

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF PUBLIC HEALTH
Family Health Services**

4102 School-Based Health Centers

1.0 Statement of Purpose

These regulations are intended to implement the provisions of 18 Del.C. §3365 and 3571G, school-based health centers. These regulations apply to medical vendors who provide services at school-based health centers and health insurance plans who reimburse for covered medical services. These regulations define: (1) services offered in a school-based health center; (2) criteria for recognition as a school-based health center; (3) interactions with primary care providers; and (4) criteria for health promotion.

20 DE Reg. 980 (06/01/17)

2.0 Definitions

The following words and terms, when used in this regulations, shall have the following meaning unless the context clearly indicates otherwise:

“**Agency**” means the Division of Public Health, Bureau of Adolescent and Reproductive Health, school-based health center program.

“**School-based health center**” means a health care clinic located in or near a school facility that is organized through school and health provider relationships that provides services designated in Section 4.0 of this regulation.

“**Student**” means a child or adolescent who is enrolled in school.

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3.0 Designation as a School-Based Health Center

3.1 School-based health centers (SBHC) are designed to reduce risk behaviors and improve health among children and adolescents through health promotion and education, early intervention, and preventive care. These services include physical examinations, treatment of minor acute medical conditions, counseling and community referrals. SBHCs do not supplant the primary care provider, but rather serve to coordinate care between students and their primary care provider, as well as increase access to services.

3.2 A health care clinic may be designated as a school-based health center (SBHC) by the Agency if it has demonstrated that it meets the criteria provided in Sections 4.0-8.0 in these regulations. The Agency shall be the sole arbiter of the satisfaction of these criteria.

3.3 Application for designation shall be made to the Agency using a standard application form. The form is available by contacting the Division of Public Health, school-based health center program.

3.4 Designations are non-transferable and valid for a period of five years from date of issue. Application for renewal is available by contacting the Division of Public Health, school-based health center program.

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4.0 Service Provision

4.1 Nothing in the regulations limits the ability of a SBHC to require student or parental consent, as applicable, for particular services in accordance with applicable state and federal laws and regulations, and in accordance with the contractual guidance issued by DPH to Medical Sponsors of SBHCs.

4.2 A SBHC shall be open during hours accessible to students. Information on hours of operation must be posted in areas frequented by students.

4.3 All SBHCs shall provide through licensed professionals, primary health services to children, including comprehensive health assessments, diagnosis, and treatment of minor, acute, and chronic medical conditions, nutrition consultation/education, referrals to and follow-up for specialty care and oral and vision health services, mental health and substance use disorder assessments, crisis intervention, counseling, treatment,

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and referral to a continuum of mental health and substance abuse services including emergency psychiatric care, community support programs, inpatient care, and outpatient programs.

4.3.1 Diagnosis and treatment of sexually transmitted diseases, reproductive health, provision of contraceptives, and HIV testing and counseling may be provided by a SBHC subject to the approval of the school board governing the SBHC.

4.4 Promotion of vaccination among students

4.4.1 SBHCs must promote provision of all vaccinations required or recommended by the Division of Public Health to students either on site or through referral to a primary care provider.

4.4.2 SBHCs shall promote vaccination among students through education and awareness activities.

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5.0 Staffing

5.1 A SBHC shall provide services through health professionals who maintain up to date Delaware licensure, training and proper certification in their individual discipline for the population to be served.

5.2 The organizational structure of the SBHC must be adequate to provide for appropriate clinic supervision of staff, and to ensure that staff are assigned responsibilities that are consistent with their education and experience and legally within their scope of practice. Staffing of the SBHC must include an individual designated as having overall responsibility for the management of the SBHC.

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6.0 Billing and Reimbursement

6.1 A SBHC shall not charge co-pays or any other out-of-pocket fees for use of SBHC services.

6.2 The following services shall be exempt from third-party billing:

6.2.1 Any services provided to a student related to an evaluation or assessment of eligibility under the Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq, or Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §701 et seq.; and

6.2.2 Any services provided to a student implementing an Individualized Education Program (IEP) or Section 504 Plan developed in conformity with either of the above federal laws.

6.3 Insurance information on each student in the SBHC must be updated annually at minimum.

6.4 Nothing in these Regulations is intended to prohibit or otherwise restrict a provider from billing for services for which it is authorized to bill under applicable state and federal laws and regulations, and that nothing in these Regulations is intended to create an independent basis for the denial of payment of any claim.

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7.0 Information Storage and Sharing

7.1 A SBHC must keep detailed records on the treatment of students receiving services, including but not limited to, documentation of contact with primary care providers.

7.2 A SBHC shall establish written protocol that describes how information will be shared with the student's primary care provider.

8.0 Quality Improvement

8.1 A SBHC must implement and maintain a quality assurance plan. Components of the plan shall include at a minimum:

8.1.1 Ongoing clinical and medical record reviews by peers to ensure conformity with current standards of practice. The plan must include provisions for implementing corrective actions when deficiencies are noted.

8.1.2 Satisfaction assessments conducted with parents, students and/or school staff on a biennial basis.

8.1.3 The Agency may perform such reviews as it determines necessary to ensure continued compliance with SBHC standards. Review may include site visits, reviews of records and documents, or such other oversight as determined necessary by the Agency.

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