Senate Committee Substitute (1R) for Senate Bill No. 168 of 1998 requires that school districts only utilize or employ certified school nurses for the provision of nursing services in the public schools of the district. The bill requires that each person employed as a school nurse must have an educational services certificate with an endorsement as a school nurse issued by the State Board of Examiners. This requirement applies to persons who are initially employed to provide nursing services after the bill's enactment. A person may not be issued such a certificate unless the person is licensed as a registered nurse by the New Jersey Board of Nursing under the nursing practice act, P.L.1947, c.262, and meets all of the requirements prescribed by the State Board of Examiners for a nursing endorsement. The bill makes an exception for non-nursing personnel who are authorized by statute or regulation to perform specific health related services. The bill further provides that a school district may utilize or employ a person to perform secretarial or clerical duties that assist in providing nursing services only under the supervision of a certified school nurse.

The Office of Legislative Services (OLS) notes that currently all districts are meeting the minimum requirement provided by law (N.J.S.A. 18A:40-1) of employing at least one certified school nurse.

State Board of Education regulations specify that the duties of the school nurse shall include, but not be limited to: assisting the medical inspector with physical examinations; conducting yearly screening for scoliosis on all pupils aged 10 through 18; annually conducting audiometric screening in certain grades; maintaining school health records; observing and recommending to the school principal the exclusion of students who show evidence of communicable disease; and lecturing to teachers on communicable diseases and other health concerns.

Under current law, some of the activities included within the definition of nursing services may currently be provided by other
personnel. For example, certified physical education teachers and other properly trained school personnel are authorized by law (N.J.S.A.18A:40-4.3) to provide scoliosis screening of students. Similarly, current law (N.J.S.A.18A:40-4) and State Board of Education regulations found at N.J.A.C. 6:29-5.1 authorize licensed medical and health care personnel including, but not limited to audiologists and speech correctionists under the direction of the medical inspector to conduct audiometric screening of students.

As amended, the bill provides an exception for non-nursing personnel who are authorized by statute or regulation to perform specific health related services. Therefore, based on this exception, there would be no cost to replace authorized individuals with certified school nurses. However school districts could incur additional costs to hire additional staff to perform school nursing services or to replace non-certified individuals, such as licensed practical nurses, who may currently be performing nursing services in school districts for which no statutory or regulatory exemption exists and who subsequently leave the school district after the bill's effective date. OLS notes that there is no information readily available to determine the costs to school districts that hire new staff or replace non-certified individuals with certified school nurses.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.