

Stricken language would be deleted from and underlined language would be added to present law.
Act 1089 of the Regular Session

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H4/12/21
A Bill

HOUSE BILL 1826

By: Representative J. Mayberry

By: Senator Irvin

For An Act To Be Entitled

AN ACT CONCERNING SCHOOL NURSES; TO REQUIRE PUBLIC SCHOOLS TO PROVIDE HEALTH SERVICES PROGRAMS; TO REQUIRE LICENSED REGISTERED NURSES EMPLOYED OR CONTRACTED BY A PUBLIC SCHOOL TO PARTICIPATE IN NURSING PROFESSIONAL DEVELOPMENT; TO REQUIRE THE DIVISION OF ELEMENTARY AND SECONDARY EDUCATION TO DEVELOP AND IMPLEMENT AN EDUCATION PROGRAM FOR SCHOOL NURSES; TO REQUIRE PUBLIC SCHOOL DISTRICTS TO PARTICIPATE IN A HEALTH SERVICES SURVEY; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE SCHOOL NURSES TO PARTICIPATE IN NURSING PROFESSIONAL DEVELOPMENT; TO REQUIRE THE DEVELOPMENT OF AN EDUCATION PROGRAM FOR SCHOOL NURSES; AND TO REQUIRE PUBLIC SCHOOLS TO PARTICIPATE IN A HEALTH SERVICES SURVEY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 6-18-706 is amended to read as follows:
6-18-706. School nurse – Definition.

(a) Each public school district shall provide a health services program under the direction of a licensed registered nurse in accordance with the laws of the State of Arkansas and Division of Elementary and Secondary



Education rules.

~~(a)~~(b) In order to improve the health status and educational achievement of the children of this state, the General Assembly hereby determines that an appropriate school nurse-to-student ratio is essential to effectively meet the healthcare needs of these children.

~~(b)~~(c)(1) For purposes of this section, "school nurse" means a licensed nurse engaging in school nursing activities.

(2) A school nurse shall practice within the scope of practice applicable to the certification of the school nurse.

(d)(1) Beginning with the 2021-2022 school year, at least one (1) licensed registered nurse employed or contracted by each public school district shall annually participate in nursing professional development related to Arkansas school nursing mandates and practices, as determined appropriate by the division.

(2) The division, in conjunction with the Department of Health, shall develop and implement an education program for school nurses that is designed to improve the quality and delivery of health services for students.

~~(e)~~(1)(e)(1) Beginning with the 2004-2005 school year, all school districts shall have no fewer than the full-time equivalent of one (1) school nurse per seven hundred fifty (750) students or the proportionate ratio thereof, or, if feasible, one (1) school nurse on each public school campus.

(2) In districts having a high concentration of children with disabling conditions as determined by the State Board of Education, the ratio of school nurses to students should be one (1) to four hundred (400) in those schools so designated.

(3) In a district that provides a center for profoundly disabled students, the ratio should be one (1) school nurse per one hundred twenty-five (125) students at that center.

~~(d)~~(1)(f)(1) School nurses may be employed or provided by contract or agreement with other agencies or individuals provided that the prescribed ratio and equivalency are maintained.

(2) However, no school nurse may be employed by, or contract with, any public secondary or elementary school of this state except with the prior approval of the local school district board of directors.

~~(e)~~(1)(g)(1) The provisions of this section shall be effective only upon the availability of state funds.

(2) Available funds shall be distributed to school districts based on the previous year's three-quarter average daily membership.

SECTION 2. Arkansas Code § 6-18-709 is amended to read as follows:

6-18-709. Annual reports of school nurse statistics required.

(a)(1) Annually, a public school district shall participate in the Division of Elementary and Secondary Education health services survey related to:

(A) On-campus healthcare needs of public school students;

(B) On-campus healthcare services; and

(C) The availability of health care to other public school district personnel and nursing facilities.

(2) Each public school district shall report the information reported in the health services survey to the local school district board of directors.

(b) Annually, by August 31, a school district shall report the following to the ~~Division of Elementary and Secondary Education~~ division:

(1) The number of full-time nurses employed by the school district;

(2) The number of part-time nurses employed by the school district;

(3) The number of full-time nurses with whom the school district contracts for service;

(4) The number of part-time nurses with whom the school district contracts for service;

(5) The level of licensure of each nurse working in the school district;

(6) The highest degree obtained for each nurse working in the school district;

(7) The amount of pay, including without limitation the source of funding, for each nurse working in the school district; and

(8) The number of students in the school district that are in each nursing acuity level as follows:

(A) Level 1 for students with occasional health concerns and routine health screenings at a ratio of one (1) school nurse per seven hundred fifty (750) students;

(B) Level 2 for students with healthcare concerns and those that require an individualized healthcare plan at a ratio of one (1) school nurse per four hundred (400) students;

(C) Level 3 for students with medically complex conditions at a ratio of one (1) school nurse per two hundred twenty-five (225) students;

(D) Level 4 for students with medically fragile conditions at a ratio of one (1) school nurse per one hundred twenty-five (125) students; and

(E) Level 5 for students that are nursing dependent at a ratio of one (1) school nurse per one (1) student.

/s/J. Mayberry

APPROVED: 4/30/21