

Senate Bill 111

Sponsored by Senator MONNES ANDERSON, Representative WHISNANT (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes grant program to assist school districts in complying with school nursing service requirements. Directs Department of Education to provide specified technical assistance to school districts and education service districts related to provision of school nursing services.

Directs Department of Education and Oregon Health Authority to jointly convene advisory group to make recommendations related to school nursing services.

Declares emergency, effective July 1, 2017.

A BILL FOR AN ACT

1
2 Relating to school nursing services; and declaring an emergency.

3 Whereas evidence shows that there is a profound connection between the presence of a school
4 nurse and a student's health status and educational achievement; and

5 Whereas school nurses are the first and, frequently, the only access point for students to con-
6 tinuous and comprehensive care; and

7 Whereas school nurses serve a pivotal role that bridges health care and education systems; and

8 Whereas school nurses provide care to all students and provide students with resources and
9 referrals for health insurance coverage; and

10 Whereas school nurses support student success by providing health care through assessments,
11 intervention and follow up for all students in the school setting; and

12 Whereas school nurses have been linked to decreased absenteeism, increased school attendance
13 and increased student engagement; and

14 Whereas there is an immediate concern for the health and safety of students and an urgent need
15 for the development of budget priorities to support school nurses; and

16 Whereas there is an immediate need for the establishment of funding formulas and state allo-
17 cations to support school nurses; and

18 Whereas school nurses play an integral role in public health transformation and the triple aim
19 focus of better health, better care and lower costs; and

20 Whereas school nurses provide an evidence-based model of care that is an integral part of the
21 health care delivery team; and

22 Whereas Oregon has a fiduciary responsibility to leverage existing resources to maximize the
23 delivery of health services; and

24 Whereas school nurses reduce inappropriate emergency room use and the rising use of primary
25 care; and

26 Whereas in Oregon the primary funding source for school nursing services is a school district's
27 general fund with some limited Medicaid reimbursement; and

28 Whereas Oregon taxpayers save \$2.20 for every dollar spent on school nurses; and

29 Whereas 79 of the 197 school districts in Oregon do not provide any school nursing services and

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 29,734 students have no access to a school nurse; and

2 Whereas there has been no increase in the number of school nurses working in Oregon schools
3 since the last legislative task force report in 2008; and

4 Whereas school nurses provide an important role in supporting the Whole School, Whole Com-
5 munity, Whole Child model; and

6 Whereas there has been a significant increase in the number of students attending school with
7 chronic health conditions, many of which are life threatening and require complex medical treat-
8 ments and frequent interventions; and

9 Whereas there is an immediate need for increasing the number of school nurses in Oregon
10 schools; and

11 Where in Oregon, school nurses are delegating nursing tasks and procedures to persons without
12 nursing licenses; and

13 Whereas state law prohibits anyone other than a registered nurse from delegating care for stu-
14 dents while they are attending school and while they are in after-school activities; and

15 Whereas school nurses ensure district compliance with the Free Access to Public Education Act;
16 and

17 Whereas school districts and students with no school nursing services are at significant risk;
18 now, therefore,

19 **Be It Enacted by the People of the State of Oregon:**

20 **SECTION 1. (1) As used in this section:**

21 (a) **“Licensed practical nurse” means an individual who is licensed as a licensed practical**
22 **nurse under ORS 678.010 to 678.410.**

23 (b) **“Nurse practicing in a school setting” means:**

24 (A) **A school nurse;**

25 (B) **A registered nurse; or**

26 (C) **A licensed practical nurse practicing under the direction of a registered nurse.**

27 (c) **“Registered nurse” means an individual who is licensed as a registered nurse under**
28 **ORS 678.010 to 678.410.**

29 (d) **“School nurse” has the meaning given that term in ORS 342.455.**

30 (e) **“School nursing services” means nursing services provided by a nurse practicing in**
31 **a school setting.**

32 (2) **In addition to those moneys distributed through the State School Fund, the Depart-**
33 **ment of Education shall award grants to school districts to assist the school districts in**
34 **complying with the school nursing service requirements specified in ORS 336.201, with pri-**
35 **ority given to school districts with nurses practicing in a school setting with underserved**
36 **or vulnerable populations.**

