



## Kentucky Coalition for Healthy Children

### Steering Committee Meeting Notes

April 25, 2023, 1:00 – 2:00 EST

#### Attendees:

Sheila Schuster	Advocacy Action Network	Erica Davis	Kentucky Department for Medicaid Services
Christopher Bolling	American Academy of Pediatrics – Kentucky Chapter	Elizabeth Anderson-Hoagland	Kentucky Department for Public Health
Ashley Christiansen	American Heart Association	Gannon Tagher	Kentucky Nurses Association
Joe Bargione Beverly Winsch	Bounce Coalition	Eric Kennedy	Kentucky School Boards Association
Vestena Robbins	Dept. Behavioral Health, Dev.& Intellectual Disabilities	Emily Beauregard Cara Stewart	Kentucky Voices for Health
Amalia Mendoza Alexandra Kerley Katy Walker	Foundation for a Healthy Kentucky	Alicia Whatley	Kentucky Youth Advocates
Mike Stone	Kentucky Council on Problem Gambling	Benjamin Cries	Prichard Committee for Academic Excellence
Angela Stark	Kentucky Department of Education	J. Eric Davis Jacob Archibald	United Healthcare

#### Meeting Objective:

- The Steering Committee will determine some of the next steps related to the implementation of the priority bills which were passed in the 2023 Legislative Session.

#### Pre-Meeting Documents to Review:

- 2023 Legislative Session – KCHC Next Steps on Priority Bills
- KDE 2023 Legislative Guidance- Emergency Bills
- Kentucky Department of Behavioral Health 2023-2024 Recommendations for School Suicide Prevention Training Toolkit

#### Meeting Notes:

##### I. Member Updates

At the request of Steering Committee members who were not able to attend, the meeting was recorded.

**May is Mental Health Awareness Month – Wear Green for Mental Health Awareness.**

**State & Federal Policy Updates Advocacy Series.** The ThriveKY coalition and the Cabinet for Health and Family Services will hold their Quarterly Advocacy Update on state and federal policies with an impact on Kentucky families on May 2, 2023, 2:00 to 3:00 ET. Details [here](#).



**KVH Kentucky's 2023 Medicaid Renewals Explainer.** Due to COVID-19, Medicaid & KCHIP renewals were paused and will now return. Kentucky Voices for Health has developed an explainer to learn more about Kentucky's Medicaid renewals timeline, what the renewals notices look like, some tips on what to do first & more. [Explainer.](#)

**Opioid Settlement.** Kentucky communities will see \$842 million dollars over the next 18 years from the opioid settlement. Kentucky Youth Advocates has developed the [Kentucky Opioid Settlement Planning Toolkit](#) for communities to build readiness for change.

**ThriveKY Regional Advocacy for Thriving Communities Series.** KVH & the coalition of ThriveKY partners will provide in-person around the Commonwealth events this year, April through November, with updates on state and federal policies that impact the health and wellbeing of Kentuckians. Link [here.](#)

## II. Kentucky School Boards Association – implementation of 2023 Legislative Session bills.

Eric Kennedy, Director of Advocacy for the Kentucky School Boards Association (KSBA), presented on SB5 and SB150. His presentation included the following summary points:

- Both bills require local school boards to adopt or amend policies. After every session KSBA creates a package of model policy updates for the school boards to refer to. The school boards will modify their policies usually over the summer, with a deadline around August 15. KSBA expects to send that package sometime before the end of May giving school boards two months. SB 5 and SB 150 had an emergency clause and no immediate deadline, so it will be on the normal schedule.
- Every school board can stipulate its own policy, there is local decision making. Most policies will look similar and tend to be at a minimal compliance level, that is what is necessary to be legally compliant. This usually means that they won't necessarily going along with current best practices.
- SB5 – this law requires board policy for parent complaints on what can be “harmful to minors”, this can include complaints related to school programs, events, materials, textbooks, library books, etc. The definition of harmful to minors is in the statute and is a narrow definition. There is little for boards to customize. KDE will be releasing model policies which they have worked with the KSBA.
- SB150- much of what is in the “education” portion - first three sections- is about parent notifications related to health services, programing, curriculum, etc., with opt out parent options. The health services are a narrow group of health services, human sexuality, family planning. Part of the notification requirements are already in school policy, both federal and state, things like protection of rights, annual notice, etc. The model policy will cross reference what already exists.
- There are two new things in this law: the use of pronouns and stipulations around the use of bathrooms.

With respect to pronouns: schools cannot require school staff to use pronouns preferred by students with do not conform to biological sex. This issue is still tied up in federal courts across



America. Kentucky's Attorney General is part of one case in court. The courts will most likely be building guidance around this. It cannot end up being a situation of harassment of the student.

In terms of bathrooms, the issue raised is student privacy. The law requires all local school boards to protect student privacy as defined in the bill. The minimum requirement, which most schools will most likely adopt, is that no student will be allowed to use bathrooms, restrooms, facilities designated for the other biological sex. There are a wide range of accommodations that may be offered in schools, such as use of staff bathrooms, new constructions with "student" bathrooms, etc. This will be up to each school.

- The Kentucky Department of Education has issued guidance covering all these bills with emergency policy. They question some of these bills, which may be unconstitutional, but they don't have a total binding opinion on this issue.
- There will probably be a case that reaches the Supreme Court of the United States on these issues.
- With respect to HB 538, every school board has a policy on suspension and discipline. There are quite a few changes that this will introduce. Again, model policies will be prepared.
- The conflict with the School Safety and Resiliency Act was discussed. That act created trauma informed school requirements that now clash with some of the new bills, which may only increase trauma for many children and youth.

The review of the Next Steps chart related to the implementation of the KCHC priority bills in the 2023 legislative session was left for the next meeting. Amalia asked that suggestions to the next steps chart be sent to her via email to update the chart for the next meeting.

**Next Meeting:** May 30, 2023. 1:00 to 2:00.