
MEMORANDUM

Legislative Fiscal Office
900 Court St. NE, Room H-178
Salem, Oregon 97301
Phone 503-986-1828
FAX 503-373-7807

To: Human Services Subcommittee of the Joint Committee on Ways and Means

From: Kim To, Legislative Fiscal Office, 503-986-1830

Date: Tuesday, June 16, 2015

Subject: SB 698 Relating to school nursing
Work Session Recommendation

Senate Bill 698 creates a position of a State School Nursing Consultant in the Oregon Health Authority (OHA) to coordinate and collaborate with the Oregon Department of Education's (ODE) school nurse specialist in providing leadership and integration in the delivery of nursing services in schools. The bill also establishes the 14-member Task Force on School Nursing charged with examining and recommending sustainable funding sources for school health services. The task force is required to submit a report to an interim Legislative committee by September 15, 2016. The task force sunsets on December 31, 2016. The bill requires the Governor to consider diversity in relation to race, ethnicity, languages and disability status in appointing members to the task force.

The measure previously had hearings in the Senate Committee on Health Care on 3/18/2015 and 4/8/2015.

The – A6 amendment , the original staff measure summary and the fiscal impact statement are attached to this memo, and available on the Oregon Legislative Information System (OLIS).

Fiscal Impact

See attached.

The – A6 Amendment

The –A6 amendment:

- Appropriates \$216,365 General Fund to the Oregon Health Authority to establish a position of a State School Nursing Consultant in the Oregon Health Authority.

Recommendation

LFO recommends moving the – A6 amendment into the bill.

Motion

**Motion: Senator/Representative _____:
I move the dash A6 amendment into SB 698.**

Motion

**Motion: Senator/Representative _____:
I move SB 698 to the Full Committee with a “do pass” recommendation as amended.**

Assignment of Carriers

Full: _____

Senate: _____

House: _____

SB 698-A6
(LC 3956)
6/12/15 (HRL/ps)

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 698**

1 On page 3 of the printed A-engrossed bill, after line 26, insert:

2 **“SECTION 4. In addition to and not in lieu of any other appropri-**
3 **ation, there is appropriated to the Oregon Health Authority, for the**
4 **biennium beginning July 1, 2015, out of the General Fund, the amount**
5 **of \$216,365, for the purpose described in section 1 of this 2015 Act.”.**

6 In line 27, delete “4” and insert “5”.

7

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 698 - A**Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office**Only Impacts on Original or Engrossed
Versions are Considered Official**Prepared by: Kim To
Reviewed by: Linda Ames, Doug Wilson
Date: 4/9/2015**Measure Description:**

Establishes the Task Force on School Nursing.

Government Unit(s) Affected:

Oregon Health Authority (OHA), Oregon Department of Education (ODE), Legislative Assembly

Summary of Expenditure Impact:

Oregon Health Authority (OHA)		
	2015-17 Biennium	2017-19 Biennium
General Fund		
Personal Services	311,661	311,661
Services and Supplies	83,245	83,245
Total OHA General Fund	\$394,906	\$394,906
Positions	3	3
FTE	2.00	2.00
Oregon Department of Education (ODE)		
	2015-17 Biennium	2017-19 Biennium
General Fund		
Personal Services	\$6,291	
Services and Supplies	43,720	0
Total ODE General Fund	\$50,011	\$0
Positions	0	0
FTE	0.00	0.00
TOTAL GENERAL FUND	\$444,917	\$394,906
Positions	3	3
FTE	2.00	2.00

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.

Analysis:

Senate Bill 698 creates a position of a State School Nursing Consultant in the Oregon Health Authority (OHA) to coordinate and collaborate with the Oregon Department of Education's (ODE) school nurse specialist in providing leadership and integration in the delivery of nursing services in schools. The bill also establishes the 14-member Task Force on School Nursing charged with examining and recommending sustainable funding sources for school health services. The task force is required to submit a report to an interim Legislative committee by September 15, 2016. The task force sunsets on

December 31, 2016. The bill requires the Governor to consider diversity in relation to race, ethnicity, languages and disability status in appointing members to the task force.

