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I N A S S E M B L Y

(PREFILED)

January 6, 2010

Introduced by M. of A. CAHILL, GUNTHER, BENEDETTO, COLTON, ENGLEBRIGHT, ORTIZ, PEOPLES-STOKES, PHEFFER, P. RIVERA, MARKEY, MILLMAN -- Multi-Sponsored by -- M. of A. COOK, FARRELL, HOOPER, JOHN, PERRY, J. RIVERA, SKARTADOS, TOWNS, WEISENBERG -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to public school nurse staffing determinations in consultation with a nursing association

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 901 of the education law, as
2 amended by section 57 of part A1 of chapter 58 of the laws of 2006, is
3 amended to read as follows:

4 1. School health services, as defined in subdivision two of this
5 section, shall be provided by each school district for all students
6 attending the public schools in this state, [except in the city school
7 district of the city of New York,] as provided in this article. School
8 health services shall include the services of a registered professional
9 nurse[, if one is employed,] and shall also include such services as may
10 be rendered as provided in this article in examining students for the
11 existence of disease or disability and in testing the eyes and ears of
12 such students.

13 S 2. Paragraph b of subdivision 2 of section 902 of the education law,
14 as amended by chapter 501 of the laws of 2005, is amended to read as
15 follows:

16 b. Any such board or trustees [may] OF EACH SCHOOL DISTRICT OR BOARD
17 OF COOPERATIVE EDUCATIONAL SERVICES SHALL employ [one or more school
18 nurses, who shall be registered professional nurses, as well as other
19 health professionals, as may be required.] A MINIMUM OF ONE SCHOOL
20 NURSE, WHO SHALL BE A REGISTERED PROFESSIONAL NURSE, IN EACH SCHOOL
21 BUILDING. ANY SUCH BOARD OR TRUSTEES OF EACH SCHOOL DISTRICT OR BOARD
22 OF COOPERATIVE EDUCATIONAL SERVICES MAY EMPLOY OTHER HEALTH PROFES-
23 SIONALS, AS MAY BE REQUIRED. Such registered professional nurses and
24 other health professionals shall aid the director of school health

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 services of the district and shall perform such duties, including health
2 instruction for the benefit of the public schools as may be prescribed
3 by such board or trustees OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES,
4 in compliance with each such health professional's practice act.
5 S 3. This act shall take effect immediately.