

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1332 Session of
2020

INTRODUCED BY DINNIMAN, KILLION, BOSCOLA, MARTIN AND SABATINA,
SEPTEMBER 25, 2020

REFERRED TO EDUCATION, SEPTEMBER 25, 2020

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 providing for health services; and, in reimbursements by
7 Commonwealth and between school districts, further providing
8 for State reimbursement for health services.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Sections 1402(a.1) and 2505.1(b.1) of the act of
12 March 10, 1949 (P.L.30, No.14), known as the Public School Code
13 of 1949, are amended and the sections are amended by adding
14 subsections to read:

15 Section 1402. Health Services.--* * *

16 (a.1) [Every child of school age shall be provided with
17 school nurse services: Provided, however, That the number of
18 pupils under the care of each school nurse shall not exceed one
19 thousand five hundred (1,500).] The following shall apply:

20 (1) In addition to the services specifically enumerated in
21 this section, every child of school age shall be provided with

1 school nurse services, including, but not limited to, those
2 defined by the Department of Health.

3 (2) Except as provided in subsection (a.2), the number of
4 pupils under the care or supervision of each certificated school
5 nurse shall not exceed one thousand five hundred (1,500).

6 (3) When it is medically appropriate to do so, school nurse
7 services may be provided by means of a virtual or remote
8 connection, by which the student and the nurse may both see and
9 hear one another, provided that a nurse remains on call at all
10 times to promptly provide in-person services at the school when
11 medically indicated.

12 (a.2) The following shall apply to recovery from the
13 pandemic of 2020:

14 (1) This subsection applies only to the 2020-2021 school
15 year as a result of the need for the safety and health of
16 students while reopening schools during the global pandemic
17 declared by the World Health Organization on March 11, 2020.

18 (2) The following shall apply:

19 (i) Notwithstanding subsection (a.1), the number of pupils
20 under the care or supervision of each certificated school nurse
21 shall not exceed five hundred (500).

22 (ii) School nurse services shall be provided to public and
23 nonpublic school students in the schools which they attend on
24 each day when that school is in session, if at least one hundred
25 (100) students are enrolled in the school building of
26 attendance. School nurse services that shall be provided under
27 this subsection are the services specifically enumerated in this
28 section, subsection (a.1) and any other special needs or
29 services related to the pandemic of 2020, including, but not
30 limited to, a quarantine room.

1 (iii) When appropriate, school nurse services that are
2 provided by a school district or joint school board to public
3 and nonpublic school children may be furnished by any of the
4 following:

5 (A) A registered nurse or licensed practical nurse who is
6 employed by a school district or joint school board and who is
7 acting under the supervision of and in consultation with a
8 certificated school nurse employed by a school district or joint
9 school board.

10 (B) A registered nurse or licensed practical nurse who is
11 employed by a licensed health care services provider, if the
12 school district or joint school board contracts for the services
13 with the licensed health care provider.

14 (C) A registered nurse or licensed practical nurse employed
15 by the nonpublic school at which the services are provided, if
16 the school district or joint school board contracts for the
17 services with the nonpublic school. Notwithstanding any
18 provision of law to the contrary, should this option be chosen,
19 the department shall reimburse the school district or joint
20 school board for the full amount of the contracted services.

21 * * *

22 Section 2505.1. State Reimbursement for Health Services.--*

23 * *

24 (b.1) Every school district which renders health services to
25 children shall be reimbursed by the Commonwealth on account of
26 health services which conform to standards approved by the
27 Secretary of Health. Reimbursement shall be paid by the
28 Secretary of Health. For the school year 1990-1991, the amount
29 of this reimbursement for this subsection shall be the sum of
30 five dollars and ninety cents (\$5.90) multiplied by the average

1 daily membership of each school district. For the school year
2 1991-1992 and each school year thereafter, the amount of this
3 reimbursement for this subsection shall be the sum of nine
4 dollars and seventy cents (\$9.70) multiplied by the average
5 daily membership of each school district[.], provided that the
6 number of full-time nurses contracted for the 2020-2021 school
7 year that is greater than the number of full-time nurses
8 contracted for and included in the 2019-2020 school year
9 reimbursement shall not be included in the reimbursement
10 calculated under this subsection for the 2020-2021 school year.
11 If the additional full-time nurses were contracted for the
12 purpose of rendering health services in accordance with section
13 1402(a.2) for the 2020-2021 school year, those additional full-
14 time nurses for the 2020-2021 school year shall be reimbursed by
15 additional payment made by the Commonwealth under subsection
16 (b.2).

17 (b.2) The following shall apply to recovery from the
18 pandemic of 2020:

19 (1) This subsection applies only to the 2020-2021 school
20 year as a result of the need for the safety and health of
21 students while reopening schools during the global pandemic
22 declared by the World Health Organization on March 11, 2020.

23 (2) Notwithstanding subsection (b.1), every school district
24 and joint school district that contracts for health services for
25 public or nonpublic school students in accordance with section
26 1402(a.2) and that incurs an increase in expenditures in
27 rendering health services due to a need to increase the number
28 of full-time nurses contracted for services for a public or
29 nonpublic school shall receive a reimbursement for the
30 additional full-time nurse expenditure as follows:

1 (i) Thirty-eight million dollars (\$38,000,000) is hereby
2 appropriated from the COVID-19 Response Restricted Account under
3 section 110-C of the act of April 9, 1929 (P.L.343, No.176),
4 known as The Fiscal Code.

5 (ii) Each school district or joint school district shall
6 determine the increase in its expenditures for the cost of
7 increase in the number of full-time nurses contracted for the
8 purpose of rendering health services in accordance with section
9 1402(a.2) for the 2020-2021 school year.

10 (iii) A one-time payment to each school district or joint
11 school district seeking reimbursement under this subsection
12 shall be made by the Secretary of Health.

13 * * *

14 Section 2. This act shall take effect immediately.