



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

**AB-2630 Pupil health: oral health assessment.** (2023-2024)

SHARE THIS:  

Date Published: 09/30/2024 09:00 PM

**Assembly Bill No. 2630**

**CHAPTER 838**

An act to amend Section 49452.8 of the Education Code, relating to pupil health.

[ Approved by Governor September 28, 2024. Filed with Secretary of State September 28, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2630, Bonta. Pupil health: oral health assessment.

Existing law requires a pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, to present proof of having received an oral health assessment by a licensed dentist, or other licensed or registered dental health professional operating within the professional's scope of practice, that was performed no earlier than 12 months before the date of the initial enrollment of the pupil, as provided.

This bill would define "kindergarten" for these purposes as including both transitional kindergarten and kindergarten, and would require the above-described proof only once during a 2-year kindergarten program. To the extent the bill would impose additional duties on public schools, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 49452.8 of the Education Code is amended to read:

**49452.8.** (a) (1) A pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, no later than May 31 of the school year, shall present proof of having received an oral health assessment by a licensed dentist, or other licensed or registered dental health professional operating within the professional's scope of practice, that was performed no earlier than 12 months before the date of the initial enrollment of the pupil.

(2) For purposes of this section, "kindergarten" includes both transitional kindergarten and kindergarten. The proof described in subdivision (a) shall be required only once during a two-year kindergarten program.

(b) The parent or legal guardian of a pupil may be excused from complying with subdivision (a) by indicating on the form described in subdivision (d) that the oral health assessment could not be completed because of one or more of the reasons provided in subparagraphs (A) to (C), inclusive, of paragraph (2) of subdivision (d).

(c) A public school shall notify the parent or legal guardian of a pupil described in subdivision (a) concerning the assessment requirement. The notification, at a minimum, shall consist of a letter that includes all of the following:

- (1) An explanation of the administrative requirements of this section.
- (2) Information on the importance of primary teeth.
- (3) Information on the importance of oral health to overall health and to learning.
- (4) A toll-free telephone number to request an application for Medi-Cal or other government-subsidized health insurance programs.
- (5) Contact information for county public health departments.
- (6) A statement of privacy applicable under state and federal laws and regulations.

(d) In order to ensure uniform data collection, the department, in consultation with the state dental director and interested persons, shall develop, revise as necessary, and make available on the internet website of the department, a standardized notification form as specified in subdivision (c) that shall be used by each school district. The standardized form shall include all of the following:

(1) A section to be used by the licensed dentist or other licensed or registered dental health professional performing the assessment to record information that is consistent with the information collected on the oral health assessment form developed by the Association of State and Territorial Dental Directors.

(2) A section in which the parent or legal guardian of a pupil can indicate the reason why an assessment could not be completed by marking the box next to the appropriate reason. The reasons for not completing an assessment shall include all of the following:

(A) Completion of an assessment poses an undue financial burden on the parent or legal guardian.

(B) Lack of access by the parent or legal guardian to a licensed dentist or other licensed or registered dental health professional.

(C) The parent or legal guardian does not consent to an assessment.

(3) (A) A section stating that, if a school or school district hosts a free oral health assessment event at which licensed dentists or other licensed or registered dental health professionals perform schoolsite assessments of pupils enrolled in the school, a pupil shall be given an oral health assessment unless the parent or legal guardian of the pupil has opted out of the schoolsite assessment pursuant to subparagraph (B).

(B) A section in which the parent or legal guardian of a pupil can indicate that the parent or legal guardian does not consent to the pupil receiving the oral health assessment described in subparagraph (A). A failure to opt out of the pupil oral health assessment pursuant to this subparagraph shall not be deemed to be consent for dental treatment of any kind.

(C) A section informing the parent or legal guardian that a pupil shall not receive dental treatment of any kind as part of the schoolsite assessment described in subparagraph (A) unless the pupil's parent or legal guardian has provided informed consent for the treatment.

(e) Upon receiving completed assessments, all school districts, by July 1 of each year, shall submit a report to a system designated by the state dental director for the collection of those reports or the county office of education of the county in which the school district is located, or both. The report shall include all of the following:

(1) The total number of pupils in the school district, by school, who are subject to the requirement to present proof of having received an oral health assessment pursuant to subdivision (a).

(2) The total number of pupils described in paragraph (1) who present proof of an assessment.

(3) The total number of pupils described in paragraph (1) who could not complete an assessment due to financial burden.

(4) The total number of pupils described in paragraph (1) who could not complete an assessment due to lack of access to a licensed dentist or other licensed or registered dental health professional.

(5) The total number of pupils described in paragraph (1) who could not complete an assessment because their parents or legal guardians did not consent to their child receiving the assessment.

(6) The total number of pupils described in paragraph (1) who are assessed and found to have had caries experience.

(7) The total number of pupils described in paragraph (1) who are assessed and found to have untreated decay.

(8) The total number of pupils described in paragraph (1) who did not return either the assessment form or the waiver request to the school.

(f) All school districts that have fulfilled the report requirement described in subdivision (e) by submitting a report to the county office of education and all county offices of education are encouraged to submit the report described in subdivision (e) to a system designated by the state dental director for the collection of those reports.

(g) Each county office of education shall maintain the data described in subdivision (e) in a manner that allows the county office of education to release it upon request.

(h) This section does not prohibit any of the following:

(1) County offices of education from sharing aggregate data collected pursuant to this section with other governmental agencies, philanthropic organizations, or other nonprofit organizations for the purpose of data analysis.

(2) Use of assessment data that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191) for purposes of conducting research and analysis on the oral health status of public school pupils in California.

(i) This section does not preclude a school district or county office of education from developing a schoolsite-based oral health assessment program to meet the requirements of this section.

(j) The Office of Oral Health of the Chronic Disease Control Branch of the State Department of Public Health shall conduct or provide for the conducting of periodic evaluations of the requirements imposed by this section. The Office of Oral Health may receive private funds and contract with the University of California to fulfill the duties described in this subdivision.

(k) Funds appropriated in the annual Budget Act for the activities required by this section shall first be used to offset reimbursement provided to local educational agencies pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code for state-mandated costs imposed by this section.

**SEC. 2.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.