



2020 South Dakota Legislature

House Bill 1156

Introduced by: **Representative Frye-Mueller**

1 **An Act to to prohibit the conduct of certain physical examinations or screenings on**
 2 **students in a school district without parental consent.**

3 That a NEW SECTION be added:

4 **13-1-67. Physical Examinations--Parental consent required.**

5 No nonemergency, invasive physical examination or screening may be conducted
 6 on any student in any school district without the prior written consent of the student's
 7 parent or guardian. The written consent of the parent or guardian shall be obtained by the
 8 school district specifically for the particular examination or screening that is being
 9 conducted. No parental consent for any nonemergency, invasive physical examination or
 10 screening may be included as part of a routine consent form contained in a school
 11 handbook and signed annually by parents or guardians at the start of a school year.
 12 Parental consent shall be obtained separately and distinctly for each examination or
 13 screening conducted.

14 For the purposes of this section, a nonemergency, invasive physical examination
 15 or screening is any medical examination that involves the exposure of private body parts,
 16 or any act during the examination that includes incision, insertion, or injection into the
 17 body, but does not include a hearing, vision, or scoliosis screening and is:

- 18 (1) Required as a condition of attendance;
 19 (2) Administered by the school and scheduled by the school in advance; and
 20 (3) Not necessary to protect the immediate health and safety of the student.

21 For the purposes of this section, a nonemergency, invasive physical examination
 22 or screening does not include any dental examination or dental screening.