

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0804.01 Brita Darling x2241

HOUSE BILL 19-1203

HOUSE SPONSORSHIP

Mullica,

SENATE SPONSORSHIP

Todd,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A GRANT PROGRAM TO INCREASE THE**
102 **NUMBER OF SCHOOL NURSES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the school nurse grant program (grant program) in the department of public health and environment (department).

The grant program awards grants to local education providers, as defined in the bill, to hire school nurses to serve in public schools. Grants are awarded on a 5-year grant cycle, with an initial one-year grant, renewable for an additional 4 years, as long as there is a school nurse in

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

the grant-funded position and the grant money is being used for authorized purposes.

Subject to annual appropriations from the general assembly, the department shall recommend grant recipients, and the state board of health shall annually award up to \$3 million during the 5-year grant cycle. Once the 5-year grant cycle is complete, the department shall administer a new grant cycle.

The department may expend a portion of the grant money for reasonable and necessary administrative expenses.

In each year in which school nurse grants are awarded, the department shall report to certain committees of the general assembly concerning the grant program.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25-1.5-406 as
3 follows:

4 **25-1.5-406. School nurse grant program - creation - eligibility**
5 **- award of grants - rules - report - legislative declaration - definitions.**

6 (1) (a) THE GENERAL ASSEMBLY FINDS THAT:

7 (I) SCHOOL NURSES PLAY A VITAL ROLE IN A CHILD'S HEALTH AND
8 EDUCATIONAL WELFARE IN SCHOOL, ACTING AS A HEALTH CARE SAFETY
9 NET FOR CHILDREN;

10 (II) WHEN A SCHOOL NURSE IS IN A SCHOOL, FEWER CHILDREN ARE
11 SENT HOME SICK OR MISS SCHOOL, FEWER CHILDREN ARE SENT TO
12 EMERGENCY ROOMS FOR ASTHMA, FEWER 911 CALLS ARE MADE, AND
13 TEACHERS AND PRINCIPALS HAVE MORE TIME TO TEACH AND LEAD;

14 (III) SCHOOL NURSES ARE TRAINED TO HANDLE MEDICAL
15 EMERGENCIES AND TO PROVIDE ADVANCED FIRST AID, AS WELL AS TO
16 PROVIDE ADVANCED CARE TO CHILDREN WHO DEPEND ON MEDICAL
17 DEVICES, MEDICATION, OR MEDICAL INTERVENTIONS TO REMAIN IN
18 SCHOOL;

19 (IV) SCHOOL NURSES ARE ALSO CRUCIAL TO CHILDREN'S MENTAL

1 HEALTH AND SPEND NEARLY ONE-THIRD OF THEIR TIME ON THE MENTAL
2 HEALTH CONCERNS OF CHILDREN, INCLUDING REFERRING CHILDREN FOR
3 CRITICAL MENTAL HEALTH SERVICES; AND

4 (V) IN ADDITION TO PROVIDING SERVICES IN SCHOOLS, SCHOOL
5 NURSES PROVIDE EDUCATION AND TRAINING TO SCHOOL STAFF,
6 PROMOTING HEALTHY BEHAVIORS AND CREATING A SAFE AND HEALTHY
7 SCHOOL ENVIRONMENT FOR CHILDREN, INCLUDING CHILDREN WITH
8 CHRONIC CONDITIONS SUCH AS ASTHMA, DIABETES, AND SEVERE
9 ALLERGIES.

10 (b) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

11 (I) DESPITE THE DEMONSTRATED BENEFIT TO STUDENTS AND
12 SCHOOL STAFF OF HAVING SCHOOL NURSES IN SCHOOLS, ACCORDING TO
13 THE COLORADO DEPARTMENT OF EDUCATION, THERE ARE APPROXIMATELY
14 ONLY SIX HUNDRED THIRTY SCHOOL NURSES IN COLORADO SERVING OVER
15 NINE HUNDRED THOUSAND SCHOOL-AGED CHILDREN;

16 (II) ON AVERAGE, THIS REQUIRES ONE FULL-TIME SCHOOL NURSE
17 TO SERVE FIFTEEN HUNDRED STUDENTS, WITH SOME NURSES SERVING
18 FEWER STUDENTS AND SOME NURSES SERVING UP TO THREE THOUSAND
19 STUDENTS; AND

20 (III) THE NUMBER OF SCHOOL NURSES SERVING STUDENTS IS
21 DETERMINED BY THE SCHOOL DISTRICT AND LARGELY PAID FOR FROM
22 LIMITED SCHOOL DISTRICT FUNDING.

23 (c) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT
24 PROVIDING CRITICAL FUNDING TO INCREASE CHILDREN'S ACCESS TO
25 SCHOOL NURSES IS VITAL TO THE HEALTH AND WELL-BEING OF
26 COLORADO'S SCHOOL CHILDREN.

