

160-4-2-.31 HOSPITAL/HOMEBOUND (HHB) SERVICES.

(1) DEFINITIONS.

(a) **Adult Parent Designee** – an individual who is at least 21 years of age and who the parent designates to be present during homebound instruction.

(b) **Chronic Health Condition** – a medical condition marked by a long duration or frequent recurrence.

(c) **Educational Service Plan (ESP)** – an individual plan for students receiving HHB service developed by the local school team, to include a school reentry procedure. The plan may include accommodations and modifications from a Section 504 plan, or Individualized Education Program (IEP), as applicable.

(d) **Hospital/Homebound (HHB) Services** – academic instruction and other services provided to eligible students who are confined at home or in a health care facility for periods of time that would prevent normal school attendance based upon certification of need by the licensed physician or licensed psychiatrist who is treating the student for the presenting diagnosis.

(e) **Instruction** – the teaching of standards as defined by Georgia Performance Standards (GPS), the Georgia Quality Core Curriculum (QCC), Section 504 plan, IEP, and any local curriculum for the classes in which the HHB student is enrolled and under the direction of the classroom teacher(s).

(f) **Intermittent HHB Service** – HHB instruction and other services for eligible students who have a medically diagnosed chronic health condition which may cause the student to be absent at least a total of 10 school days for intermittent periods per year or equivalent on a modified calendar or five school days per year on a high school block schedule.

(g) **Licensed Physician** – a person licensed to practice medicine under state law O.C.G.A. § 43-34-21 and licensed by the appropriate state board to assess the student's physical condition for which the student is referred.

(h) **Licensed Psychiatrist** – a person licensed to practice medicine under state law O.C.G.A. § 43-34-21 and trained to practice in the science of treating mental diseases to assess the student's psychiatric and/or emotional condition for which the student is referred.

(i) **Long-term HHB Service** – HHB instruction and other services for eligible students who have a medically diagnosed chronic health condition which may cause the student to be absent from school for more than nine consecutive weeks per year or equivalent on a modified calendar.

(j) **Online Learning Course** – a State Board of Education-approved course of instruction directly correlated to the state-approved curriculum that is delivered via the Internet or in any electronic medium.

(k) **School Day** – a day as specified by the local board of education which is the period between the time students are required to be present and their dismissal (160-5-1-.02 SCHOOL DAY FOR STUDENTS); ten school days on a regular high school schedule (six 50-minute classes per day) is equivalent to five school days on a high school block schedule.

(1) **Temporary HHB Service** – HHB instruction and other services for eligible students who have a medically diagnosed physical or psychiatric condition, which confines the student to home or hospital and restricts activities for nine weeks or less, but for a minimum of ten consecutive school days or equivalent on a modified calendar or a minimum of five consecutive days on a high school block schedule.

(2) **STUDENT ELIGIBILITY.**

(a) The local education agency (LEA) shall provide HHB services to students, including students with disabilities, who meet the following eligibility requirements:

1. The student is enrolled in a public school prior to the referral for HHB services.
2. The student must be anticipated to be absent for a minimum of ten consecutive school days per year or the equivalent on a modified calendar or the student has a chronic health condition causing him or her to be absent for intermittent periods of time anticipated at a minimum of ten school days per year or equivalent on a modified calendar or five school days on a high school block schedule per year.

(i) A student with a chronic health condition receiving intermittent HHB service must be anticipated to be absent for at least three consecutive school days for each occurrence before he or she will be eligible for HHB services.

3. The parent or guardian must sign the parental agreement concerning HHB policies and procedures, and parental cooperation. A release for medical information relating to the reason for the request for HHB service may be required by the LEA.

(i) If the student is designated as an emancipated minor or is 18 years of age or older, that student is eligible to sign the parental agreement concerning HHB policies and procedures, parental cooperation, and release for medical information relating to the reason for the request for HHB services.

4. The LEA must receive a completed medical referral form signed by a licensed physician or licensed psychiatrist who is currently treating the student for the diagnosis presented. A statement from a treating specialist may also be required.

(i) The medical referral form shall contain a statement that includes the following information:

(I) That the student is anticipated to be absent for a minimum of ten consecutive school days per year due to the relating documented medical condition or equivalent on a modified calendar (or five consecutive school days on a high school block schedule); or

(II) That the student with chronic and long-term illnesses will be absent for at least ten school days or equivalent on a modified calendar (or five school days on a high school block schedule) which need not run consecutively; and

(III) That the student is able to participate in and benefit from an instructional program; and

(IV) That the student can receive instruction without endangering the health and safety of the instructor or other students with whom the instructor may come in contact; and

(V) That describes the disabling condition or diagnosis with any medical implications for instructional services.

