

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Temporary Rules Adopted

Chapter Thirty-Six: Pre-School Health and Developmental Screening

§ 1.0720 Definitions. For the purposes of this chapter, terms are defined as follows:

A. "Parent" or "parents" include a biological mother or father, an adoptive mother or father, a legally appointed guardian, or such agency or other person appointed pursuant to Minnesota statutes.

B. "Referral" - An organized system for providing information on agencies or specialists to be utilized in diagnosis and treatment of problems identified through the screening procedure.

C. "Screening" - Use of procedures to identify children with disease or abnormality and to identify those in need of more definitive study of physical or developmental problems.

D. "Screening personnel" - Professional, paraprofessional, and volunteer staff in local schools or contracted agencies who will conduct activities related to the pre-school screening program.

E. "Pre-school health and developmental screening program" - Systematic procedures developed to conduct screening of pre-school children in accordance with Minnesota statutes.

§ 1.0721 Local school plan.

A. Each school district shall submit to the department of education its plan for implementation of a pre-school screening program to be fully operational for children entering the fall of 1978. Such a plan shall have the following components:

1. Procedures to inform parents of pre-school children concerning the opportunity to participate in the pre-school screening program.

2. Information on the location and accessability of facilities to be utilized and the frequency of screening.

3. Staff to be utilized, and their qualifications which shall include professional training, specialized training completed, and plans for in-service training. Staff must meet the qualifications listed in 5 MCAR § 1.0722.

4. Procedures to be utilized in screening each component area, in accordance with standards listed in 5 MCAR § 1.0725.

5. Procedures to be utilized in reporting results of screening to parents.

6. Procedures for integration of information in school records and dissemination to school staff where parental consent has been received.

7. Referral procedures to be utilized when a condition is identified in need of diagnosis or treatment.

8. Procedures to be utilized to follow up on referrals made.

9. Coordination with other screening programs.

B. If schools do not supply all information indicated above, payment, including advance payment, shall not be made until the information is received by the department of educatior and approval given.

C. If services are contracted, to the extent that information included in A of this section is included in the contract, a copy of the contract shall satisfy the reporting requirements of this section.

D. Exceptions to the statutorily required screening components may be made by the state board upon submission to it of evidence that a local board is not able to supply such screening due to financial limitations.

E. Plans for implementation of the screening program shall be made annually. However, after the initial plan, subsequent plans need only indicate changes or revisions in the program.

§ 1.0722 Staffing.

Screening shall performed by qualified personnel. A person may perform one or more of the functions described in A through F of this section provided

appropriate qualifications are met. Each pre-school health and developmental screening program shall include the following screening personnel meeting the stated minimum qualifications:

A. Nurse.

1. Who must be registered and currently licensed in the state of Minnesota.

2. Who must attend training seminars provided by the Minnesota department of health or participate in equivalent training programs designated by the Minnesota department of health to prepare individual to perform child screening.

B. Clinic coordinator who shall be responsible for administration of all components of the pre-school screening program.

C. Vision and hearing technician.

1. Who has been trained by the Minnesota department of health vision and hearing consultants to perform vision and hearing screening in accordance with Minnesota department of health standards, or

2. Who has been trained by a program providing equivalent preparation as determined by the department of health.

D. Laboratory assistant, for programs with a laboratory component.

1. Who must be registered as a laboratory technician, or

2. Who has been trained to perform the specific tests used in the screening session as determined by the department of health.

E. Clinic assistant.

1. Who has been trained by a nurse or local consultant staff person in administering one or more of the health or developmental screening tests.

F. Dental assistant.

1. Who must be a licensed dental hygienist or a registered or certified dental assistant, or

2. Who has been trained by the Minnesota department of health or approved by the Minnesota department of health as having been trained to perform specific

dental checks in accordance with Minnesota department of health standards.

§ 1.0723 Participation in program and delivery of services.

A. All children in the state of Minnesota shall have available without cost the services of trained personnel to screen for possible health and developmental problems once prior to entering school.

B. Participation in the screening program by children shall be voluntary, and shall not be required for entry into school. Parents may elect to participate in only a part of the screening program if they so desire.

C. Screening services shall be provided by all local school boards, acting individually or acting in cooperation. Every school board shall contract with or purchase service from an approved early and periodic screening program in the area wherever possible, and shall integrate and utilize volunteer screening programs. A school board may contract with health care providers to operate the screening programs and shall consult with local societies of health care providers.

