

By: Phillips

H.B. No. 1720

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to parental notice regarding an incident of lice in a  
3 public elementary school.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter A, Chapter 38, Education Code, is  
6 amended by adding Section 38.031 to read as follows:

7 Sec. 38.031. NOTICE OF LICE. (a) A school administrator or  
8 nurse of a public elementary school who determines or otherwise  
9 becomes aware that a child enrolled in the school has lice shall  
10 provide written or electronic notice of that fact to:

11 (1) the parent of the child with lice as soon as  
12 practicable but not later than 48 hours after the administrator or  
13 nurse, as applicable, determines or becomes aware of that fact; and

14 (2) the parent of each child assigned to the same  
15 classroom as the child with lice not later than the fifth school day  
16 after the date on which the administrator or nurse, as applicable,  
17 determines or becomes aware of that fact.

18 (b) The notice provided under Subsection (a):

19 (1) must include the recommendations of the Centers  
20 for Disease Control and Prevention for the treatment and prevention  
21 of lice; and

22 (2) if the notice is provided under Subsection (a)(2),  
23 may not identify the child with lice.

24 (c) The commissioner shall adopt rules as necessary to

1 implement this section in a manner that complies with federal law  
2 regarding confidentiality of student medical or educational  
3 information, including the Health Insurance Portability and  
4 Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and the  
5 Family Educational Rights and Privacy Act of 1974 (20 U.S.C.  
6 Section 1232g), and any state law relating to the privacy of student  
7 information.

8 SECTION 2. This Act applies beginning with the 2017-2018  
9 school year.

10 SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2017.