(ii) The medical referral form for a student with chronic or recurring conditions and long-term illnesses shall be obtained and updated on a schedule defined within the ESP and submitted to the LEA.

(b) Students with absences due to psychiatric and/or emotional disorders, as defined in the latest edition of the *Diagnostic and Statistical Manual (DSM)*, are eligible for HHB services for a length of time as determined by the ESP provided that they satisfy the eligibility requirements as set forth in Subsection (2)(a).

(c) Students with absences due to pregnancy; related medical conditions, services, or treatment; childbirth; and recovery therefrom are eligible for HHB services for a length of time as determined by the ESP provided that they satisfy the eligibility requirements as set forth in Subsection (2)(a). [Title IX, 34 C.F.R. § 106.40(b)(4).]

(d) Students with absences due to a communicable disease, as specified in Rule 160-1-3-.03 COMMUNICABLE DISEASES, are eligible for HHB services for a length of time as determined by the ESP provided that they satisfy the eligibility requirements as set forth in Subsection (2)(a).

(3) INITIATION OF HHB SERVICES.

(a) The LEA may require the parent, guardian, emancipated minor or student who is 18 years of age or older to provide a properly signed release that complies with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) that authorizes the licensed physician or licensed psychiatrist who is treating the student to provide all requested records related to the condition related to the request for HHB services to the LEA and to discuss the student's situation and the need for HHB services with the school team. If the release is required by the LEA, the form must be provided to the school team prior to any decision regarding the need for HHB services.

(b) A completed written medical referral form requesting HHB services must be submitted to the LEA for HHB services to be considered.

(c) The request will be forwarded to the appropriate local school team designee or IEP team, whichever is appropriate, to assist in the development of an ESP to deliver the appropriate HHB services. The ESP shall include a school re-entry plan. The school team shall use input from the medical referral form completed by the referring licensed physician or licensed psychiatrist who is treating the student for the diagnosis presented. The appropriate local school designee or IEP team responsible for the development of the ESP may consider requests for extensions.

(d) Within five school days of receiving the completed medical referral form, the LEA shall provide written notification of the time and place of the local school team meeting, if for general education students, or the IEP meeting, if for students with disabilities, regarding HHB services.

(4) HHB INSTRUCTION.

(a) HHB instruction shall be provided by a certified teacher, who is selected by the LEA in which the student is enrolled. Students eligible for services under the Individuals with Disabilities Education Act (IDEA) shall be served by appropriately certified personnel.

(b) HHB instruction may be offered, individually or in small groups, at the home of the student, the health care facility in which the student is confined, through online learning courses, or at other locations as identified in the ESP. The type of HHB instruction offered is based on the ESP which takes into consideration the cognitive ability and medical condition of the student.

1. To provide HHB instruction to a student confined in a health care facility, the LEA in which the student is enrolled shall arrange with or contract directly with the health care facility, the LEA in which the health care facility is located, or the appropriately certified teachers in the geographic area in which the health care facility is located.

(c) Although the local school team or IEP team shall determine the number of hours necessary to meet the instructional needs of the student, the student must receive at a minimum three hours of HHB instruction per school week to be considered present by the school.

1. A parent, guardian, or an approved adult parent designee as identified in the ESP shall be present during each entire home instructional period in which an HHB instructor is present.

2. If the student is designated as an emancipated minor or is eighteen years of age or older, an approved adult parent designees' presence is not required during each home instructional period in which an HHB instructor is present.

3. If the student is unable to receive a scheduled HHB instructional session during the school week due to his or her medical condition as documented by the licensed physician or licensed psychiatrist who is treating the student for the diagnosis for which he/she is receiving HHB services, a make-up instructional session may be provided. Once the student completes the make-up instructional session, the student shall be counted in accordance with Rule 160-5-1-.10 Student Attendance.

4. If the parent, guardian, or the approved adult parent designee of the student cancels a scheduled HHB instructional session, the student shall be counted absent. The LEA may reschedule the canceled session.

5. Students confined in a health care facility shall be counted present if the health care facility submits a HHB Verification of Instruction form to the LEA HHB designee.

(d) HHB students must participate in required state assessments as determined by the ESP or IEP. The appropriate local school team or IEP team shall develop strategies to ensure the delivery of these assessments services. If the student is medically able according to the licensed physician treating the student for the diagnosis for which he/she request HHB service, the student shall take the assessment in the school in which he or she is enrolled.

Authority O.C.G.A. § 20-2-151; 20-2-152, 20-2-240; 43-34-21.

Adopted: November 4, 2009

Effective: November 24, 2009

