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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3536

1.1 A bill for an act
1.2 relating to education; modifying school health services to allow for the use of a
1.3 private nurse; amending Minnesota Statutes 2018, section 121A.21.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2018, section 121A.21, is amended to read:

1.6 **121A.21 SCHOOL HEALTH SERVICES.**

1.7 (a) Every school board must provide services to promote the health of its pupils.

1.8 (b) The board of a district with 1,000 pupils or more in average daily membership in
1.9 early childhood family education, preschool disabled, elementary, and secondary programs
1.10 must comply with the requirements of this paragraph. It may use one or a combination of
1.11 the following methods:

1.12 (1) employ personnel, including at least one full-time equivalent licensed school nurse;

1.13 (2) contract with a public or private health organization or another public agency for
1.14 personnel during the regular school year, determined appropriate by the board, who are
1.15 currently licensed under chapter 148 and who are certified public health nurses; or

1.16 (3) enter into another arrangement approved by the commissioner.

1.17 (c) A school district must allow a private nurse to accompany a pupil on school grounds
1.18 and in school activities during the regular school day if the pupil's need for a private nurse
1.19 is documented by a physician's order or note, with the following requirements:

1.20 (1) the school district and nurse may enter into agreements as necessary to establish
1.21 mutual expectations of the nurse's conduct in the school environment;

- 2.1 (2) the addition of a private nurse in the classroom must not exceed the room's capacity,
- 2.2 impede a pupil's line of sight, or impact a pupil's access to instruction; and
- 2.3 (3) a private nurse does not change a school district's health services or other requirements
- 2.4 under state or federal law.