

ACT# 2009- 280

1 HB47
2 107146-7
3 By Representative Bentley
4 RFD: Education Appropriations
5 First Read: 03-FEB-09
6 PFD: 12/10/2008



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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

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

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

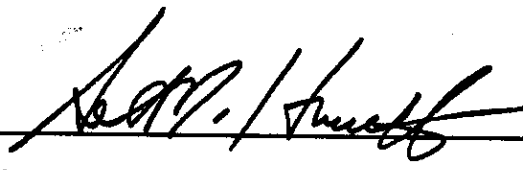
7 ~~"(f) (g)~~ The amounts necessary to meet the
8 requirements of this section shall be appropriated in the
9 annual budget act for the public schools and in the annual
10 budget act for the Alabama Institute for Deaf and Blind. The
11 funding for this requirement is contingent upon available
12 revenue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

14 "(h) Funding provisions of the School Nurses Act
15 shall be met once every public school in Alabama has a school
16 nurse and a ratio of one state-funded school nurse for every
17 500 pupils exists statewide.

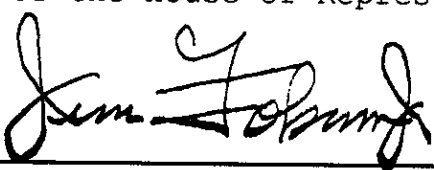
18 ~~"(g) (i)~~ This section ~~is cumulative~~ and shall be
19 construed in pari materia with other laws, but to the effect
20 that this section specifically conflicts with other laws in
21 direct conflict with this section, then those laws or parts of
22 laws are hereby repealed."

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

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Speaker of the House of Representatives



President and Presiding Officer of the Senate

House of Representatives

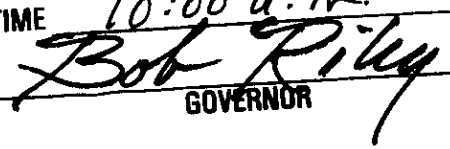
I hereby certify that the within Act originated in
and was passed by the House 26-FEB-09, as amended.

Greg Pappas
Clerk

Senate

09-APR-09

Passed

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

GOVERNOR

Alabama Secretary Of State

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

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