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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 1st Session, 2019

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|------------------------|----------------------------------------------------|----------------------------|-----------------|
| Bill Number | <u>HB510</u> | Sponsor | <u>Figueroa</u> |
| Tracking Number | <u>.213270.1</u> | Committee Referrals | <u>HHHC/HEC</u> |
| Short Title | <u>School Bus Attendants for Disabled Students</u> | | |
| Analyst | <u>Bedeaux</u> | Original Date | <u>2/18/19</u> |
| | | Last Updated | <u></u> |

BILL SUMMARY

Synopsis of Bill

House Bill 510 (HB510) would require at least one school bus attendant on each school bus carrying one or more disabled students. School bus attendants would be required to be trained in advanced first aid and cardiopulmonary resuscitation (CPR), and if a student requires regularly scheduled or might require emergency medication, the attendant must also be certified by the Board of Nursing as a medication aide and must be trained by the school nurse or the child's medical provider on the proper administration of that child's medicine.

FISCAL IMPACT

HB510 does not contain an appropriation.

The fiscal impact of HB510 on school districts and charter schools depends on many factors and is difficult to project. School districts and charter schools currently employ school bus attendants, but the exact number of attendants and their qualifications are unknown. It is unlikely that all current school bus attendants have received first aid training and CPR, and further unlikely that attendants are certified as medication aides. Analysis on HB510 from the New Mexico School for the Blind and Visual Impaired states the school currently places school bus attendants on its school buses, but the attendants are not certified medication aides. HB510 may require school districts and charter schools to hire or contract with additional certified medication aides if current attendants are not eligible to become medication aides.

Schools may be able to amend the schedules of their current special education instructional assistants, physical therapists, occupational therapists, or other healthcare assistants to provide services on to- and from-school buses, but it is likely some school districts and charter schools will need to hire additional staff to serve as bus attendants. It is unclear how many of these employees are certified by the Board of Nursing as medication aides.

It is further unclear how many school bus routes service disabled students. At a minimum, data from the Public Education Department (PED) show 308 school buses equipped with lifts to

accommodate students in wheelchairs that would be required under HB510 to carry a bus attendant. However, school buses without lifts may serve students with non-ambulatory disabilities and would require additional attendants.

SUBSTANTIVE ISSUES

Current PED regulations define “school bus assistants” as individuals employed by a school district, state-chartered charter school, or a transportation service provider to help a school bus driver and students. School bus assistants are required by PED rule to be provided on school buses “when necessary, when required by law or regulation, or when required by a student’s individualized education plan (IEP).” HB510 would create a new requirement to place an attendant (or assistant) on every school bus that contains at least one student with a disability, regardless of whether students need attendants or not. Analysis on HB510 from PED notes the bill may require attendants for each of the over 56 thousand students in the state on an IEP. The bill would also create new qualification requirements for attendants, including a requirement that each attendant receive training in advanced first aid and CPR.

If any student with a disability on a school bus might need emergency medication, the bill requires the attendant to be certified as a medication aide by the Board of Nursing. Analysis on HB510 from the Board of Nursing notes this may place a significant burden on the Board to process and certify a large number of school bus attendants.

ADMINISTRATIVE IMPLICATIONS

PED may promulgate rules to provide for a ratio of students to nurses on each school bus, and such rules may take into account the type and severity of each student’s disability.

SOURCES OF INFORMATION

- LESC Files
- Public Education Department (PED)
- New Mexico School for the Blind and Visual Impaired (NMSBVI)
- Board of Nursing

TB/mhg