27 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

2 (a) "GRANT PROGRAM" MEANS THE SCHOOL NURSE GRANT
3 PROGRAM CREATED IN SUBSECTION (3) OF THIS SECTION.

4 (b) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT,
5 OTHER THAN A LOCAL COLLEGE DISTRICT, ORGANIZED AND EXISTING
6 PURSUANT TO LAW; A BOARD OF COOPERATIVE SERVICES; A CHARTER
7 SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF
8 ARTICLE 30.5 OF TITLE 22; OR A CHARTER SCHOOL AUTHORIZED BY THE
9 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5
10 OF TITLE 22.

11 (c) "SCHOOL" MEANS A PUBLIC ELEMENTARY, MIDDLE, JUNIOR
12 HIGH, OR HIGH SCHOOL.

13 (d) "SCHOOL NURSE" MEANS A REGISTERED NURSE WHO HOLDS A
14 CURRENT NURSING LICENSE THROUGH THE DEPARTMENT OF REGULATORY
15 AGENCIES AND WHO HAS APPLIED FOR OR HOLDS A SPECIAL SERVICES
16 LICENSE FROM THE DEPARTMENT OF EDUCATION PURSUANT TO ARTICLE
17 60.5 OF TITLE 22.

18 (e) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT
19 IN COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON
20 THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
21 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT
22 ENROLLS FEWER THAN ONE THOUSAND TWO HUNDRED STUDENTS IN
23 KINDERGARTEN THROUGH TWELFTH GRADE.

24 (3) THERE IS CREATED IN THE DEPARTMENT THE SCHOOL NURSE
25 GRANT PROGRAM TO AWARD GRANTS ON A FIVE-YEAR GRANT CYCLE TO
26 LOCAL EDUCATION PROVIDERS TO INCREASE THE NUMBER OF SCHOOL
27 NURSES IN COLORADO PUBLIC SCHOOLS. THE GRANT PROGRAM SHALL BE

1 ADMINISTERED BY THE PRIMARY CARE OFFICE IN THE DEPARTMENT. THE
2 STATE BOARD MAY PROMULGATE RULES, AS NECESSARY, TO IMPLEMENT
3 THE GRANT PROGRAM.

4 (4) A LOCAL EDUCATION PROVIDER AWARDED A GRANT PURSUANT
5 TO THIS SECTION SHALL USE THE GRANT MONEY TO HIRE A SCHOOL NURSE
6 OR NURSES IN THE SELECTED SCHOOL OR SCHOOLS. THE GRANT SHALL
7 SUPPLEMENT, NOT SUPPLANT, A LOCAL EDUCATION PROVIDER'S FUNDING
8 FOR SCHOOL NURSE POSITIONS AND STUDENT HEALTH CARE SERVICES
9 EXISTING PRIOR TO THE EFFECTIVE DATE OF THIS SECTION.

10 (5) IN APPLYING FOR A GRANT, IN ADDITION TO COMPLYING WITH
11 THE APPLICATION PROCESS AND REQUIREMENTS ESTABLISHED BY THE
12 DEPARTMENT OR STATE BOARD RULE, A LOCAL EDUCATION PROVIDER
13 SEEKING A GRANT SHALL INCLUDE THE FOLLOWING INFORMATION IN THE
14 GRANT APPLICATION:

15 (a) THE RATIO OF SCHOOL NURSES TO THE NUMBER OF STUDENTS
16 SERVED BY THE LOCAL EDUCATION PROVIDER IN ALL SCHOOLS AND IN
17 EACH SCHOOL OF THE LOCAL EDUCATION PROVIDER;

18 (b) THE LOCAL EDUCATION PROVIDER'S NUMBER AND PERCENTAGE
19 OF SCHOOLS THAT ARE ELIGIBLE TO RECEIVE MONEY UNDER TITLE I, PART
20 A OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF
21 1965", 20 U.S.C. SEC. 6301 ET SEQ.;

22 (c) WHETHER A SCHOOL DISTRICT APPLICANT IS A SMALL RURAL
23 SCHOOL DISTRICT;

24 (d) THE SCHOOL OR SCHOOLS IN WHICH THE LOCAL EDUCATION
25 PROVIDER INTENDS TO USE THE GRANT MONEY TO HIRE A SCHOOL NURSE;

26 (e) THE AMOUNT OF MONEY NECESSARY TO ATTRACT AND RETAIN
27 A SCHOOL NURSE IN THE SCHOOL OR SCHOOLS OF THE LOCAL EDUCATION

1 PROVIDER FOR THE FIVE-YEAR GRANT CYCLE AND WHETHER THE LOCAL
2 EDUCATION PROVIDER INTENDS TO SUPPLEMENT A GRANT WITH ANY
3 ADDITIONAL MONEY TO HIRE THE SCHOOL NURSE POSITION OR POSITIONS;
4 AND

5 (f) WHETHER THE LOCAL EDUCATION PROVIDER HAS CONSIDERED
6 ITS ABILITY TO SUSTAIN FUNDING FOR THE SCHOOL NURSE POSITION OR
7 POSITIONS AT THE END OF THE FIVE-YEAR GRANT CYCLE.