37 (3) **In addition to grants distributed under subsection (2) of this section, the Department**
38 **of Education shall provide technical assistance to school districts and education service dis-**
39 **tricts as follows:**

40 (a) **Creating and implementing a sustainability plan for providing school nursing services,**
41 **which must include the infrastructure and staff to maximize Medicaid billing and re-**
42 **imbursements by private insurers and coordinated care organizations;**

43 (b) **Providing ongoing training and other necessary resources to nurses practicing in a**
44 **school setting to improve the effectiveness of the delivery of school nursing services;**

45 (c) **Assisting nurses practicing in a school setting in improving business practices, in-**

cluding practices related to billing and efficiencies;

(d) Assisting nurses practicing in a school setting in expanding their relationships with coordinated care organizations, sponsors of medical care for school-age children and other community-based providers of nursing services and mental health services;

(e) Facilitating the integration of health and education policies and programs at the local level so that nurses practicing in a school setting operate in an optimal environment; and

(f) Facilitating statewide school nursing service data collection, including data related to the attendance of students who have access to school nursing services.

(4) The Department of Education must provide ongoing technical assistance to assist school districts and education service districts in maximizing Medicaid billing and reimbursements by private insurers and coordinated care organizations.

(5)(a) The Department of Education may enter into contracts with public or private entities for the purposes of providing the technical assistance described in subsections (3) and (4) of this section.

(b) The Department of Education shall collaborate with any state agency necessary for the purpose of providing technical assistance under subsections (3) and (4) of this section, including seeking any rule or statutory change necessary to secure federal financial participation in the cost of providing school nursing services.

(6) From the moneys available for distribution under this section, the Department of Education may retain no more than a total of five percent of all moneys distributed for a fiscal year for administrative expenses incurred under this section.

SECTION 2. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Education, for the biennium beginning July 1, 2017, out of the General Fund, the amount of \$_____, which shall be expended for the purposes of section 1 of this 2017 Act.

SECTION 3. (1) The Department of Education and Oregon Health Authority shall jointly convene an advisory group to make recommendations to maximize and leverage resources for school nursing services.

(2) The advisory group shall:

(a) Recommend statewide school nursing standards or practices that include the best possible outcome measures for health transformation and academic performance;

(b) Promote the development and continuous refinement of a system of school nursing services that:

(A) Maximizes the delivery of school nursing services for the benefit of all students;

(B) Meets the developmental needs of students;

(C) Promotes evidence-based practices related to school nursing services; and

(D) Prioritizes the health and safety of students;

(c) Make recommendations to improve data collection related to school nursing services and effective health strategies;

(d) Make recommendations for ongoing research related to school nursing services;

(e) Make recommendations for the appropriate allocation of resources for school nursing services; and

(f) Make recommendations for the creation of coordinated school health strategies and systems that focus on the student and foster and promote student achievement, health and safety.

1 **(3) The advisory group shall include the school health specialist of the Department of**
2 **Education and the State School Nursing Consultant of the Oregon Health Authority. The**
3 **specialist and consultant may consult with representatives from:**

4 **(a) A statewide nonprofit organization that is an association organized by and for Oregon**
5 **school nurses;**

6 **(b) A statewide nonprofit organization that is a professional association for nurses in this**
7 **state;**

8 **(c) School health service providers;**

9 **(d) School districts;**

10 **(e) Education service districts;**

11 **(f) Public and private insurance carriers;**

12 **(g) The Oregon State Board of Nursing;**

13 **(h) The health system;**

14 **(i) Student advocacy groups; and**

15 **(j) Any other organization identified by the Department of Education or the Oregon**
16 **Health Authority.**

17 **(4) The advisory group shall make annual reports to the Legislative Assembly on the**
18 **progress made by the advisory group under this section.**

19 **SECTION 4. This 2017 Act being necessary for the immediate preservation of the public**
20 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
21 **July 1, 2017.**

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