Oregon Health Authority (OHA)

The Oregon Health Authority is required to staff the task force with the Oregon Department of Education, and to create the position of a State School Nursing Consultant. The responsibilities of the Nursing Consultant position mandated by the bill include:

1. Coordinating school nursing program activities with public health, social services, environmental and educational agencies as well as other public and private entities;
2. Initiating and coordinating a quality assurance program that includes needs assessment, data collection and analysis;
3. Providing clinical consultation and technical support to school nurses and school nursing programs;
4. Monitoring, interpreting, synthesizing and disseminating information relevant to changes in health care, school nursing practices, laws and regulations and other legal issues that impact schools; and
5. Leading the integration of coordinated school health teams.

In addition to creating a Public Health Nurse 2 position (1.00 FTE) to serve as the State Nursing Consultant in the Adolescent and School Health Program within Public Health, OHA anticipates establishing two additional positions to support the Nursing Consultant in carrying out the duties outlined in the bill: [1] one half-time Research Analyst 3 position (0.50 FTE) to collect and analyze data related to the implementation and evaluation of the quality assurance program; and [2] one Administrative Specialist 1 position (0.50 FTE) to assist with the quality assurance program, and other school nursing program activities. This position can also help the Department of Education with staffing the task force. The Personal Services and related Services and Supplies cost for these three positions is estimated at \$394,906 General Fund and 2.00 FTE for the 2015-17 biennium.

ODE and OHA anticipate creating a Memo of Understanding (MOU) to delineate the two agencies' authority, roles and responsibilities in this collaboration.

Oregon Department of Education (ODE)

The Oregon Department of Education estimates the total impact of this bill to be \$50,011 General Fund. The bill requires ODE to reimburse non-legislative members of the task force for travel and expenses (which accounts for most of the Department's fiscal impact), and to staff the task force with the Oregon Health Authority. ODE anticipates assigning this work to an existing Education Specialist so does not anticipate added costs for this work. Since this work does not qualify under federal funding, the support staff costs (currently funded with Federal Funds) associated with this bill will need to be funded with General Fund resources (\$6,291).

Legislative Assembly

Two of the fourteen task force members are legislators. Although the Legislative Assembly budget contains funds allocated for per diem and mileage associated with legislators' participation in interim committee and task forces, if the cumulative enactment of other bills exceed expenditure levels beyond those assumed in the 2015-17 Legislative Assembly budget, additional General fund resource may be required.

This bill requires budgetary action for the appropriation of General Fund and position authority.

STAFF MEASURE SUMMARY**Senate Committee On Health Care****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 04/08/15**Action:** Do Pass With Amendments. Refer To Ways And Means By Prior Reference
(Printed A-Eng).**Meeting Dates:** 03/18, 04/08**Vote:**

Yeas: 5 - Knopp, Kruse, Monnes Anderson, Shields, Steiner Hayward

Prepared By: Zena Rockowitz, Committee Administrator

WHAT THE MEASURE DOES:

Creates School Nursing Consultant in Oregon Health Authority (OHA). Requires consultant to: coordinate with school nurse specialist in Department of Education (DOE); provide school nursing policy and program guidance to agencies; support and lead integration of coordinated school health teams; provide technical assistance to school nurse using evidenced-based standards; collaborate with professional associations and agencies; provide clinical consultation to school nurses and programs; provide leadership in delivery of services to schools; serve as liaison and expert for providers and policymaking bodies; coordinate program activities with agencies and other entities; monitor, synthesize and distribute information; promote quality assurance and represent school nurses in state-level partnerships. Establishes 14-member Task Force on School Nursing (Task Force). Requires Task Force to examine other health care funding sources including billing of student's health insurance, for the purpose of using moneys from health care funding sources. Directs Task Force to recommend sustainable funding sources for school health services to fund school health screenings and school nursing services. Specifies action, quorum, election and compensation requirements. Requires task force to submit report by September 15, 2016. Requires DOE to coordinate with OHA. Repeals Task Force on December 31, 2016. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- School nurses' role in providing wellness, intervention and disease prevention activities
- Funds come through Department of Education
- Meeting nurse-to-student ratio goals
- Impact of school nurses on students
- Lack of data to understand needs

