MISSISSIPPI LEGISLATURE
REGULAR SESSION 2007

By: Representative Holland (By Request) To: Education; Appropriations

HOUSE BILL NO. 1132
(As Sent to Governor)

AN ACT TO PROVIDE FOR THE "MARY KIRKPATRICK HASKELL-MARY SPRAYBERRY PUBLIC SCHOOL NURSE PROGRAM" TO BE ADMINISTERED BY THE STATE DEPARTMENT OF EDUCATION THROUGH THE OFFICE OF HEALTHY SCHOOLS; TO SPECIFY THE RESPONSIBILITIES OF THE NURSES IN THE PROGRAM; TO PRESCRIBE THE DUTIES OF THE OFFICE OF HEALTHY SCHOOLS IN ADMINISTERING THE PROGRAM; TO ESTABLISH IN THE STATE TREASURY A SPECIAL FUND TO BE KNOWN AS THE SCHOOL NURSE PROGRAM FUND; TO PROVIDE THAT THE LEGISLATURE SHALL ANNUALLY APPROPRIATE THE FUNDS IN THE SPECIAL FUND TO THE STATE DEPARTMENT OF EDUCATION, WHICH SHALL EXPEND THE FUNDS SOLELY FOR THE PURPOSES SPECIFIED IN THIS ACT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. This act shall be known as the Mary Kirkpatrick Haskell-Mary Sprayberry Public School Nurse Act of 2007.

SECTION 2. (1) The State Department of Education is designated as the state agency responsible for the administration and supervision of the school nurse program as an education and wellness curriculum in the public schools of the State of Mississippi. The public school nurse program administered by the State Department of Education shall be known and may be cited as the "Mary Kirkpatrick Haskell-Mary Sprayberry Public School Nurse Program." It is the intent of the Legislature that all funds made available to the State Department of Education for the purpose of employing school nurses shall be administered by the State Department of Education.

(2) The State Department of Education, through the Office of Healthy Schools, shall develop standards, procedures and criteria for the public school nurse programs in Kindergarten through Grade 12. The Office of Healthy Schools of the State Department of Education shall assume the responsibility for promoting a statewide school nurse program designed to prepare local school...
districts to incorporate the school program into their local 
educational programs.

(3) From and after July 1, 2007, the School Nurse 
Intervention Program administered and funded by the State 
Department of Health shall be transferred to the Office of Healthy 
Schools of the State Department of Education. Any administrative 
personnel employed by the State Department of Health for the 
administration of school nurses under the School Nurse 
Intervention Program may be considered for employment by the 
Office of Healthy Schools of the State Department of Education for 
the purpose of coordinating the employment of school nurses in the 
school districts. Any administrative personnel formerly employed 
by the Partnership for a Healthy Mississippi, Inc., for the 
administration of school nurses in the public schools may be 
considered for employment by the Office of Healthy Schools of the 
State Department of Education for the purpose of coordinating the 
employment of school nurses in the school districts. All records 
and unexpended balances of accounts in the School Nurse 
Intervention Program relating to the employment of school nurses 
shall be transferred to the Office of Healthy Schools in the State 
Department of Education in accordance with the transfer of 
responsibility under this act.

(4) The nurses in the Mary Kirkpatrick Haskell-Mary 
Sprayberry Public School Nurse Program shall have the following 
specific responsibilities:

(a) Serve as the coordinator of the health services 
program and provide nursing care;

(b) Provide health education to students;

(c) Implement activities to promote health and prevent 
tobacco, alcohol and substance use and abuse;

(d) Identify health and safety concerns in the school 
environment and promote a nurturing social environment;
(e) Administer medications and help students manage their health problems;

(f) Support healthy food services programs;

(g) Promote healthy physical education, sports policies and practices;

(h) Promote dropout prevention programs; and

(i) Participate in allied health programs to introduce students to health careers.

(5) The Office of Healthy Schools of the State Department of Education shall provide resources to all public school nurses so that those schools with school nurses will be prepared to provide health education in Mississippi schools and support the Mississippi Comprehensive Health Framework, Mississippi Physical Education Framework, Wellness Policy, coordinated approach to school health, and other resources required by the State Board of Education.

(6) In administering the Mary Kirkpatrick Haskell-Mary Sprayberry Public School Nurse Program, the Office of Healthy Schools of the State Department of Education shall perform the following duties:

(a) Execute any contracts, agreements or other documents with any governmental agency or any person, corporation, association, partnership or other organization or entity that are necessary to accomplish the purposes of this act;

(b) Receive grants or any other contributions made to the State Board of Education to be used for specific purposes related to the goals of this act;

(c) Submit an annual report to the Legislature regarding the operation of the School Nurse Intervention Program;

(d) Submit to the State Auditor any financial records that are necessary for the Auditor to perform an annual audit of the commission as required by law;
(e) Adopt any rules or regulations that are necessary to carry out the purposes of this act;

(f) Develop criteria to measure the effectiveness of a school nurse;

(g) Communicate to superintendents and principals how to maximize the effectiveness of a public school nurse;

(h) Develop recommended salary structure for school districts to use when hiring a school nurse;

(i) Communicate to superintendents, principals and other appropriate school officials regarding the statutes and regulations prohibiting the use of tobacco by school personnel on school property and at school events, and to monitor the effectiveness of this ban;

(j) Report to the Senate and House Public Health and Welfare and Education Committees' Chairmen annually on the number of public school nurses, in which schools they are employed, results of their work in relation to the measures in paragraph (f);

(k) Implement policies to reduce unnecessary paperwork by public school nurses; and

(l) Take any other actions that are necessary to carry out the purposes of this act.

SECTION 3. The Division of Medicaid shall cooperate with the State Department of Education to develop and seek approval from the Centers for Medicare and Medicaid Services (CMS) for a waiver or grant to cover the services of public school nurses, as allowed by federal law. The division is also authorized to explore other options for administering and providing services under this program, including, but not limited to, matching any available federal funds. The Department of Education shall place particular emphasis on reducing unnecessary paperwork by public school nurses.
SECTION 4. (1) There is established in the State Treasury a special fund to be known as the Mary Kirkpatrick Haskell–Mary Sprayberry Public School Nurse Program Fund, which shall be comprised of the funds specified in subsection (2) of this section and any other funds that are authorized or required to be deposited into the special fund.

(2) The Legislature shall annually appropriate the funds in the special fund to the Office of Healthy Schools of the State Department of Education, which shall expend the funds solely for the purposes specified in Section 2 of this act. None of the funds in the special fund may be transferred to any other fund or appropriated or expended for any other purpose.

(3) All income from the investment of the funds in the special fund shall be credited to the account of the special fund. Any funds in the special fund at the end of a fiscal year shall not lapse into the State General Fund.

SECTION 5. This act shall take effect and be in force from and after July 1, 2007.