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."
"(6) 2004-2005 — A minimum of one nurse for every 5,000 pupils.

"(7) 2005-2006 — A minimum of one nurse for every 4,500 pupils.

"(8) 2006-2007 — A minimum of one nurse for every 4,000 pupils.

"(9) 2007-2008 — A minimum of one nurse for every 3,500 pupils.

"(10) 2008-2009 — A minimum of one nurse for every 3,000 pupils.

"(11) 2009-2010 — A minimum of one nurse for every 2,500 pupils.

"(12) 2010-2011 — A minimum of one nurse for every 2,000 pupils.

"Thereafter, a minimum of one registered nurse shall be employed for each 2,000 pupils and major fraction thereof.

"(b) Determining the number of pupils for the purpose of allotting school nurses shall be based on pupils in average daily membership during the first two scholastic months of the preceding scholastic year.

"(c) Nurses employed exclusively from federal funds shall not be considered in the ratios as required by this section. Nurses employed with local funds are to be included in the ratios as required by this section.
"(b) There shall not be greater than five licensed practical nurses to one registered nurse within each school system. However, based upon individual circumstances, including specific medical needs and tasks which must be performed by a registered nurse as set forth in the Nurse Practice Act and the Administrative Code rules of the Alabama Board of Nursing, there may be a lower registered nurse to licensed practical nurse ratio within each school system.

"(c) The allotment of school nurses shall be distributed so that each school system shall receive one registered nurse and an additional nurse or nurses or fraction of a nursing allocation based upon the average daily membership during the first 20 scholastic days after Labor Day of the preceding school year.

"(d) Each local school superintendent shall designate one registered nurse for the entire school system whose responsibilities shall include annually providing a full and comprehensive assessment of all student health needs within that system. Based upon the assessment findings, the designated nurse shall make a recommendation to the local school superintendent concerning the implementation and coordination of student health needs.

"(d) (e) The State Board Department of Education shall employ a School Nurse Consultant, who shall be a 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.
Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives
I hereby certify that the within Act originated in and was passed by the House 26-FEB-09, as amended.

Greg Pappas
Clerk

Senate 09-APR-09 Passed

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

Bob Riley
GOVERNOR

Alabama Secretary Of State
Act Num....: 2009-280
Bill Num....: H-47
Recvd 04/21/09 11:16amJJB