EFFECT OF COMMITTEE AMENDMENT:

Specifies that member appointment should represent education service district that provides health services. Removes requirement that classified school employee member appointment represents labor organization. Requires Governor to consider composition when appointing members. Requires Task Force to examine other health care funding sources, instead of existing funding sources, including billing of student's health insurance, for the purpose of using moneys from health care funding sources. Directs Task Force to recommend sustainable funding sources for school health services to fund school health screenings and school nursing services.

BACKGROUND:

A "school nurse" (ORS 342.455) is a registered nurse certified by the Teacher Standards and Practices Commission (TSPC) as qualified to conduct and coordinate the health service programs of a school. Schools do not have to hire TSPC certified nurses. School nurses help manage students with chronic conditions (diabetes, food allergies,

asthma, obesity), provide injury and illness care and prevention, mental health support, case management and emergency care. Due to the impact of health on education, school nurses influence attendance, achievement and graduation rates. The Oregon Department of Education reported that for the 2013-2014 school year, 267 full-time nurses were employed in schools (35 licensed practical nurses and 232 registered nurses). Currently, Oregon has one school nurse for every 4,054 students. The goal of school districts is to have one registered nurse for 750 students by 2020. The 2007 Legislative Assembly passed House Bill 2773 to establish a Task Force to study school nurses in Oregon. The Task Force recommended the creation of a permanent school nurse consultant to support the successful implementation and sustainability of expanding school nursing services.

A-Engrossed
Senate Bill 698

Ordered by the Senate April 13
Including Senate Amendments dated April 13

Sponsored by COMMITTEE ON RULES

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.

Creates position of State School Nursing Consultant in Oregon Health Authority and specifies duties.

Establishes Task Force on School Nursing.

Sunsets task force on December 31, 2016.

Declares emergency, effective on passage.

A BILL FOR AN ACT

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

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

4 **SECTION 1. The position of State School Nursing Consultant is created in the Oregon**
5 **Health Authority. The responsibilities of the consultant include, but are not limited to, all**
6 **of the following:**

7 (1) **Coordinating and collaborating with the school nurse specialist within the Department**
8 **of Education.**

9 (2) **Providing school nursing policy and program guidance for the authority, the depart-**
10 **ment and other agencies.**

11 (3) **Supporting and leading the integration of coordinated school health teams and pro-**
12 **viding assistance in sustaining the teams.**

13 (4) **Providing technical assistance to school nurses on the delivery of nursing care using**
14 **evidence-based best practice standards and assisting in the establishment of protocols and**
15 **standards of care in collaboration with professional associations and state agencies.**

16 (5) **Providing leadership in the delivery of nursing services in schools.**

17 (6) **Providing clinical consultation and technical support to school nurses and school**
18 **nursing programs.**

19 (7) **Serving as a liaison and expert resource in school nursing and school nursing pro-**
20 **grams for local, regional, state and national health care providers and policymaking bodies.**

21 (8) **Coordinating school nursing program activities with public health, social services,**
22 **environmental and educational agencies as well as other public and private entities.**

23 (9) **Monitoring, interpreting, synthesizing and disseminating information relevant to**
24 **changes in health care, school nursing practices, laws and regulations and other legal issues**
25 **that impact schools.**

26 (10) **Promoting quality assurance in school nursing programs by initiating and coordi-**

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 nating a quality assurance program that includes needs assessment, data collection and
2 analysis and evidence-based practices.

