.

1 Such signs shall include a telephone number for reporting any
2 violations.

3 (4) Require all employees of school-based health centers to sign
4 a statement acknowledging the limitations imposed upon them
5 regarding the counseling or referring of students for abortions,
6 distributing or counseling relative to contraceptives or abortifacients,
7 and referring a student for such distribution or counseling.

8 (5) Require all requests for proposals to establish a school-
9 based health center to clearly recite state law relative to the counseling
10 or referring of students for abortions, distributing or counseling relative
11 to contraceptives or abortifacients, and referring a student for such
12 distribution or counseling.

13 (6) Require all contracts between the Department of Health and
14 Hospitals, office of public health, and providers for the operation of
15 school-based health centers to clearly recite state law relative to the
16 counseling or referring of students for abortions, distributing or
17 counseling relative to contraceptives or abortifacients, and referring a
18 student for such distribution or counseling and to clearly recite any
19 sanctions which may be imposed against a school-based health center
20 if violations occur.

21 ~~D.~~ E. The provisions of this Section shall be applicable only to
22 the extent that funds are made available for this purpose from public or
23 private sources.

24 Section 2. This Act shall become effective upon signature by the
25 governor or, if not signed by the governor, upon expiration of the time for bills
26 to become law without signature by the governor, as provided in Article III,
27 Section 18 of the Constitution of Louisiana. If vetoed by the governor and

- 1 subsequently approved by the legislature, this Act shall become effective on
2 the day following such approval.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Bowler

HB No. 2393

Present law requires the office of public health, Dept. of Health and Hospitals (DHH), to establish an adolescent school health initiative to facilitate and encourage development of comprehensive health centers in public middle and secondary schools in Louisiana which shall provide preventive health services, counseling, acute health services, and appropriate referral for acute health services. Provides that such initiative shall be subject to the approval of the local school systems. Further provides for the responsibility of the office of public health.

Present law prohibits health centers in schools from:

- (1) Counseling or advocating abortion in any way or referring any student to any organization for counseling or advocating abortion.
- (2) Distributing at any public school any contraceptive or abortifacient drug, device, or other similar product.

Proposed law retains present law and, in addition, prohibits health centers in schools from:

- (1) Referring any student to any organization for the distribution of any contraceptive or abortifacient drug, device, or other similar product.
- (2) Counseling any student relative to any contraceptive or abortifacient drug, device, or other similar product or referring any student to an organization for such counseling.

Proposed law requires the office of public health to also:

- (1) Require all consent forms that require the signature of the parent or guardian of a student to state the prohibitions provided in present law and proposed law.
- (2) Require the name and telephone number of a person who is to be contacted to report a violation to be included on the consent forms provided by the department.
- (3) Require school-based health centers to conspicuously post signs in the center which state that the center is prohibited from counseling or referring students for abortions, from distributing or counseling a

student relative to any type of contraceptive or abortifacient, or referring a student for such distribution or counseling. Such signs shall include a telephone number for reporting any violations.

- (4) Require all employees of school-based health centers to sign a statement acknowledging their limitations regarding the counseling or referring of students for abortions, distributing or counseling relative to contraceptives or abortifacients, and referring a student for such distribution or counseling.
- (5) Require all requests for proposals to establish a school based health center to clearly recite state law relative to the counseling or referring of students for abortions, distributing or counseling relative to contraceptives or abortifacients, and referring a student for such distribution or counseling.
- (6) Require all contracts between the Dept. of Health and Hospitals, office of public health, and providers for the operation of school-based health centers to clearly recite state law relative to the counseling or referring of students for abortions, distributing or counseling relative to contraceptives or abortifacients, and referring a student for such distribution or counseling and to clearly recite any sanctions which may be imposed against a school-based health center if violations occur.

Present law provides that the provisions of present law are applicable only to the extent that funds are made available for the purpose from public or private sources.

Proposed law retains present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:31.3(D); Adds R.S. 40:31.3(C)(3) and (4) and (E))