ACT# 2009-280

HB47

107146-7

By Representative Bentley

RFD: Education Appropriations

First Read: 03-FEB-09

PFD: 12/10/2008

RECEIVED
APR 14 2009
GOVERNOR'S OFFICE

ENROLLED, An Act,

To amend Section 16-22-16, Code of Alabama 1975, relating to the employment of registered nurses in public schools.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-22-16, Code of Alabama 1975, is amended to read as follows:

"§16-22-16.

"(a) The State ~~Board~~ Department of Education and the Alabama Institute for Deaf and Blind shall require the employment of ~~registered~~ school nurses in each local school system~~, contingent on funding in the Education Trust Fund annual budget act, for each of the following fiscal years and ratios and major fractions thereof:~~.

"~~(1) 1999-2000 - A minimum of one nurse for every school system.~~

"~~(2) 2000-2001 - A minimum of one nurse for every 7,000 pupils.~~

"~~(3) 2001-2002 - A minimum of one nurse for every 6,500 pupils.~~

"~~(4) 2002-2003 - A minimum of one nurse for every 6,000 pupils.~~

"~~(5) 2003-2004 - A minimum of one nurse for every 5,500 pupils.~~

1 "~~(6) 2004-2005 - A minimum of one nurse for every~~
2 ~~5,000 pupils.~~
3 "~~(7) 2005-2006 - A minimum of one nurse for every~~
4 ~~4,500 pupils.~~
5 "~~(8) 2006-2007 - A minimum of one nurse for every~~
6 ~~4,000 pupils.~~
7 "~~(9) 2007-2008 - A minimum of one nurse for every~~
8 ~~3,500 pupils.~~
9 "~~(10) 2008-2009 - A minimum of one nurse for every~~
10 ~~3,000 pupils.~~
11 "~~(11) 2009-2010 - A minimum of one nurse for every~~
12 ~~2,500 pupils.~~
13 "~~(12) 2010-2011 - A minimum of one nurse for every~~
14 ~~2,000 pupils.~~
15 "~~Thereafter, a minimum of one registered nurse shall~~
16 ~~be employed for each 2,000 pupils and major fraction thereof.~~
17 "~~(b) Determining the number of pupils for the~~
18 ~~purpose of allotting school nurses shall be based on pupils in~~
19 ~~average daily membership during the first two scholastic~~
20 ~~months of the preceding scholastic year.~~
21 "~~(c) Nurses employed exclusively from federal funds~~
22 ~~shall not be considered in the ratios as required by this~~
23 ~~section. Nurses employed with local funds are to be included~~
24 ~~in the ratios as required by this section.~~

1 "(b) There shall not be greater than five licensed
2 practical nurses to one registered nurse within each school
3 system. However, based upon individual circumstances,
4 including specific medical needs and tasks which must be
5 performed by a registered nurse as set forth in the Nurse
6 Practice Act and the Administrative Code rules of the Alabama
7 Board of Nursing, there may be a lower registered nurse to
8 licensed practical nurse ratio within each school system.
9 "(c) The allotment of school nurses shall be
10 distributed so that each school system shall receive one
11 registered nurse and an additional nurse or nurses or fraction
12 of a nursing allocation based upon the average daily
13 membership during the first 20 scholastic days after Labor Day
14 of the preceding school year.
15 "(d) Each local school superintendent shall
16 designate one registered nurse for the entire school system
17 whose responsibilities shall include annually providing a full
18 and comprehensive assessment of all student health needs
19 within that system. Based upon the assessment findings, the
20 designated nurse shall make a recommendation to the local
21 school superintendent concerning the implementation and
22 coordination of student health needs.
23 "~~(d)~~ (e) The State ~~Board~~ Department of Education
24 shall employ a School Nurse Consultant, who shall be a
25 registered nurse, to provide supervision of programs statewide

and implement school nursing programs as established by the State Board of Education.

"~~(e) There shall be~~ (f) At a minimum, all school nurses shall be paid according to the statewide salary schedule for school nurses which shall be included in the annual budget act for the public schools.

"~~(f)~~ (g) The amounts necessary to meet the requirements of this section shall be appropriated in the annual budget act for the public schools and in the annual budget act for the Alabama Institute for Deaf and Blind. The funding for this requirement is contingent upon available revenue in the Education Trust Fund and appropriation by the Legislature.

"(h) Funding provisions of the School Nurses Act shall be met once every public school in Alabama has a school nurse and a ratio of one state-funded school nurse for every 500 pupils exists statewide.

"~~(g)~~ (i) This section ~~is cumulative and~~ shall be construed in pari materia with other laws, but to the effect that this section specifically conflicts with other laws in direct conflict with this section, then those laws or parts of laws are hereby repealed."

Section 2. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.

1

2

3

4 Speaker of the House of Representatives

5

6 President and Presiding Officer of the Senate

7 House of Representatives

8 I hereby certify that the within Act originated in
9 and was passed by the House 26-FEB-09, as amended.
10
11 Greg Pappas
12 Clerk
13

14

15

16 Senate 09-APR-09 Passed

17

APPROVED April 21, 2009
TIME 10:00 a.m.
Bob Riley
GOVERNOR

Alabama Secretary Of State

Act Num....: 2009-280
Bill Num...: H-47

Recv'd 04/21/09 11:16amJJB