S T A T E O F N E W Y O R K

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I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. CAHILL, GUNTHER, BENEDETTO, COLTON, ENGLEBRIGHT, ORTIZ, PEOPLES-STOKES, PHEFFER, P. RIVERA, MARKEY, MILLMAN, GIBSON -- Multi-Sponsored by -- M. of A. COOK, FARRELL, HOOPER, PERRY, J. RIVERA, 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:

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

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

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

b. Any such board or trustees [may] OF EACH SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL employ [one or more school nurses, who shall be registered professional nurses, as well as other health professionals, as may be required.] A MINIMUM OF ONE SCHOOL NURSE, WHO SHALL BE A REGISTERED PROFESSIONAL NURSE, IN EACH SCHOOL BUILDING. ANY SUCH BOARD OR TRUSTEES OF EACH SCHOOL DISTRICT OR BOARD

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

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OF COOPERATIVE EDUCATIONAL SERVICES MAY EMPLOY OTHER HEALTH PROFESSIONALS, AS MAY BE REQUIRED. Such registered professional nurses and other health professionals shall aid the director of school health services of the district and shall perform such duties, including health instruction for the benefit of the public schools as may be prescribed by such board or trustees OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES, in compliance with each such health professional's practice act.

S 3. This act shall take effect immediately.