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## FISCAL IMPACT REPORT

**SPONSOR** Sariñana/Pratt/Garratt/ Ferrary/Armstrong, D **ORIGINAL DATE** 2/17/19 **LAST UPDATED** \_\_\_\_\_ **HB** 476

**SHORT TITLE** School Nurse in Every School **SB** \_\_\_\_\_

**ANALYST** Eckberg

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		See Fiscal Implications				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Health (DOH)

Regional Education Cooperatives (REC)

### SUMMARY

#### Synopsis of Bill

House Bill 476 requires every state chartered charter school and district school have a full-time, department-licensed, registered school nurse, with limited exceptions.

### FISCAL IMPLICATIONS

The bill does not include an appropriation. There are fiscal implications for school districts and state chartered charter schools who do not currently have a full-time nurse in their budgets. According to LESC analysis, there are currently 305 schools in New Mexico without a registered nurse and the average salary for a registered nurse is \$46,379 annually.

### SIGNIFICANT ISSUES

House Bill 476 requires every state chartered charter school and district school have a full-time, department-licensed, registered school nurse to obtain budget approval from PED. There is an exception for rural schools with less than 250 students or if a school is not able to hire a qualified nurse or contract with a third party for a qualified nurse because of insufficient availability of such nurses in its geographic vicinity. DOH notes it is likely many of the school districts that do not have school nursing services fall within federally designated health professional shortage areas, which would increase the need to contract out these services at a higher cost.

DOH further notes, currently, New Mexico school health services are addressed through a combination of direct employment of registered school nurses, supervised licensed practical nurses, school health assistants, contract nurses, and School Based Health Centers. Some schools use non-licensed School Health Assistants to provide health care to students, a practice outside of current state statute. Not having at least one department licensed registered nurse in each school to provide clinical oversight of health services may increase the risk of adverse health outcomes for students and increase school liability.

DOH continues, 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 services have become a required related service.

The National Association of School Nurses (NASN) states school nurses benefit the school in the following ways:

1. Attendance – School nurses improve attendance through health promotion, disease prevention and disease management. Students with a full-time school nurse have about half the student illness- or injury-related early releases from school where no school nurse is present.
2. Academics – Improved attendance means the healthy student is in the classroom and ready to learn. School Nurses enable better performance, which also contributes to reducing drop-out rates.
3. Time – School nurses save time for principals, teachers and staff. A school nurse in the building saves principals, teachers, and clerical staff a considerable amount of time that they would have spent addressing health concerns of students.
4. Staff Wellness – School nurses improve the general health of staff. According to school reports, principals, teachers, and clerical staff are very satisfied with having school nurses in their schools for several reasons:
  - Teachers can focus on teaching;
  - Office staff spend less time calling parents and sending students home; and
  - Healthy staff means increased attendance and productivity.
5. Accountability - School nurses help schools stay accountable:
  - Promoting compliance with federal and state law mitigates lawsuits;
  - Advocating for adequate staffing aligns with Healthy People 2020 recommendations of the ratio of one school nurse per 750 well students (1:750);
  - Preparing for emergencies saves lives and property; and
  - Addressing student mental health links to academic achievement.

REC notes having a certified nurse employed at each school would have a significant positive impact in providing for the care and welfare of all students. However, because no appropriation is included in the bill this could have an immediate negative impact on school budgets.

## **ADMINISTRATIVE IMPLICATIONS**

DOH notes it is likely that they will be asked to collaborate with PED to promulgate the rules

associated with the waivers outlined in the bill. Additional DOH staff time may be needed to properly train for and oversee the activities outlined.

In addition, New Mexico statute (NMSA 24-1-4.B) states “A regional health officer shall provide medical oversight to school nurses in the regional health officer's region. A school nurse shall make reports relating to public health as the regional health officer in the school nurse's region requires.” NMSA 24-1-4.C states “As used in this section, "medical oversight" means advice and direction that is provided by a regional health officer or under the direction of a regional health officer to a school nurse, or a school nurse's designee, who performs nursing activities in a school setting.” As a result, DOH staff, including the Regional Health Officers and School Health Advocates, support school nurse activities statewide through consultation, training, meetings, receiving and responding to reports, and providing direction and support (such as updating medical protocols and assisting with obtaining emergency medication supplies). Increasing the number of school nurses who would require support would likely increase the demand on these DOH staff, potentially affecting other activities that staff are currently engaged in.

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