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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 1st Session, 2017

Bill Number	<u>HB160/HECS</u>	Sponsor	<u>HEC</u>
Tracking Number	<u>.206661.1</u>	Committee Referrals	<u>HEC/HAFC</u>
Short Title	<u>School District Full-Time Nurses</u>		
Analyst	<u>Herz</u>	Original Date	<u>2/7/17</u>
		Last Updated	<u>3/9/17</u>

BILL SUMMARY

Synopsis of Bill

The House Education Committee substitute for House Bill 160 (HB160/HECS) amends the Public School Finance Act to require that school districts include a full-time, department-licensed registered school nurse in their budgets to be approved by the Public Education Department (PED) unless a waiver is granted. Waivers may only be granted to school districts with less than 500 MEM for two reasons:

- a school district demonstrates that it can meet minimum requirements of the bill by hiring or contracting with a part-time school nurse; or
- a school district can document its inability to hire or contract with a qualified school nurse due to a lack of nurses in the district's geographic area.

HB160/HECS appropriates \$950 thousand in FY18 for school districts with less than 500 MEM.

FISCAL IMPACT

The bill appropriates \$950 thousand from the general fund to PED for expenditure in FY18 to assist school districts that have student enrollments of less than 500 MEM to employ a department-licensed registered school nurse for the 2017-2018 school year. Any unexpended or unencumbered balance remaining at the end of FY18 shall revert to the general fund. In the current school year, 40 of the state's 89 school districts have less than 500 MEM.

SUBSTANTIVE ISSUES

According FY16 data from PED, 20 school districts employed less than one FTE nurse, all of which are in rural areas. Only one school district with greater than 500 MEM, Raton Public Schools, did not employ at least one full-time school nurse (see Table 1). HB160/HECS would require the school district with over 500 MEM in Table 1 to employ at least one FTE school nurse without state-appropriated funds.

It is unclear what the financial burden to school districts would be due to this bill. Currently, full-time school nurses in the state earn an average salary of about \$44,500 annually, excluding benefits. From FY16 to FY17, the number of school districts that did not employ a school nurse increased from one to nine, according to PED. It is unclear how many of these school districts would be eligible for a waiver under the provisions of HB160/HECS.

Many rural school districts utilize cooperative or other alternative methods to provide school nurses for students due to a lack of registered nurses in their geographic area. Some school districts contract nursing services through Regional Education Cooperatives, sharing full-time school nurse positions with other small school districts. According to PED, some school districts use supervised licensed practical nurses, health assistants, contracted nurses, and school-based health centers in addition to (or in lieu of) registered nurses. HB160/HECS does not explicitly provide alternatives for school districts with over 500 MEM to cooperatively provide school nurses.

The New Mexico Department of Health defines the essential functions of a school nurse as “verifying immunizations for students, doing required vision and hearing screenings, giving needed medication during the school day, providing medical procedures for students with specialized medical needs, and responding to health related urgent and emergent situations.” Not having at least one licensed registered school nurse in each district to provide oversight and support increases the medical risks students face, and could also increase school district liability.

ADMINISTRATIVE IMPLICATIONS

HB160/HECS would require PED to develop rules to implement the requirements of the bill.

TECHNICAL ISSUES

Statutes amended in this bill do not explicitly include state-chartered charter schools in the definition of school districts. As such, it is unclear whether state-chartered charter schools would be required to provide access to a full-time, district-provided school nurse like other school districts. If the language in the bill is interpreted to include state-chartered charter schools as school districts, the costs incurred by implementing the bill could grow substantially. In FY17, 58 of 62 state-chartered charter schools had less than 500 MEM. Data on current year school nurse staffing at state-chartered charter schools is unavailable, preventing a projection of fiscal impact.

SOURCES OF INFORMATION

- PED
- LESC Files

MPH/rab

Table 1. School Districts with Less Than One School Nurse FTE in FY16

<i>District</i>	<i>2016 40d Enrollment</i>
Raton	956
Jal	484
Chama Valley*	379
Mesa Vista	316
Dora	266
Melrose	222
Floyd	223
Carrizozo	144
San Jon	138
Hondo Valley	137
Reserve	136
Elida	124
Grady	130
Maxwell	108
Des Moines	93
Corona	78
Vaughn	75
House	61
Wagon Mound	61
Mosquero	45

Source: PED

* - District employed zero school nurse FTE.