

19 May 2014

NOTICE OF PROPOSED RULEMAKING
Public Health Regulations in Chapter 511-5-8
“Scoliosis Screening of Public School Children”

Please take note that the Department of Public Health proposes to revise its regulations regarding the screening of public school children for scoliosis as required by O.C.G.A. Section 20-2-772. The proposed revision is intended to reduce the administrative burden on the public school system while ensuring that at risk children are properly screened for abnormal spinal curvature. This action is taken by the Department of Public Health pursuant to its authority under O.C.G.A. Sections 31-2A-4(12), 31-2A-6, and 20-2-772.

Interested persons may submit comments on these proposed revisions in writing addressed to: Sidney R. Barrett, Jr., General Counsel, Georgia Department of Public Health, 2 Peachtree Street, NW, 15th Floor, Atlanta, GA 30303.

Comment may also be presented in person at a public meeting scheduled for 2:00 p.m., 26 June 2014, in room 9-260 at 2 Peachtree Street, NW, 9th Floor, Atlanta GA.



Sidney R. Barrett, Jr.
General Counsel



**RULES
OF
DEPARTMENT OF PUBLIC HEALTH**

**CHAPTER 511-5-8
SCOLIOSIS SCREENING OF PUBLIC SCHOOL CHILDREN**

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511-5-8-.01 Definitions.

(a) "Adams Forward Bend Test" means the technique used to determine the presence or absence of an abnormality of the spine by observing the person being screened from the front, rear, and side while the person is bending over.

(b) "At Risk Children" means a child between the ages of 10 and 15.

(c) "Department" and "DPH" means the Georgia Department of Public Health.

(d) "School Authority" means a county or municipal board of education.

(e) "Scoliosis" means a physical condition characterized by a curvature of the spine resembling an S-curve or C-curve.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-772.

511-5-8-.02 Screening Required For At Risk Children.

Each at risk child enrolled in a public school shall be screened for scoliosis, unless the child's parent or legal guardian objects as provided in DPH Rule 511-5-8-.07.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-772.

511-5-8-.03 Filing of Certificates

(1) The parent or guardian of a female child shall furnish to the school authorities a properly executed DPH Form 4400: Certificate of Scoliosis Screening as early as the first day of sixth grade and no later than ninety days after the beginning of the child's seventh grade school year.

(2) The parent or guardian of a male child shall furnish to the school authorities a properly executed DPH Form 4400: Certificate of Scoliosis Screening as early as the first day of seventh grade and no later than ninety days after the beginning of the child's eighth grade school year.

(3) The certificates shall be subject to audit by the Department and by the local county health department.

(4) If the child transfers to another school, then the school authority shall transfer the child's DPH Form 4400 to the new school.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-772.

511-5-8-.04 Persons Authorized to Conduct Screenings.

(1) Scoliosis screenings may be conducted by a physician with an active Georgia license or by persons working under the supervision of a physician with an active Georgia license, by the local health department, or by a licensed school nurse.

(2) A school authority may, but is not required to, conduct scoliosis screenings at the school, provided that persons conducting the screening met the conditions stated in part (1) of this section. If it does so, then the screeners shall complete the DPH Form 4400 and maintain the completed form in its records.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-772.

511-5-8-.05 Screening Process.

(1) Screeners shall use the Adams Forward Bend Test to screen children for scoliosis.

(2) If the school authority elects to conduct scoliosis screening at the school, then it shall send written notice of an upcoming screening to each child's parents or legal guardians at least two weeks prior to the date on which screening is to occur.

(3) If the child's parents or legal guardians object to the screening, then they must notify the school authority in writing within five days after receiving the screening notification.

(4) The school authority shall maintain a list of the children's names for which parents or guardians have filed a written objection, and shall file the objection in the school health records.

(5) If screening is conducted by the Licensed School Nurse, and a child is identified during the screening process as having a possible spinal deformity, then the school authority shall notify the parents or guardians and recommend that they take the child for a follow up evaluation by a physician or local health department.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-772.

