

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 802 Session of 2011

INTRODUCED BY PICCOLA, EARLL, ALLOWAY, D. WHITE, MENSCH, EICHELBERGER, WAUGH, BROWNE, BRUBAKER AND DINNIMAN, MARCH 11, 2011

SENATOR PICCOLA, EDUCATION, AS AMENDED, APRIL 5, 2011

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in school health services, further
6 defining "school nurse" and "dental hygienist."

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The definitions of "school nurse" and "dental
10 hygienist" in section 1401 of the act of March 10, 1949 (P.L.30,
11 No.14), known as the Public School Code of 1949, repealed and
12 added July 15, 1957 (P.L.937, No.404) and amended August 9, 1963
13 (P.L.641, No.339), are amended to read:

14 Section 1401. Definitions.--As used in this article--

15 * * *

16 (8) "School nurse" means a licensed registered nurse ~~who:~~ ←
17 ~~(i) is either~~ properly certificated by the [Superintendent
18 of Public Instruction] Secretary of Education as a school nurse
19 ~~{who} or has completed a training program on nursing in a school~~ ←

1 ~~environment that has been approved by the Department of~~
2 ~~Education; and~~

3 ~~(ii)~~ is employed by a school district or joint school board
4 as a school nurse, or is employed in providing school nurse
5 services to children of school age by a county health unit or a
6 department or board of health of any municipality with which a
7 school district or joint school board has contracted for school
8 health services pursuant to the provisions of section 1411 of
9 this act. The employment of any nurse employed by a school
10 district or joint school board as a school nurse prior to the
11 effective date of this act shall not be affected by a contract
12 for school health services that may be entered into by any
13 school district or joint school board under the provisions of
14 this act. THE TERM SHALL ALSO MEAN A LICENSED REGISTERED NURSE
15 WHO HAS COMPLETED A TRAINING PROGRAM IN NURSING IN A SCHOOL
16 ENVIRONMENT THAT HAS BEEN APPROVED BY THE DEPARTMENT OF
17 EDUCATION SUBJECT TO THE PROVISIONS OF SECTION 1401.1.



18 (9) "Dental hygienist" means a dental hygienist licensed by
19 the State Dental Council and Examining Board, who:

20 (i) is assigned to a school district or joint school board,
21 or a dental hygienist licensed by the State Dental Council and
22 Examining Board and certificated as a school dental hygienist by
23 the [Superintendent of Public Instruction, who] Secretary of
24 Education; and

25 (ii) is employed by a school district or joint school board
26 as a dental hygienist. The employment of any dental hygienist
27 employed by a school district or joint school board as a dental
28 hygienist prior to the effective date of this act shall not be
29 affected by a contract for school health services that may be
30 entered into by any school district or joint school board under

1 the provisions of this act.

2 * * *

3 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ: ←

4 SECTION 1401.1. NONCERTIFIED SCHOOL NURSE.--(A) A SCHOOL
5 NURSE WHO IS NOT CERTIFICATED BY THE DEPARTMENT OF EDUCATION AS
6 A SCHOOL NURSE MUST COMPLETE, WITHIN TWELVE MONTHS OF
7 EMPLOYMENT, AN ACCELERATED TRAINING PROGRAM IN NURSING IN A
8 SCHOOL ENVIRONMENT THAT HAS BEEN APPROVED BY THE DEPARTMENT OF
9 EDUCATION. SUCH TRAINING PROGRAM SHALL INCLUDE, AT A MINIMUM,
10 INSTRUCTION AND TRAINING IN THE FOLLOWING:

11 (1) EDUCATIONAL AREAS RELATED TO NURSING IN A SCHOOL
12 ENVIRONMENT.

13 (2) CHILD DEVELOPMENT ISSUES.

14 (3) PROFESSIONAL ETHICS AND RESPONSIBILITIES SPECIFIC TO A
15 SCHOOL ENVIRONMENT.

16 (B) THE DEPARTMENT OF EDUCATION MAY WAIVE THE PROVISIONS OF
17 SUBSECTION (A) UPON A SHOWING OF DEMONSTRATED SUBJECT AREA
18 COMPETENCIES THROUGH WORK EXPERIENCE, EXAMINATION OR EDUCATION.

19 (C) THE DEPARTMENT OF EDUCATION SHALL UNDERTAKE A STUDY OF
20 THOSE SCHOOL DISTRICTS THAT CHOOSE TO EMPLOY SCHOOL NURSES WHO
21 ARE NOT CERTIFICATED AS SCHOOL NURSES. WITHIN TWO YEARS AFTER
22 THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT OF EDUCATION
23 SHALL ISSUE A REPORT THAT INCLUDES AN EVALUATION OF THE
24 EFFECTIVENESS AND LEVEL OF CARE PROVIDED TO STUDENTS, AS WELL AS
25 ANY IMPACT ON THE HEALTH AND SAFETY OF STUDENTS IN SUCH
26 DISTRICTS. THE REPORT SHALL ALSO INCLUDE RECOMMENDATIONS TO THE
27 GENERAL ASSEMBLY ON ALLOWING SCHOOL DISTRICTS TO FURTHER EMPLOY
28 SCHOOL NURSES WHO ARE NOT CERTIFIED AS SCHOOL NURSES.

29 Section 2 3. This act shall take effect in 60 days. ←