D. The pre-school screening program shall be coordinated as far as possible with other health screening programs to eliminate duplication of services and provide more efficient administration.

§ 1.0724 Screening procedures.

A. Screening procedures shall, to the extent the school board determines they are financial feasible, include the following components:

1. An individual review of past and present health status including prenatal, psychosocial, family health, nutrition intake and immunizations.

2. Developmental screening tests of the child's development in the areas of fine and gross motor skills, speech and language, socialization and self-help skills by using procedures which shall include:

a. Parent report of the child's functioning in the areas of skills

development, emotional and behavior status.

b. Direct observation of the child's functioning utilizing selected developmental screening instruments approved by the department of education.

3. Hearing tests for deviations from the normal range of auditory acuity and/or middle ear function.

4. Tests for possible eye health problems and visual acuity and muscle balance.

5. Determination of need of dental attention.

B. As of July 1, 1978, the screening procedure shall, in addition to the components included in A of this section, and to the extent the school board determines they are financially feasible, include the following components:

1. Assessment of the unclothed child with respect to height, weight, physical and oral condition, head circumference and blood pressure measurements as specific to the child's age and sex.

2. Laboratory tests as recommended by the department of health on the basis of age and sex of the child.

3. Assessments of nutritional status by measures approved by the department of health.

C. If requested by the parent, health history and physical examination completed by a personal physician within the previous 12 months or within 60 days after the provision of other screening tests shall be accepted by the school district for inclusion in the school records in lieu of comparable information collected in the screening program.

D. Data on individual students is private as defined by state statutes, and shall not be disclosed to a third party, including the district, without the informed consent of the parent. All information must be made available to the parents.

E. Upon identification of a condition in need of diagnosis or further

attention, parents will be informed of appropriate agencies or specialists capable of performing needed services. School boards shall ensure that an appropriate follow-up process is available as approved by the department of education.

F. Data on individual students obtained in the screening program shall be incorporated into school district records, except as indicated in D of this section.

G. Diagnosis, treatment or therapy shall not be provided in the pre-school screening program but this does not preclude such services as a part of a related program.

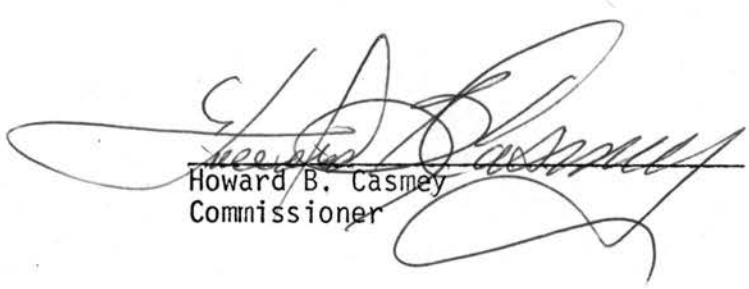
§ 1.0725 Payment of aids.

A. Payment of aids for the costs of screening will be made as provided for by legislative appropriations.

B. An advance of 50 percent of the estimated aid payment may be made upon request.

C. No aid payment shall be made for screening any child more than once.

The State Board of Education adopted the temporary rules relating to the pre-school health and developmental screening standards on September 12, 1977. These rules 5 MCAR §§ 1.0720-1.0725 are identical to those printed in the State Register, August 15, Vol. 2, Number 6, pp. 251-254.



Howard B. Casmey
Commissioner

ADMIN. 1000A
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STATE OF MINNESOTA

Office Memorandum

DEPARTMENT of Education

TO : Mike Miller
Attorney General's Office

DATE: 9-14-77

FROM : Leo A. Bernat LAB

Tel. No. 6-7683

SUBJECT: Temporary rules adopted by the State Board of Education, in regard to Pre-School Health and Developmental Screening

The attached temporary rules are being sent you pursuant to the directions of Mike Bradley.

RECEIVED
SEP 15 1977
Dept. of Administration

LAB;ls
Attachment

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Attorney General

Michael J. Bradley
Special Assistant
Attorney General

September 19, 1977

Michael B. Miller
Special Assistant
Attorney General

296-4692

Chapter 36, Temporary Education Rules

The above-captioned rules are returned herewith and approved, except for Rule § 1.0724B, which cannot possibly take effect during the temporary rule period.

MBM:mb

Enclosure