511-5-8-.05 Certificate for Child with a Disability or Health Condition that Precludes Taking or Passing a Screening.

If a disability or other health condition (including previous diagnosis of scoliosis) precludes a child from taking or passing the scoliosis screening, then the person screening shall explain on the certificate why the test could not be administered or passed, and note whether the child is under professional care.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-772.

511-5-8-.06 Religious Objections to Screenings.

For a child to be exempt from screening, the parent or legal guardian must furnish the school with a notarized statement stating that the required screening conflicts with the religious beliefs of the parent or legal guardian. This notarized statement must be kept on file at the school and forwarded to new schools in the same manner as the DPH Form 4400.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-772.

511-5-8-.06 Department of Public Health Form 4400.

Department of Public Health Form 4400: Certificate of Scoliosis Screening shall be in the form attached to this Rule.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-772.



Georgia Department of Public Health
Form 4400

Certificate of Scoliosis Screening

FILE THIS FORM WITH THE SCHOOL WHEN YOUR FEMALE CHILD IS ENTERING 6TH OR 7TH GRADE
FILE THIS FORM WITH THE SCHOOL WHEN YOUR MALE CHILD IS ENTERING 7TH OR 8TH GRADE
SCREENER CONTACT INFORMATION IS REQUIRED

Child's Name: first middle last

Date of Birth: month day year Gender: Male Female

Child's Home Address: street city state zip code county

Parent/Guardian Name: first middle last

Parent/Guardian Contact Information:

Daytime phone number: Cell

Evening phone number:

Email: @

Scoliosis Screening Results:

Height: Weight:

- Negative for scoliosis
Positive for scoliosis
Degree of deviation
Angle of trunk rotation via scoliometer
Needs further evaluation
Under professional care (explain below)

Screening completed by:

- Physician or persons working under physician's supervision
Local County Health Department
Licensed School Nurse

(If screening completed at school by School Nurse, please indicate what action was taken below)

- Referral letter sent home to parent
Other, please specify:

Screeener's Signature: Date

Screeener's Comments:

Georgia Department of Public Health Form 4400

Certificate of Scoliosis Screening

What is scoliosis? Scoliosis is an abnormal curvature of the spine. If detected early in a child's life, it may be possible to treat the condition and prevent it from becoming more serious.

Who is required to file this Form 4400?

- The parent or guardian of a **female child** shall furnish to school authorities a properly executed DPH Form 4400: Certificate of Scoliosis Screening as early as the first day of sixth grade and no later than ninety days after the beginning of the child's seventh grade year.
- The parent or guardian of a **male child** shall furnish to school authorities a properly executed DPH Form 4400: Certificate of Scoliosis Screening as early as the first day of the seventh grade year and no later than 90 days after the beginning of the child's eighth grade year.

These time periods were chosen because those are the years in which scoliosis is most likely to become observable.

What is the purpose of Form 4400? Form 4400 is intended to make sure that every child in Georgia is screened for spinal deformities. The earlier these problems are detected, the earlier parents can seek professional help for the child.

What screenings are required? The "Adams Forward Bend Test" is required and the results must be reported on the form before it is filed with the school. The Adams Forward Bend Test is a simple and painless observation of the child's back as he or she stands and bends over.

Who can conduct the screenings? The test can be conducted by a medical doctor, your local health department, and a licensed school nurse.

What should a parent do if the "needs further evaluation" box is checked? "Needs further evaluation" means that the child may have a problem. If the "needs further evaluation" box is checked, then the parent should take the child to a professional for a more detailed evaluation. Your doctor or local health department may be able to help, or recommend someone who can help.

What if a Form 4400 was previously filed for the child at another school? It is only necessary to file the Form 4400 once. If the Form 4400 is filed at the child's first school, and the child later transfers to another school, then the original school is required to forward the Form 4400 to the new school.