3 (11) Representing school nurses in state level partnerships between agencies and between
4 public and private entities, to foster a coordinated school nursing program and other multi-
5 disciplinary collaborations.

6 **SECTION 2.** (1) The Task Force on School Nursing is established.

7 (2) The task force established by this section consists of 14 members appointed as follows:

8 (a) The President of the Senate shall appoint one member from among members of the
9 Senate.

10 (b) The Speaker of the House of Representatives shall appoint one member from among
11 members of the House of Representatives.

12 (c) The Governor shall appoint 12 members as follows:

13 (A) One member who represents education service districts that provide health services.

14 (B) One member who represents a school district that primarily serves an urban area.

15 (C) One member who represents a school district that primarily serves a rural region.

16 (D) One member from the Oregon Health Authority who is involved in school health.

17 (E) One member from the Department of Education who is involved in school health.

18 (F) One member who is a member of a statewide nonprofit organization that is an asso-
19 ciation organized by and for Oregon school nurses.

20 (G) One member who represents a statewide nonprofit organization that is a professional
21 association for nurses in this state.

22 (H) One member who represents classified school employees who work directly with
23 school nurses.

24 (I) One member who represents a statewide nonprofit organization that is dedicated to
25 developing school-based health centers.

26 (J) One member who represents a coordinated care organization that provides health
27 services in this state.

28 (K) One member who represents a private insurer in this state.

29 (L) One member who is a local public health official.

30 (d) When appointing members under paragraph (c) of this subsection, the Governor shall
31 consider whether the composition of the task force represents diversity in relation to race,
32 ethnicity, languages and disability status.

33 (3) The task force shall:

34 (a) Examine other health care funding sources, including the billing of students' health
35 insurance for the costs of school health services provided at school, for the purpose of de-
36 termining if schools may transition from using moneys received for educational purposes to
37 using moneys from the other health care funding sources to pay for school health services.

38 (b) Recommend sustainable funding sources for school health services that could be used
39 to fund required school health screenings and to achieve the level of school nursing services
40 described in ORS 336.201.

41 (c) Recommend standards of school nursing practices that include outcome measures
42 related to health transformation and academic performance.

43 (d) Recommend ways to create a coordinated school health services model and to foster
44 and promote a noncompetitive strategy that is collaborative and that directs an appropriate
45 level of funding to school nursing and school-based health centers.

1 (4) A majority of the members of the task force constitutes a quorum for the transaction
2 of business.

3 (5) Official action by the task force requires the approval of a majority of the members
4 of the task force.

5 (6) The task force shall elect one of its members to serve as chairperson.

6 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
7 ment to become immediately effective.

8 (8) The task force shall meet at times and places specified by the call of the chairperson
9 or of a majority of the members of the task force.

10 (9) The task force may adopt rules necessary for the operation of the task force.

11 (10) The task force shall submit a report in the manner provided by ORS 192.245, and
12 may include recommendations for legislation, to an interim committee of the Legislative
13 Assembly related to education or health care no later than September 15, 2016.

14 (11) The Department of Education shall coordinate with the Oregon Health Authority to
15 provide staff support to the task force.

16 (12) Members of the task force who are not members of the Legislative Assembly are not
17 entitled to compensation, but may be reimbursed for actual and necessary travel and other
18 expenses incurred by them in the performance of their official duties in the manner and
19 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
20 of the task force shall be paid out of funds appropriated to Department of Education for
21 purposes of the task force.

22 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist
23 the task force in the performance of its duties and, to the extent permitted by laws relating
24 to confidentiality, to furnish such information and advice as the members of the task force
25 consider necessary to perform their duties.

26 SECTION 3. Section 2 of this 2015 Act is repealed on December 31, 2016.

27 SECTION 4. This 2015 Act being necessary for the immediate preservation of the public
28 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
29 on its passage.

30