

AMENDED IN ASSEMBLY FEBRUARY 11, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 285**

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**Introduced by Assembly Member Holden**

January 21, 2021

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An act to add Article 14 (commencing with Section 33485) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil health, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 285, as amended, Holden. State Department of Education: state school nurse consultant.

Existing law establishes in the state government a State Department of Education and the department is responsible for various ongoing activities involving the public schools. Existing law requires the Commission on Teacher Credentialing to, among other duties, establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law sets forth the minimum requirements for a services credential with a specialization in health for a school nurse, as provided. Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils, and authorizes the governing board of a school district to employ properly certified persons for that work. Existing law authorizes a school nurse, subject to approval by the governing board of the school district, to perform various pupil health care services.

This bill would require the department to appoint a state school nurse consultant to be housed within the department. The bill would require the state school nurse consultant to be a ~~registered school nurse with a~~

~~minimum of 5 years of management experience, credentialed by the commission, as specified, who has a minimum of 5 years of experience in school health program management.~~ The bill would require the state school nurse consultant to work with school districts and school nurses to promote quality school nursing services and school health programs that address the broad health needs of pupils, among other responsibilities. The bill would require the state school nurse consultant to annually report to the Governor and the Legislature a summary of the year's activities and specific recommendations, as provided.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3 (1) California faces an unprecedented time. The state has  
4 stubbornly high poverty rates, income inequality, and high housing  
5 costs, which highlight the injustices and inequality affecting the  
6 various communities of color throughout California.

7 (2) The state is also facing gaps in access to primary care and  
8 preventive services, and likely worsening the crisis around mental  
9 and emotional health.

10 (3) Schools have played a significant role in assuring pupil  
11 health care needs are met. However, over 47 percent of the state's  
12 schools are without access to credentialed school nurses.

13 (4) To assure safe reopening of schools after the COVID-19  
14 pandemic, and guidance and technical assistance to local  
15 educational agencies on physical, emotional, and mental health  
16 issues, the State Department of Education should have a state  
17 school nurse consultant.

18 (5) A comprehensive and collaborative system of school health  
19 can and should be developed to include programs that highlight  
20 the provision of safe and trauma-informed environments.

21 (b) It is the intent of the Legislature that the creation of a state  
22 school nurse consultant in the State Department of Education will  
23 result in all of the following:

1 (1) Technical assistance to school districts as they reopen after  
2 the COVID-19 pandemic to address a myriad of physical and  
3 mental health issues.

4 (2) Guidance on COVID-19 issues such as infection control,  
5 disease surveillance, and assistance in providing personal protective  
6 equipment.

7 (3) Addressing issues relating to pupils with disabilities at the  
8 local level.

9 (4) Guidance on required mandated health screenings and  
10 immunizations.

11 (5) Facilitating the development of mental health policies,  
12 standards, and guidelines and advising local educational agencies  
13 on mental health best practices.

14 (6) Providing technical assistance and anticipatory guidance on  
15 the two Medi-Cal-based programs, the Local Educational Agency  
16 Medi-Cal Billing Option Program and the School-Based Medi-Cal  
17 Administrative Activities Program, by doing both of the following:

18 (A) Assisting schools enrolling as Medi-Cal providers.

19 (B) Providing technical assistance and interaction with the State  
20 Department of Health Care Services and other divisions on the  
21 local educational agency and Medi-Cal administrative activities  
22 reimbursement issues that fund health and mental health services  
23 provided at the schoolsite.

24 SEC. 2. Article 14 (commencing with Section 33485) is added  
25 to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education  
26 Code, to read:

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28 Article 14. State School Nurse Consultant

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30 33485. The department shall appoint a state school nurse  
31 consultant to be housed within the department. The state school  
32 nurse consultant shall be a ~~registered school nurse with a minimum~~  
33 ~~of five years of management experience.~~ *services credential with*  
34 *a specialization in health for a school nurse issued by the*  
35 *Commission on Teacher Credentialing, who has a minimum of*  
36 *five years of experience in school health program management.*

37 The state school nurse consultant shall work with school districts  
38 and school nurses to promote quality school nursing services and  
39 school health programs that address the broad health needs of  
40 pupils. The state school nurse consultant, in performing the duties

1 of the position, shall collaborate with the State Department of  
2 Public Health, the State Department of Health Care Services, the  
3 Governor’s Office of Emergency Services, and the Board of  
4 Registered Nursing.

5 33486. The state school nurse consultant shall be responsible  
6 for all of the following:

7 (a) Serving as a liaison and resource expert in school nursing  
8 and school health program areas for local, regional, state, and  
9 national school health care providers and policy setting groups.

10 (b) Providing consultation and technical assistance to school  
11 districts, parents, and community members.

12 (c) Coordinating school health program activities with public  
13 health, social services, environmental, and educational agencies,  
14 and other public and private entities.

15 (d) Monitoring, interpreting, synthesizing, and disseminating  
16 relevant information associated with changes in health, nursing,  
17 and medical care, school nursing practice, legislation, and legal  
18 issues that impact schools and the pupils they serve.

19 (e) Facilitating the development of policies, standards, and  
20 guidelines, interpreting updates, and disseminating policies,  
21 standards, guidelines, and procedures to enhance coordinated  
22 school health programs.

23 (f) Fostering and promoting staff development for school nurses,  
24 which may include planning and providing orientation,  
25 coordinating or providing educational offerings, and networking  
26 with universities and other providers of continuing education to  
27 meet identified needs.

28 (g) Promoting quality assurance in school health services by  
29 initiating and coordinating a quality assurance program that  
30 includes needs assessment, data collection and analysis, and  
31 evidenced-based practices.

32 (h) Participating in state-level public interagency partnerships  
33 and private partnerships with statewide stakeholders to foster a  
34 coordinated school health program, representing school nurses in  
35 multidisciplinary collaborations.

36 (i) Initiating, participating in, and using research studies related  
37 to a coordinated school health program, the health needs of children  
38 and youth, school nursing practice, and related issues.

39 (j) Serving as the department’s liaison regarding school health  
40 issues with various state agencies to include the State Department

1 of Public Health, the State Department of Health Care Services,  
2 and the Legislature.

3 33487. (a) On or before December 31 of each year, the state  
4 school nurse consultant shall submit a report to the Governor and  
5 the Legislature.

6 (b) The report required in subdivision (a) shall include both of  
7 the following:

8 (1) A summary of the activities of the state school nurse  
9 consultant during the reporting year.

10 (2) Specific recommendations deemed appropriate and necessary  
11 concerning school nurse services and school health service  
12 programs.

13 (c) A report submitted to the Legislature pursuant to subdivision  
14 (a) shall be submitted in compliance with Section 9795 of the  
15 Government Code.

16 SEC. 3. This act is an urgency statute necessary for the  
17 immediate preservation of the public peace, health, or safety within  
18 the meaning of Article IV of the California Constitution and shall  
19 go into immediate effect. The facts constituting the necessity are:

20 Since the administration prioritized reopening in-person  
21 education for pupils during the COVID-19 pandemic, it is urgently  
22 necessary to ensure school districts have the support and planning  
23 tools needed to reopen safely. In order to ensure the safety of  
24 teachers, staff, and pupils, it is necessary for this act to take effect  
25 immediately.