

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

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) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
12 COLORADO THAT THE DEPARTMENT OF EDUCATION, CREATED IN SECTION
13 24-1-115, DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE
14 SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM THE
15 NEAREST LARGE, URBANIZED AREA.

16 (d) "SCHOOL" MEANS A PUBLIC ELEMENTARY, MIDDLE, JUNIOR
17 HIGH, OR HIGH SCHOOL.

18 (e) "SCHOOL NURSE" MEANS A REGISTERED NURSE WHO HOLDS A
19 CURRENT NURSING LICENSE THROUGH THE DEPARTMENT OF REGULATORY
20 AGENCIES AND WHO HAS APPLIED FOR OR HOLDS A SPECIAL SERVICES
21 LICENSE FROM THE DEPARTMENT OF EDUCATION PURSUANT TO ARTICLE
22 60.5 OF TITLE 22.

23 (f) "SMALL RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT
24 IN COLORADO THAT THE DEPARTMENT OF EDUCATION, CREATED IN
25 SECTION 24-1-115, DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC
26 SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL
27 DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT

1 ENROLLS FEWER THAN ONE THOUSAND TWO HUNDRED STUDENTS IN
2 KINDERGARTEN THROUGH TWELFTH GRADE.

3 (3) THERE IS CREATED IN THE DEPARTMENT THE SCHOOL NURSE
4 GRANT PROGRAM TO AWARD GRANTS ON A FIVE-YEAR GRANT CYCLE TO
5 LOCAL EDUCATION PROVIDERS TO INCREASE THE NUMBER OF SCHOOL
6 NURSES IN COLORADO PUBLIC SCHOOLS. THE GRANT PROGRAM SHALL BE
7 ADMINISTERED BY THE PRIMARY CARE OFFICE IN THE DEPARTMENT. THE
8 STATE BOARD MAY PROMULGATE RULES, AS NECESSARY, TO IMPLEMENT
9 THE GRANT PROGRAM.

10 (4) (a) EXCEPT AS PROVIDED IN SUBSECTION (4)(b) OF THIS
11 SECTION, A LOCAL EDUCATION PROVIDER AWARDED A GRANT PURSUANT
12 TO THIS SECTION SHALL USE THE GRANT MONEY TO HIRE A SCHOOL NURSE
13 OR NURSES IN THE SELECTED SCHOOL OR SCHOOLS. THE GRANT SHALL
14 SUPPLEMENT, NOT SUPPLANT, A LOCAL EDUCATION PROVIDER'S FUNDING
15 FOR SCHOOL NURSE POSITIONS AND STUDENT HEALTH CARE SERVICES
16 EXISTING PRIOR TO THE EFFECTIVE DATE OF THIS SECTION.

17 (b) A SMALL RURAL SCHOOL DISTRICT OR RURAL SCHOOL DISTRICT
18 AWARDED A GRANT PURSUANT TO THIS SECTION SHALL FIRST MAKE
19 REASONABLE EFFORTS TO USE THE GRANT MONEY TO HIRE A SCHOOL
20 NURSE FOR THE SELECTED SCHOOL OR SCHOOLS. IF A SMALL RURAL
21 SCHOOL DISTRICT OR RURAL SCHOOL DISTRICT CAN DEMONSTRATE TO THE
22 DEPARTMENT THAT IT IS UNABLE TO FIND A SCHOOL NURSE TO FILL THE
23 SCHOOL NURSE POSITION, THE SMALL RURAL SCHOOL DISTRICT OR RURAL
24 SCHOOL DISTRICT MAY USE THE GRANT MONEY TO CONTRACT WITH A
25 LOCAL PUBLIC HEALTH AGENCY ESTABLISHED PURSUANT TO SECTION
26 25-1-506, A FEDERALLY QUALIFIED HEALTH CENTER AS DEFINED IN
27 SECTION 25-3-101 (2)(a)(III)(A), OR OTHER SIMILAR COMMUNITY HEALTH

1 CARE PROVIDER TO PROVIDE HEALTH SERVICES TO THE SELECTED SCHOOL
2 OR SCHOOLS. THE PERSON PROVIDING HEALTH SERVICES MUST MEET OR
3 EXCEED THE ACADEMIC AND PROFESSIONAL QUALIFICATIONS OF A SCHOOL
4 NURSE.

5 (5) IN APPLYING FOR A GRANT, IN ADDITION TO COMPLYING WITH
6 THE APPLICATION PROCESS AND REQUIREMENTS ESTABLISHED BY THE
7 DEPARTMENT OR STATE BOARD RULE, A LOCAL EDUCATION PROVIDER
8 SEEKING A GRANT SHALL INCLUDE THE FOLLOWING INFORMATION IN THE
9 GRANT APPLICATION:

10 (a) THE RATIO OF SCHOOL NURSES TO THE NUMBER OF STUDENTS
11 SERVED BY THE LOCAL EDUCATION PROVIDER IN ALL SCHOOLS AND IN
12 EACH SCHOOL OF THE LOCAL EDUCATION PROVIDER;

13 (b) THE LOCAL EDUCATION PROVIDER'S NUMBER AND PERCENTAGE
14 OF SCHOOLS THAT ARE ELIGIBLE TO RECEIVE MONEY UNDER TITLE I, PART
15 A OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION ACT OF
16 1965", 20 U.S.C. SEC. 6301 ET SEQ.;

17 (c) WHETHER A SCHOOL DISTRICT APPLICANT IS A SMALL RURAL
18 SCHOOL DISTRICT OR RURAL SCHOOL DISTRICT;

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

21 (e) THE AMOUNT OF MONEY NECESSARY TO ATTRACT AND RETAIN
22 A SCHOOL NURSE IN THE SCHOOL OR SCHOOLS OF THE LOCAL EDUCATION
23 PROVIDER FOR THE FIVE-YEAR GRANT CYCLE AND WHETHER THE LOCAL
24 EDUCATION PROVIDER INTENDS TO SUPPLEMENT A GRANT WITH ANY
25 ADDITIONAL MONEY TO HIRE THE SCHOOL NURSE POSITION OR POSITIONS;
26 AND

27 (f) WHETHER THE LOCAL EDUCATION PROVIDER HAS CONSIDERED

1 ITS ABILITY TO SUSTAIN FUNDING FOR THE SCHOOL NURSE POSITION OR
2 POSITIONS AT THE END OF THE FIVE-YEAR GRANT CYCLE.

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

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

18 (c) THE DEPARTMENT SHALL REVIEW GRANT PROGRAM
19 APPLICATIONS AND MAKE RECOMMENDATIONS TO THE STATE BOARD
20 CONCERNING THE AWARD OF GRANTS. IN AWARDING GRANTS, THE STATE
21 BOARD MAY ESTABLISH BY RULE ADDITIONAL SELECTION CRITERIA BUT
22 SHALL GIVE PREFERENCE TO AN APPLICANT THAT:

23 (I) IS A SMALL RURAL SCHOOL DISTRICT OR RURAL SCHOOL
24 DISTRICT; OR

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

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

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

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

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