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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/07/17

SPONSOR HEC LAST UPDATED \_\_\_\_\_ HB 160/HECS

SHORT TITLE School District Full-Time Nurses SB \_\_\_\_\_

ANALYST Chilton

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		
	\$950.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**RELATES** to 2015 House Memorial 61.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Health (DOH)

Regional Educational Cooperatives (REC)

#### Responses Not Received From

Board of Nursing (BN)

Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

House Bill 160 would amend Section 22-8-9 NMSA 1978, which deals with minimum requirements for inclusion in the budgets of school districts, to add the requirement that each school district in New Mexico hire or contract with at least one full-time registered school nurse. Exceptions would be made if the school district were not able to hire a full-time school nurse because nurses were not available in that locale. Rural school districts with fewer than 250 students would be exempted from the requirement if there were insufficient qualified nurses in the vicinity or if they hired or contracted with a part-time, PED-licensed, registered school nurse.

An appropriation is made to PED to assist the small rural districts with fewer than 250 students in employing a registered school nurse for the 2017-2018 school year.

The appropriation of \$950,000 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY 2018 shall revert to the general fund.

## **SIGNIFICANT ISSUES**

School nurses perform a number of roles vital to the success of students, including monitoring acute illnesses, excluding ill children who would create a risk for other students' or their own health, screening for vision and hearing, giving needed medications during the school day, providing counseling, detecting conditions that place students at severe risk of school failure, drug use, or even suicide and making appropriate referrals, acting as liaison between children's personal medical care provider and the school, monitoring overall school wellness, and insuring compliance with state-mandated immunizations and in some cases giving immunizations.

DOH notes requirements made by relevant federal legislation as follows:

“Section 504 of the Rehabilitation Act of 1973 requires a school district to provide a Free Appropriate Public Education (FAPE) to children with disabilities in the United States; this is also guaranteed by the Individuals with Disabilities Education Act (IDEA). Under Section 504, FAPE is defined as “the provision of regular or special education and related aids and services that are designed to meet individual needs of handicapped persons as well as the needs of non-handicapped persons based on adherence to procedural safeguards outlined in the law.” As a result of these laws, school nursing has become even more essential than ever before. School districts must carefully consider how they will comply with these laws.”

Recognizing the importance of all of these functions, the American Academy of Pediatrics, in a policy statement endorsed by the National Association of School Nurses, has advocated that each school have a full-time school nurse. (the policy statement, entitled “Role of the School Nurse in Providing School Health Services,” is accessible at <http://pediatrics.aappublications.org/content/121/5/1052>, with a similar document on the NASN site at [http://www.nasn.org/portals/0/binder\\_papers\\_reports.pdf](http://www.nasn.org/portals/0/binder_papers_reports.pdf). Relatively few New Mexico schools (in many school districts, just the largest schools) employ a full-time registered school nurse, with two or more schools sharing one nurse.

DOH notes that, of 89 school districts, nine have no professional school nurse, and two have only a part-time school nurse. HB 160 would bring New Mexico somewhat closer to the expressed ideal.

## **TECHNICAL ISSUES**

There is no provision in the bill regarding school nurses for charter schools of any size.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Districts would not be required to hire a full-time or part-time school nurse, and the functions of school nurses noted above would have to be undertaken by less well-trained individuals or would be omitted.