

**A-Engrossed**  
**Senate Bill 111**

Ordered by the Senate April 13  
Including Senate Amendments dated April 13

Sponsored by Senator MONNES ANDERSON, Representative WHISNANT (Pre-session filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Establishes grant program to assist school districts in complying with school nursing service requirements. Directs Department of Education to provide specified technical assistance to school districts and education service districts related to provision of school nursing services.]*

*[Directs Department of Education and Oregon Health Authority to jointly convene advisory group to make recommendations related to school nursing services.]*

**Establishes pilot program to assist school districts and education service districts in increasing use of Medicaid billing.**

**Directs Department of Education to provide technical assistance to school districts and education service districts related to school nursing services.**

Declares emergency, effective July 1, 2017.

**A BILL FOR AN ACT**

1  
2 Relating to school nursing services; and declaring an emergency.

3       Whereas evidence shows that there is a profound connection between the presence of a school  
4 nurse and a student's health status and educational achievement; and

5       Whereas school nurses are the first and, frequently, the only access point for students to con-  
6 tinuous and comprehensive care; and

7       Whereas school nurses serve a pivotal role that bridges health care and education systems; and

8       Whereas school nurses provide care to all students and provide students with resources and  
9 referrals for health insurance coverage; and

10       Whereas school nurses support student success by providing health care through assessments,  
11 intervention and follow up for all students in the school setting; and

12       Whereas school nurses have been linked to decreased absenteeism, increased school attendance  
13 and increased student engagement; and

14       Whereas there is an immediate concern for the health and safety of students and an urgent need  
15 for the development of budget priorities to support school nurses; and

16       Whereas there is an immediate need for the establishment of funding formulas and state allo-  
17 cations to support school nurses; and

18       Whereas school nurses play an integral role in public health transformation and the triple aim  
19 focus of better health, better care and lower costs; and

20       Whereas school nurses provide an evidence-based model of care that is an integral part of the  
21 health care delivery team; and

22       Whereas Oregon has a fiduciary responsibility to leverage existing resources to maximize the  
23 delivery of health services; and

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1       Whereas school nurses reduce inappropriate emergency room use and the rising use of primary  
2 care; and

3       Whereas in Oregon the primary funding source for school nursing services is a school district's  
4 general fund with some limited Medicaid reimbursement; and

5       Whereas Oregon taxpayers save \$2.20 for every dollar spent on school nurses; and

6       Whereas 79 of the 197 school districts in Oregon do not provide any school nursing services and  
7 29,734 students have no access to a school nurse; and

8       Whereas there has been no increase in the number of school nurses working in Oregon schools  
9 since the last legislative task force report in 2008; and

10       Whereas school nurses provide an important role in supporting the Whole School, Whole Com-  
11 munity, Whole Child model; and

12       Whereas there has been a significant increase in the number of students attending school with  
13 chronic health conditions, many of which are life threatening and require complex medical treat-  
14 ments and frequent interventions; and

15       Whereas there is an immediate need for increasing the number of school nurses in Oregon  
16 schools; and

17       Where in Oregon, school nurses are delegating nursing tasks and procedures to persons without  
18 nursing licenses; and

19       Whereas state law prohibits anyone other than a registered nurse from delegating care for stu-  
20 dents while they are attending school and while they are in after-school activities; and

21       Whereas school nurses ensure district compliance with the Free Access to Public Education Act;  
22 and

23       Whereas school districts and students with no school nursing services are at significant risk;  
24 now, therefore,

25 **Be It Enacted by the People of the State of Oregon:**

26       **SECTION 1. (1) The Department of Education shall develop and administer a pilot pro-**  
27 **gram to assist school districts and education service districts in increasing the use of**  
28 **Medicaid billing.**

29       **(2) School district and education service districts may participate in the pilot program**  
30 **by submitting an application to the department. The department shall prescribe the form and**  
31 **timelines for submitting an application to participate in the pilot program.**

32       **(3) The department shall select up to nine participants for the pilot program. To the ex-**  
33 **tent practicable, the department shall select:**

34       **(a) At least one education service district; and**

35       **(b) School districts that represent a diverse range of sizes and geographic locations.**

36       **(4) Under the pilot program, the department shall:**

37       **(a) Provide technical assistance to participants in the pilot program in the manner de-**  
38 **scribed in section 3 of this 2017 Act; and**

39       **(b) Develop a statewide system to support school Medicaid billing to be used by the school**  
40 **districts and education service districts participating in the pilot program and to be expanded**  
41 **to include all school districts and education service districts.**

42       **(5) No later than October 1, 2020, the department shall submit to the interim committees**  
43 **of the Legislative Assembly related to education a report on:**

44       **(a) The outcomes of the pilot program;**

45       **(b) An analysis of the cost benefits to participants in the pilot program of billing**

1 **Medicaid; and**

2 (c) **Any proposed legislation.**

3 **SECTION 2. Section 1 of this 2017 Act is repealed on December 31, 2020.**

4 **SECTION 3. (1) As used in this section:**

5 (a) **“School nurse” means:**

6 (A) **A school nurse as defined in ORS 342.455;**

7 (B) **A registered nurse licensed under ORS 678.010 to 678.410; or**

8 (C) **A licensed practical nurse licensed under ORS 678.010 to 678.410 and acting under the**  
9 **direction of a registered nurse.**

10 (b) **“School nursing services” means nursing services provided by a school nurse prac-**  
11 **ticing in a school setting pursuant to ORS 336.201.**

12 (2) **The Department of Education shall provide technical assistance to school districts**  
13 **and education service districts through the following actions:**

14 (a) **Creating and implementing a district plan to maximize Medicaid billing for school**  
15 **nursing services as part of the overall structure for providing school health services;**

16 (b) **Providing ongoing training and other necessary resources to school nurses to improve**  
17 **the effectiveness of the delivery of school nursing services; and**

18 (c) **Assisting school nurses in improving school nursing services, including practices re-**  
19 **lated to Medicaid billing and efficiencies.**

20 (3) **The department must provide ongoing technical assistance to school districts and**  
21 **education service districts in maximizing Medicaid billing.**

22 (4)(a) **The department may enter into contracts with public or private entities for the**  
23 **purposes of providing the technical assistance described in subsection (3) of this section.**

24 (b) **The department shall collaborate with any state agency necessary for the purpose of**  
25 **providing technical assistance under subsection (3) of this section, including seeking any rule**  
26 **or statutory change necessary to secure federal financial participation in the cost of pro-**  
27 **viding school nursing services.**

28 **SECTION 4. (1) Notwithstanding section 3 of this 2017 Act, the Department of Education**  
29 **shall give priority in providing technical assistance described in section 3 of this 2017 Act to**  
30 **school districts and education service districts that are participating in the pilot program**  
31 **established by section 1 of this 2017 Act. To the extent that resources are available, the de-**  
32 **partment may also provide technical assistance described in section 3 of this 2017 Act to**  
33 **school districts and education service districts that are not participating in the pilot pro-**  
34 **gram.**

35 (2) **This section is repealed on December 31, 2020.**

36 **SECTION 5. In addition to and not in lieu of any other appropriation, there is appropri-**  
37 **ated to the Department of Education, for the biennium beginning July 1, 2017, out of the**  
38 **General Fund, the amount of \$\_\_\_\_\_, which shall be expended for the purposes of sections**  
39 **1 and 3 of this 2017 Act, including costs associated with staff required by the Department**  
40 **of Education to carry out sections 1 and 3 of this 2017 Act.**

41 **SECTION 6. This 2017 Act being necessary for the immediate preservation of the public**  
42 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**  
43 **July 1, 2017.**

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