8 (6) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
9 BOARD SHALL AWARD UP TO THREE MILLION DOLLARS ANNUALLY IN
10 GRANTS. EACH GRANT HAS AN INITIAL TERM OF ONE YEAR AND SHALL BE
11 RENEWED ANNUALLY FOR AN ADDITIONAL FOUR YEARS AS LONG AS A
12 SCHOOL NURSE IS RETAINED IN THE GRANT-FUNDED POSITION AND THE
13 LOCAL EDUCATION PROVIDER CONTINUES TO USE THE GRANT MONEY FOR
14 AUTHORIZED PURPOSES. THE STATE BOARD MAY FUND MORE THAN ONE
15 SCHOOL NURSE POSITION PER GRANT RECIPIENT. THE AMOUNT OF THE
16 GRANT MUST COVER UP TO THE COST OF HIRING A SCHOOL NURSE POSITION
17 OR POSITIONS IN THE LOCAL EDUCATION PROVIDER'S SELECTED SCHOOL OR
18 SCHOOLS.

19 (b) SUBJECT TO AVAILABLE APPROPRIATIONS, AT THE END OF THE
20 INITIAL FIVE-YEAR GRANT CYCLE AND EACH SUBSEQUENT FIVE-YEAR
21 GRANT CYCLE, THE DEPARTMENT SHALL SOLICIT AND REVIEW GRANT
22 APPLICATIONS, AND THE STATE BOARD SHALL AWARD NEW GRANTS.

23 (c) THE DEPARTMENT SHALL REVIEW GRANT PROGRAM
24 APPLICATIONS AND MAKE RECOMMENDATIONS TO THE STATE BOARD
25 CONCERNING THE AWARD OF GRANTS. IN AWARDED GRANTS, THE STATE
26 BOARD MAY ESTABLISH BY RULE ADDITIONAL SELECTION CRITERIA BUT
27 SHALL GIVE PREFERENCE TO AN APPLICANT THAT:

1 (I) IS A SMALL RURAL SCHOOL DISTRICT; OR

2 (II) IS ELIGIBLE TO RECEIVE MONEY UNDER TITLE I, PART A OF THE
3 FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965", 20
4 U.S.C. SEC. 6301 ET SEQ.

5 (7) THE DEPARTMENT MAY EXPEND A PORTION OF THE GRANT
6 MONEY TO OFFSET THE DEPARTMENT'S REASONABLE AND NECESSARY
7 EXPENSES IN ADMINISTERING THE GRANT PROGRAM.

8 (8) (a) IN ANY FISCAL YEAR IN WHICH THE GENERAL ASSEMBLY
9 MAKES AN APPROPRIATION TO THE DEPARTMENT FOR THE GRANT
10 PROGRAM, EACH LOCAL EDUCATION PROVIDER THAT RECEIVES A GRANT
11 PURSUANT TO THE PROGRAM SHALL PROVIDE INFORMATION TO THE
12 DEPARTMENT ON OR BEFORE JUNE 30 CONCERNING THE NUMBER OF
13 SCHOOL NURSE POSITIONS HIRED THROUGH THE GRANT PROGRAM, THE
14 NUMBER OF STUDENTS SERVED THROUGH THE SCHOOL NURSE POSITION, AN
15 EXPLANATION OF SERVICES PROVIDED BY THE SCHOOL NURSE, AND THE
16 IMPACT OF THE GRANT PROGRAM-FUNDED SCHOOL NURSE POSITION ON THE
17 LOCAL EDUCATION PROVIDER AND THE STUDENTS IT SERVES.

18 (b) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136
19 (11)(a)(I) TO THE CONTRARY, ON OR BEFORE SEPTEMBER 1, 2020, AND ON
20 OR BEFORE SEPTEMBER 1 IN EACH FISCAL YEAR THEREAFTER IN WHICH THE
21 STATE BOARD HAS AWARDED GRANTS IN THE PRIOR FISCAL YEAR, THE
22 DEPARTMENT SHALL SUBMIT A REPORT TO THE EDUCATION AND THE
23 HEALTH AND INSURANCE COMMITTEES OF THE HOUSE OF
24 REPRESENTATIVES AND THE EDUCATION AND THE HEALTH AND HUMAN
25 SERVICES COMMITTEES OF THE SENATE, OR ANY SUCCESSOR COMMITTEES,
26 THAT INCLUDES, AT A MINIMUM, A SUMMARY OF THE INFORMATION
27 REPORTED BY GRANT RECIPIENTS PURSUANT TO SUBSECTION (8)(a) OF THIS

1 SECTION.

2 **SECTION 2. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.