

ASSEMBLY, No. 6028

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 15, 2021

Sponsored by:

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

SYNOPSIS

Alters procedure for reimbursing nurses who provide nonpublic school nursing services in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/15/2021)

1 AN ACT concerning the provisions of nursing services to nonpublic
2 school students and supplementing P.L.1991, c.226 (C.18A:40-
3 23 et seq.).

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. a. Notwithstanding the provisions of any law or regulation
9 to the contrary, the State aid provided to a school district pursuant
10 to section 9 of P.L.1991, c.226 (C.18A:40-31) shall be distributed
11 by the school district directly to the individual providing nursing
12 services for the nonpublic school, if the following conditions are
13 met:

14 (1) the nonpublic school provides to the school district all
15 required documentation attesting to the individual's status as a
16 registered nurse licensed by the New Jersey State Board of Nursing;

17 (2) the nonpublic school provides to the school district
18 documentation of the actual hours the individual provided nursing
19 services at the nonpublic school; and

20 (3) the nonpublic school, on a form developed by the
21 Department of Education, submits to the school district:

22 (a) an attestation that all documentation provided to the school
23 district pursuant to this section is valid; and

24 (b) an agreement to assume any liability that may arise if the
25 individual is determined not to be a registered nurse licensed by the
26 New Jersey State Board of Nursing during the school year.

27 If the conditions set forth pursuant to paragraphs (1), (2), and (3)
28 of this subsection are not met, then the school district shall not
29 distribute State aid directly to the individual providing nursing
30 services for the nonpublic school as permitted under this section.

31 b. (1) The provisions of this section shall not apply to a school
32 district that entered into an agreement for the provision of nursing
33 services for nonpublic schools for the 2020-2021 school year prior
34 to the effective date of this act. The provisions of this section shall
35 apply to a school district that renews an agreement, or enters into a
36 new agreement, for the provision of nursing services for nonpublic
37 schools for the 2021-2022 school year, and any subsequent school
38 year, after the effective date of this act.

39 (2) A nonpublic school shall notify a school district of its
40 intention to meet all of the conditions set forth in paragraphs (1),
41 (2), and (3) of subsection a. of this section prior to renewing or
42 entering into a new agreement with the school district for the
43 provision of nursing services for the nonpublic school pursuant to
44 the provisions of this section. The provisions of this paragraph
45 shall not be construed as requiring a nonpublic school to meet all of
46 the conditions set forth in paragraphs (1), (2), and (3) of subsection
47 a. of this section, even if it notifies the school district of its

1 intention to meet the conditions prior to renewing or entering into a
2 new agreement with the school district.

3 c. The provisions of this section shall not be construed as
4 prohibiting a school district from using funds provided to the school
5 district pursuant to section 9 of P.L.1991, c.226 (C.18A:40-31) for
6 administrative purposes.

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8 2. This act shall take effect immediately.

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11 STATEMENT

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13 This bill permits, under certain circumstances, a school district to
14 provide State aid directly to an individual that is providing nursing
15 services for a nonpublic school.

16 Under P.L.1991, c.226 (C.18A:40-23 et seq.), a board of
17 education is required to provide certain basic nursing services for
18 nonpublic school students enrolled at a nonpublic school located
19 within the district, and the board is permitted to provide certain
20 other nursing services to the nonpublic school students. Under this
21 bill, the State aid provided to a school district for the provisions of
22 nonpublic school nursing services will be distributed by the school
23 district directly to the individual providing nursing services to the
24 nonpublic school students if the following conditions are met:

25 (1) the nonpublic school provides to the school district all
26 required documentation attesting to the individual's status as a
27 registered nurse licensed by the New Jersey State Board of Nursing;

28 (2) the nonpublic school provides to the school district
29 documentation of the actual hours the individual provided nursing
30 services at the nonpublic school; and

31 (3) the nonpublic school, on a form developed by the
32 Department of Education, submits to the school district an
33 attestation that all documentation provided to the school district is
34 valid and an agreement to assume any liability that may arise if the
35 individual is determined not to be a registered nurse licensed by the
36 New Jersey State Board of Nursing during the school year.

37 The bill also provides that the provisions of the bill will not
38 apply to a school district that entered into an agreement for the
39 provision of nursing services for nonpublic schools for the 2020-
40 2021 school year prior to the effective date of the bill. The
41 provisions of the bill will apply to a school district that renews an
42 agreement, or enters into a new agreement, for the provision of
43 nursing services for nonpublic schools for the 2021-2022 school
44 year and any subsequent school year, after the effective date of the
45 bill.

46 Finally, the bill requires a nonpublic school, prior to renewing or
47 entering a new agreement with a school district for the provision of
48 nursing services for the nonpublic school, to notify the school

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- 1 district that it intends to avail itself of the provisions of the bill by
- 2 meeting the three conditions set forth in the bill regarding
- 3 documentation and attestation.