

Senate Amendments to House Bill No. 1132

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

15 SECTION 1. This act shall be known as the Mary Sprayberry
16 School Nurse Reorganization Act of 2007.

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

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

35 (3) From and after July 1, 2007, the School Nurse
36 Intervention Program administered and funded by the State
37 Department of Health shall be transferred to the Office of Healthy
38 Schools of the State Department of Education. Any administrative
39 personnel employed by the State Department of Health for the
40 administration of school nurses under the School Nurse

41 Intervention Program may be considered for employment by the
42 Office of Healthy Schools of the State Department of Education for
43 the purpose of coordinating the employment of school nurses in the
44 school districts. Any administrative personnel formerly employed
45 by the Partnership for a Healthy Mississippi, Inc., for the
46 administration of school nurses in the public schools may be
47 considered for employment by the Office of Healthy Schools of the
48 State Department of Education for the purpose of coordinating the
49 employment of school nurses in the school districts. All records
50 and unexpended balances of accounts in the School Nurse
51 Intervention Program relating to the employment of school nurses
52 shall be transferred to the Office of Healthy Schools in the State
53 Department of Education in accordance with the transfer of
54 responsibility under this act.

55 (4) The nurses in the public school nurse program shall have
56 the following specific responsibilities:

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

59 (b) Provide health education to students;

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

62 (d) Identify health and safety concerns in the school
63 environment and promote a nurturing social environment;

64 (e) Administer medications and help students manage
65 their health problems;

66 (f) Support healthy food services programs;

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

69 (h) Promote dropout prevention programs; and

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

72 (5) The Office of Healthy Schools of the State Department of
73 Education shall provide resources to all public school nurses so
74 that those schools with school nurses will be prepared to provide
75 health education in Mississippi schools and support the

76 Mississippi Comprehensive Health Framework, Mississippi Physical
77 Education Framework, Wellness Policy, coordinated approach to
78 school health, and other resources required by the State Board of
79 Education.

80 (6) In administering the public school nurse program, the
81 Office of Healthy Schools of the State Department of Education
82 shall perform the following duties:

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

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

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

92 (d) Submit to the State Auditor any financial records
93 that are necessary for the Auditor to perform an annual audit of
94 the commission as required by law;

95 (e) Adopt any rules or regulations that are necessary
96 to carry out the purposes of this act;

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

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

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

105 (i) Develop recommended salary structure for school
106 districts to use when hiring a school nurse; and

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

109 **SECTION 3.** (1) There is established in the State Treasury a
110 special fund to be known as the School Nurse Program Fund, which

111 shall be comprised of the funds specified in subsection (2) of
112 this section and any other funds that are authorized or required
113 to be deposited into the special fund.

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

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

124 **SECTION 4.** This act shall take effect and be in force from
125 and after July 1, 2007, and shall stand repealed from and after
126 June 30, 2007.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO PROVIDE FOR A SCHOOL NURSE PROGRAM TO BE
2 ADMINISTERED BY THE STATE DEPARTMENT OF EDUCATION THROUGH THE
3 OFFICE OF HEALTHY SCHOOLS; TO SPECIFY THE RESPONSIBILITIES OF THE
4 NURSES IN THE PROGRAM; TO PRESCRIBE THE DUTIES OF THE OFFICE OF
5 HEALTHY SCHOOLS IN ADMINISTERING THE PROGRAM; TO AUTHORIZE AND
6 DIRECT THE OFFICE OF HEALTHY SCHOOLS TO IMPLEMENT A STATEWIDE
7 TOBACCO EDUCATION, PREVENTION AND CESSATION PROGRAM CONSISTENT
8 WITH BEST PRACTICES; TO ESTABLISH IN THE STATE TREASURY A SPECIAL
9 FUND TO BE KNOWN AS THE SCHOOL NURSE PROGRAM FUND; TO PROVIDE THAT
10 THE LEGISLATURE SHALL ANNUALLY APPROPRIATE THE FUNDS IN THE
11 SPECIAL FUND TO THE STATE DEPARTMENT OF EDUCATION, WHICH SHALL
12 EXPEND THE FUNDS SOLELY FOR THE PURPOSES SPECIFIED IN THIS ACT;
13 AND FOR RELATED PURPOSES.

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John O. Gilbert
Secretary of the Senate