

**2009 Regular Legislative Session**  
**FISCAL ANALYSIS OF PROPOSED LEGISLATION**  
**Prepared by the Oregon Legislative Fiscal Office**

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**MEASURE NUMBER:** HB 2693                      **STATUS:** B-Engrossed  
**SUBJECT:** Ratio of nursing personnel to students in school districts; analysis and report by the Department of Education  
**GOVERNMENT UNIT AFFECTED:** Department of Education, local education agencies  
**PREPARED BY:** Erica Kleiner  
**REVIEWED BY:** Monica Brown  
**DATE:** June 23, 2009

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	<u>2009-2011</u>	<u>2011-2013</u>
<b>EXPENDITURES:</b> See comments		

**REVENUES:**  
See comments

**EFFECTIVE DATE:** July 1, 2009

**LOCAL GOVERNMENT MANDATE:** This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**COMMENTS:** House Bill 2693 requires a school district to ensure that it has a specified ratio of nursing personnel to medically complex students, medically fragile students, and nursing-dependent students. School districts are encouraged have one registered nurse or school nurse for every 750 students in the district. The Oregon Department of Education (ODE) is required to submit an annual report to the State Board of Education and the interim legislative committees related to education on the number of nurses in each school district and the number of medically complex students, medically fragile students and nursing-dependent students in each school district by October 1 of each year. The bill allows a school district to use the most cost-effective means available to fulfill the requirements to provide access to a sufficient level of nursing services.

Existing ODE staff would be assigned to collect, prepare, and report the information required by the bill. If ODE collected this new data using a web-based collection method it anticipates the impact on its staffing to be approximately 525-650 hours. This would include time spent by ODE staff to conduct a requirements analysis, document and communicate with districts, create a new collection method (or modify an existing one), and provide training and technical support to districts. ODE values this staff time at approximately \$36,000-43,500. This work will begin in the 2009-11 biennium because they will report on the 2010-11 school year. ODE would not need to hire additional staff to collect, prepare, and report on the data, only to re-prioritize duties and responsibilities of existing staff. The \$36,000-\$43,500 equivalent serves as an estimate of possible incremental staffing cost if ODE needs to hire additional staff in the event that re-prioritization of duties and responsibilities of existing staff are not feasible.

The fiscal impact to school districts to provide one nurse for every 225 medically complex students, one nurse for every 125 medically fragile students, and one nurse for each nursing-dependent student is limited due to the fact that the federal Individuals with Disabilities Education Act (IDEA) already requires that all children receiving special education have an Individualized Educational Program (IEP) including related

services. IDEA requires school districts to provide nursing services for students with disabilities during school hours when services are necessary for the students to access and benefit from their IEP. School districts are encouraged to reduce the ratio of one school nurse per general education student over time, beginning in July 1, 2012 and extending into 2020. Because school districts aren't mandated to implement the specified ratios of nursing personnel to general education students, the fiscal impact of this provision is unknown.