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FISCAL IMPACT REPORT

SPONSOR: HEC DATE TYPED: 02/28/03 HB 528/HECS/aHEC

SHORT TITLE: Medication to Public School Students SB _____

ANALYST: Geisler

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
		NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to: HB 457, SB 186, HB 145, SB 269, HB 376

SOURCES OF INFORMATION

Responses Received From

Board of Nursing (BON)
 Department of Health (DOH)
 State Department of Education (SDE)

SUMMARY

Synopsis of HEC Amendments

The House Education Committee (HEC) amendments to the HEC Substitute for House Bill 528 eliminates the requirement for 30 trainees each year and adds a requirement for the advisory committee to develop and recommend appropriate levels of compensation for school medication aides.

Synopsis of Bill

The bill defines the term school medication aide and establishes a pilot program under the jurisdiction of the BON to train school medication aides to administer prescription drugs and other medications to school students during school hours, under the supervision of a registered nurse who is licensed by the state department of public education. The bill also has the following provisions:

- Establishes the program in up to five regions of the state allowing a maximum of 30 trainees each year and authorizes the Board to adopt rules for the pilot program including educational standards and certification requirements.
- Authorizes the Board to appoint a school medication aide advisory committee.

Significant Issues

- This bill was generated based on recommendations based on HJM 3 introduced in 2001 that requested the departments of health and education and others to study the issue of medication administration to public school students.
- The number of students requiring routine medications in the school setting is significant. There are an insufficient number of school nurses to administer all medications required by students in every school throughout the state. In addition, the HJM3 Task Force found serious inconsistencies in medication administration practices in New Mexico schools, which pose a health and safety risk to children and a liability risk to schools and school personnel.
- Currently, the New Mexico Nursing Practice Act prohibits nurses from delegating the administration of medication by unlicensed trained healthcare personnel. However, a common practice in public schools is for the school administrator to assign unlicensed healthcare personnel to assist students with the “self-administration” of medications.
- Currently, the Board of Nursing has a trained certification program for medication aides that is implemented in settings other than public schools.

FISCAL IMPLICATIONS

None noted.

RELATIONSHIP

HB 457 is a duplicate of the original HB 528, which has been replaced by the House Education Committee substitute for HB 528.

SB 186 amends the Nursing Practice Act to enter New Mexico into the interstate compact for nurse licensure. HB 145 extends the agency life until 2009. SB 269 prohibits the issuance of temporary licenses.

HB 376 adds a new section to the Nursing Practice Act creating a Nursing Excellence Program to enhance recruitment and retention of nurses; and other related provisions.

GG/njw