

House Bill 2721

Sponsored by Representative HAYDEN

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**.

Directs school districts to have comprehensive health services program. Prescribes requirements of program.

Requires school districts to have specified number of registered nurses or school nurses based on number of students in school districts.

A BILL FOR AN ACT

1
2 Relating to health services provided in school districts; creating new provisions; amending ORS
3 336.201; and repealing section 5, chapter 843, Oregon Laws 2009.

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

5 **SECTION 1.** ORS 336.201 is amended to read:

6 336.201. (1) As used in this section:

7 (a) "Licensed practical nurse" means an individual who is licensed as a licensed practical nurse
8 under ORS 678.010 to 678.410.

9 (b) "Medically complex students" means students who may have an unstable health condition
10 and who may require daily professional nursing services.

11 (c) "Medically fragile students" means students who may have a life-threatening health condition
12 and who may require immediate professional nursing services.

13 (d) "Nursing-dependent students" means students who may have an unstable or life-threatening
14 health condition and who may require daily, direct and continuous professional nursing services.

15 (e) "Registered nurse" means an individual who is licensed as a registered nurse under ORS
16 678.010 to 678.410.

17 (f) "School nurse" has the meaning given that term in ORS 342.455.

18 **(2)(a) Each school district shall have a comprehensive health services program that is**
19 **administered by a registered nurse.**

20 **(b) The purpose of the comprehensive health services program must be to provide a**
21 **means for ensuring that students are healthy, safe and ready to learn.**

22 **(c) To ensure that the purpose of the comprehensive health services program is met, the**
23 **registered nurse who administers the program shall consult with counselors, mental health**
24 **providers, psychologists, speech language pathologists, school-based health centers, students'**
25 **personal health care providers and any other physical, mental or emotional professionals**
26 **required to serve the students of the program to the extent allowed by law.**

27 ~~[(2)]~~ **(3) Each school district shall ensure that the district has access to a sufficient level of**
28 **nursing services to provide:**

29 (a) One registered nurse or school nurse for every 225 medically complex students.

30 (b) One registered nurse or school nurse for every 125 medically fragile students.

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 (c) One registered nurse or school nurse, or one licensed practical nurse under the supervision
 2 of a registered nurse or school nurse, for each nursing-dependent student.

3 [(3)] (4)(a) **Except as provided by paragraph (b) of this subsection and** in addition to the
 4 requirements of subsection [(2)] (3) of this section, each school district [*is encouraged to*] **must** have
 5 one registered nurse or school nurse for every 750 students in the school district.

6 (b) **Each school district must ensure that each school of the school district that qualifies**
 7 **for assistance under Chapter I of Title I of the federal Elementary and Secondary Education**
 8 **Act of 1965 and that has 400 or more students has one registered nurse or school nurse**
 9 **employed at least half-time at the school.**

10 (c) **For the purpose of determining if the requirements of paragraphs (a) and (b) of this**
 11 **subsection are met, any calculations for determining the number of students receiving**
 12 **nursing services may not take into account a registered nurse or a school nurse who is**
 13 **providing nursing services to a nursing-dependent student.**

14 [(4)(a)] (5)(a) A school district may satisfy the requirements of subsection [(2)] (3) of this section
 15 by using the most cost-effective means available.

16 (b) A school district may satisfy the requirements described in [*subsection (2)(a) of this section*
 17 *and the recommendations described in subsection (3)*] **subsections (3)(a) and (4)** of this section by:

18 (A) Providing personnel trained and supervised by a registered nurse or school nurse; and

19 (B) Complying with the requirements of ORS 678.010 to 678.448.

20 [(5)(a)] (6)(a) A registered nurse or school nurse is responsible for coordinating the school
 21 nursing services provided to an individual student. The registered nurse or school nurse shall work
 22 in partnership with the student’s parent or guardian, health care provider and appropriate school
 23 staff to the extent allowed by law.

24 (b) Decisions related to when or where a student receives school nursing services must jointly
 25 be made by the registered nurse or school nurse, the parent or guardian of the student and any
 26 appropriate school staff. This paragraph does not apply to students who have an individualized ed-
 27 ucation program and for whom special education and related services are determined by an indi-
 28 vidualized education program team.

29 [(6)] (7) The Department of Education shall submit to the State Board of Education and the in-
 30 terim legislative committees related to education an annual report no later than October 1 of each
 31 year that is based on the previous school year and that provides information on:

32 (a) The availability of licensed practical nurses, registered nurses and school nurses in each
 33 school district; and

34 (b) The number of medically complex students, medically fragile students and nursing-dependent
 35 students in each school district.

36 **SECTION 2. Notwithstanding ORS 336.201 (4)(a) and from the effective date of this 2019**
 37 **Act until July 1, 2025, a school district:**

38 (1) **Is not required to have one registered nurse or school nurse for every 750 students**
 39 **in the school district, but is encouraged to have one registered nurse or school nurse for**
 40 **every 750 students in the school district.**

41 (2) **Is required to have one registered nurse or school nurse for every 1,500 students in**
 42 **the school district.**

43 **SECTION 3. Section 2 of this 2019 Act is repealed on July 1, 2025.**

44 **SECTION 4. Section 5, chapter 843, Oregon Laws 2009, is repealed.**