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FISCAL IMPACT REPORT

ORIGINAL DATE 1/31/2020
 SPONSOR Stefanics LAST UPDATED 2/11/2020 HB _____
 SHORT TITLE Nurses in Public Schools SB 132
 ANALYST Chilton

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|-----------|------------------------------|------------------|
| FY20 | FY21 | | |
| | \$5,000.0 | Recurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY20 | FY21 | FY22 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|------|--------|--------|----------------------|------------------------------|------------------|
| Total | | \$80.0 | \$80.0 | \$160.0 | Recurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB53 and HB127

SOURCES OF INFORMATION

LFC Files

Responses Received From

Board of Nursing (BN)
 Public Education Department (PED)
 Department of Health (DOH)

SUMMARY

Synopsis of Bill

Senate Bill 132, Nurses in Public Schools, appropriates \$5 million from the general fund to the Public Education Department for the purpose of employing school nurses and placing them in schools throughout New Mexico.

FISCAL IMPLICATIONS

The appropriation of \$5 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of each fiscal year shall revert

to the general fund.

PED notes that it would require an additional FTE employee to administer the appropriation, and that local school districts would have to dedicate resources to advertising for and filling funded positions. Assuming a salary and benefits totaling \$80,000 for the PED employee, \$4,992,000 (98.4 percent of the appropriation) would be available to hire and place school nurses.

SIGNIFICANT ISSUES

The Public Education Department's Annual School Health Services Summary Report for 2018–2019 (attached) indicates that there were 518 school nurses, seven licensed practical nurses, and 513 health assistants providing services in 810 schools throughout the state. Some school districts – eighteen of the 88 during that year – reporting having less than one school nurse FTE. The report credits the National Association of School Nurses with the assertion that the school nurse to pupil ratio should be 1:225 overall and 1:125 in schools where children have complex medical conditions. Overall, the state reports one school health FTE (school RN, school LPN or school health assistant) for every 309 students, or one RN or LPN for every 612 students in all of the state's schools. As PED estimates that the \$5 million appropriation could be used to hire 70 school nurses, the ratio could be reduced to one school health FTE for every 290 students, and the ratio of licensed school nurses to students to 1:544. The report goes on to state that the current school nurses during that year logged 1.9 million visits, largely for acute and chronic diseases and injuries.

School nurse presence in schools may allow students to minimize time away from classrooms, an essential prerequisite for learning. A visit to a school nurse may obviate a visit to an emergency room or medical provider office and the time required not only for the visit there, but also the transportation time, and it may also increase the productivity of working parents not called away to transport their children to a medical facility.

The American Academy of Pediatrics, in a policy statement on school nursing (<https://pediatrics.aappublications.org/content/137/6/e20160852>), advises that there be a school nurse in every school. In an article about that new policy, the following points are made:

“School nursing is one of the most effective ways to keep children healthy and in school and to prevent chronic absenteeism,” said Breena Welch Holmes, MD, FAAP, a lead author of the policy statement and chair of the AAP Council on School Health. “Pediatricians who work closely with school nurses will serve all of their patients better.”

The school nurse's job comprises much more than just health services. School nurses provide surveillance, chronic disease management, emergency preparedness, behavioral assessment, ongoing health education and extensive case management, among other duties. The policy statement notes that school nurses today monitor more children with special needs, and help with medical management in areas such as attention-deficit/hyperactivity disorder, diabetes, life-threatening allergies, asthma and seizures.

School nurses participate in public health arenas such as immunization, obesity prevention and substance abuse assessment. The policy statement notes that collaboration among pediatricians, families and the school medical team is increasingly critical to optimal health care in both office and community settings. Yet, school nurse staffing patterns vary widely across the United States.

PED's analysis of this bill makes the following points:

SB132 may support national recommendations for hiring full time professional school nurses. The National Association of School Nurses (NASN) states "the school nurse serves a pivotal role that bridges health care and education." Furthermore, NASN recommends "every child has access all day, every day to a full-time registered professional school nurse." There is also evidence to support that hiring full-time registered school nurses has cost saving benefits. The Journal of the American Medical Association, Pediatrics published a study that found that for every dollar invested in school nursing, there was a return of \$2.20 dollars. The \$5 million appropriation in SB132 may assist local education agencies provide students appropriate health services during the school day, and may even result in a return on investment for our state and local education agencies.

Sources: <https://www.nasn.org/nasn/advocacy/professional-practice-documents/position-statements/ps-role>; <https://kaiserhealthnews.files.wordpress.com/2014/06/cost-benefit-study-of-school-nursing-services.pdf>

Schools that receive federal funding are required to comply with Section 504 of the Rehabilitation Act of 1973, a federal law that prohibits discrimination based upon disability. Many students who qualify as having a disability under Section 504 may require school nursing services during the school day. The appropriation in SB132 may help support the requirements of Section 504. Also, as part of the Individuals with Disabilities Education Act (IDEA), school nursing services are defined as a related service. Per the Public Education Department's "Developing Quality Individualized Educational Plans (IEP)" technical manual, a related service is defined as "the supporting services the student must have in order to benefit from special education." Although school nursing is defined as a related service, there is no specific funding identified for school nurse FTE under current state funding formulas. The appropriation in SB132 may assist schools districts offset the costs associated with the required provision of school nursing services as a related service for qualified students.

Source: <https://webnew.ped.state.nm.us/wp-content/uploads/2018/03/Developing-Quality-IEPs.pdf>

SB132 may support the PED's goal to close the opportunity gap for students by ensuring every student in New Mexico has equitable access to achieve personal success regardless of their demographics. Access to appropriate health services during the school day may allow a student with medical conditions or disabilities an equitable opportunity to participate in the school day and benefit from their education.

DOH points out the extensive nature of school nurse activities in providing children the federally-guaranteed Free and Appropriate Education:

The core functions of a school nurse include care coordination and case management of chronic illnesses; verification, management, and adherence of state immunization requirements for students; conducting required health screenings; giving needed medication during the school day; providing medically complex procedures for students with specialized medical needs; responding to health related urgent and emergent situations; and improved access to care. Additionally, public school districts are required to identify, locate, and evaluate all children with disabilities, regardless of severity, to

determine if they qualify for special education services, including the related service of school nursing or health services (<https://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html>).

ADMINISTRATIVE IMPLICATIONS

PED would have to administer the program and license the nurses as school nurses, and school districts (LEAs) would bear the burden of recruiting new nurses, often in areas where there are insufficient nurses to meet other needs. PED points out that “It may also be administratively burdensome for some LEAs to recruit and retain school nursing staff in certain rural areas of New Mexico. This may require coordination with surrounding LEAs to share a school nurse FTE from a nearby area or perhaps working with staffing agencies to identify potential candidates. “

RELATIONSHIP with

- HB53, Social Services as Part of Sufficient Education
- HB127, Task Force on Asset and Gap Mapping Analysis

POSSIBLE QUESTIONS

The appropriation does not give guidance to PED in allocating the appropriation among the 88 local educational agencies (LEAs; school districts) throughout New Mexico.

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