

FIRST REGULAR SESSION

HOUSE BILL NO. 355

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE YOUNG.

1079H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto two new sections relating to health professionals in public schools.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto two new sections, to be known as sections 167.501 and 167.503, to read as follows:

167.501. 1. Subject to appropriation, any public school shall be eligible for a state financial supplement to employ a school nurse who is licensed under chapter 335 as provided in this section.

2. Any school district may apply to the department of elementary and secondary education for a state financial supplement to employ a school nurse in each school named in the application and in no other schools of the district. The state financial supplement per nurse shall not exceed the salary earned by such individual on the district-approved salary schedule, which shall include earned years of experience. No more than one school nurse per school shall be supplemented by the state under this section.

3. The department may give preference to schools that demonstrate the greatest need for a school nurse under this section. The department shall determine need using criteria including, but not limited to:

- (1) The nurse-to-student ratio above the recommendation by the department;**
- (2) The percentage of students eligible for free and reduced price lunch in the district;**
- (3) The percentage of students receiving federal Title I funding; and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 **(4) Other criteria deemed appropriate by the department.**

19 **4. (1) As used in this subsection, "telehealth" has the same meaning as in section**
20 **191.1145.**

21 **(2) In lieu of employing a school nurse as described in this section, a school**
22 **district may use a state financial supplement received under this section to reimburse a**
23 **provider of telehealth services for providing a school with access to a nurse via a**
24 **telehealth service.**

25 **(3) A school district shall establish reimbursement requirements that are**
26 **substantially similar to the reimbursement requirements established under subsection 2**
27 **of section 208.670.**

28 **(4) The use of a telehealth service under this section shall be subject to the same**
29 **parental authorization requirements established in section 208.677.**

30 **5. (1) There is hereby created in the state treasury the "School Nurse Financial**
31 **Supplement Fund", which shall consist of any grants, gifts, donations, bequests, or**
32 **moneys appropriated under this section. The state treasurer shall be custodian of the**
33 **fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve**
34 **disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in**
35 **the fund shall be used solely as provided in this section.**

36 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
37 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
38 **general revenue fund.**

39 **(3) The state treasurer shall invest moneys in the fund in the same manner as**
40 **other funds are invested. Any interest and moneys earned on such investments shall be**
41 **credited to the fund.**

42 **6. (1) The department of elementary and secondary education shall promulgate**
43 **rules and regulations for the implementation of this section. Such rules shall include,**
44 **but not be limited to, ensuring that school nurses supplemented by the state under this**
45 **section primarily perform duties associated with student health, establishing application**
46 **procedures for school districts, and determining a method of awarding state financial**
47 **supplements in the event that the number of applications exceeds the amounts**
48 **appropriated for such awards.**

49 **(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is**
50 **created under the authority delegated in this section shall become effective only if it**
51 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
52 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
53 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
54 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**

55 then the grant of rulemaking authority and any rule proposed or adopted after the
56 effective date of this section shall be invalid and void.

167.503. 1. Subject to appropriation, any public school shall be eligible for a
2 state financial supplement to employ a mental health professional who is licensed under
3 chapter 337 as provided in this section.

4 2. Any school district may apply to the department of elementary and secondary
5 education for a state financial supplement to employ a mental health professional in
6 each school named in the application and in no other schools of the district. The state
7 financial supplement per mental health professional shall not exceed the salary earned
8 by such individual on the district-approved salary schedule, which shall include earned
9 years of experience. No more than one mental health professional per school shall be
10 supplemented by the state under this section.

11 3. The department may give preference to schools that demonstrate the greatest
12 need for a mental health professional under this section. The department shall
13 determine need using criteria including, but not limited to:

14 (1) The mental health professional-to-student ratio above the recommendation
15 by the department;

16 (2) The percentage of students eligible for free and reduced price lunch in the
17 district;

18 (3) The percentage of students receiving federal Title I funding; and

19 (4) Other criteria deemed appropriate by the department.

20 4. (1) As used in this subsection, "telehealth" has the same meaning as in section
21 191.1145.

22 (2) In lieu of employing a mental health professional as described in this section,
23 a school district may use a state financial supplement received under this section to
24 reimburse a provider of telehealth services for providing a school with access to a
25 mental health professional via a telehealth service.

26 (3) A school district shall establish reimbursement requirements that are
27 substantially similar to the reimbursement requirements established under subsection 2
28 of section 208.670.

29 (4) The use of a telehealth service under this section shall be subject to the same
30 parental authorization requirements established in section 208.677.

31 5. (1) There is hereby created in the state treasury the "School Mental Health
32 Professional Financial Supplement Fund", which shall consist of any grants, gifts,
33 donations, bequests, or moneys appropriated under this section. The state treasurer
34 shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state

35 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon
36 appropriation, moneys in the fund shall be used solely as provided in this section.

37 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
38 remaining in the fund at the end of the biennium shall not revert to the credit of the
39 general revenue fund.

40 (3) The state treasurer shall invest moneys in the fund in the same manner as
41 other funds are invested. Any interest and moneys earned on such investments shall be
42 credited to the fund.

43 6. (1) The department of elementary and secondary education shall promulgate
44 rules and regulations for the implementation of this section. Such rules shall include,
45 but not be limited to, ensuring that mental health professionals supplemented by the
46 state under this section primarily perform duties associated with student mental health,
47 establishing application procedures for school districts, and determining a method of
48 awarding state financial supplements in the event that the number of applications
49 exceeds the amounts appropriated for such awards.

50 (2) Any rule or portion of a rule, as that term is defined in section 536.010, that is
51 created under the authority delegated in this section shall become effective only if it
52 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
53 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
54 vested with the general assembly pursuant to chapter 536 to review, to delay the
55 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
56 then the grant of rulemaking authority and any rule proposed or adopted after the
57 effective date of this section shall be invalid and void.

✓