

Date: Feb 21, 2021

To: Senate Education Committee members

From: Deb Mehr, President, The School Nurse Organization of Minnesota (SNOM)

Re: SF 859

Senate Education Finance and Policy Committee members:

Thank you for the opportunity to provide input on SF 859, a bill to require private nurses in Minnesota schools based on doctors' orders. Our organization believes in and understands the importance of giving ALL students access to education. We believe Licensed School Nurses (LSN) are the bridge between health and education. It's also important that we provide equity for all students in public education as required by Federal law.

We offer the following comments for the purpose of laying out some of the issues that we believe need further work. SNOM is very willing to work with all parties to find a solution.

IEP / 504 plans:

SNOM believes that while the bill has good intentions, there is an existing process that allows for the hiring, placement, and funding for private nurses through the IEP or 504 process. We believe all students who are medically fragile have an IEP or 504 plan. This provides for a conversation/decision about placement of a private nurse, should the conditions make this appropriate. Disputes are addressed via appeals to the MDE.

Doctor's orders:

The private nurse services are proposed to be based on a "physician's or advanced practice nurse's orders" (lines 2.4-2.7) There are no criteria for what could be included in the doctor's orders. Would the doctor have an understanding of the nursing model in the pupil's school and what would be needed beyond what is already available? What If a doctor writes an order which appears to negate or supersede an IEP or 504 plan?

Life-threatening:

We believe there are unintended consequences in the language in lines 2.8 – 2.10. What is a "life-threatening" medical condition? Our LSNs provide care for students with seizures, allergies, diabetes, celiac disease, asthma and many other diagnoses. One could call all of these conditions life-threatening. The definition of a "medically fragile pupil" is one that has a "life-threatening medical condition." If a doctor were to write an order for any of these conditions, any of which could all be life-threatening, would the district be obligated to hire a private nurse for students with these conditions?

Level of care / cost:

The bill requires the pupil “must receive the same level of clinical nursing services while attending school or during transportation.” We are concerned that the one-on-one nature of this provision could be very costly. It is rare that a student needs one-on-one care even in a hospital setting. Services needed in the home may be very different from what are needed in a school. (Beginning line 2.11)

Determination of nursing services:

A school would have limited options based on the criteria set forth beginning on line 2.27. The “and” on line 3.2 would require an agreement that meets 1, 2 AND 3 under (c). This would limit choices when determining the best option for a student in the school.

In a school, the IEP team considers the overall needs of the child in the education setting including the health support needed for safely accessing education experiences, peer and community engagement, and promotion of independence and continued growth of the student. SNOM recognizes the challenges families face supporting their children with complex medical needs and will collaborate with families and stakeholders for positive outcomes for students, families and educational processes. Please do not hesitate to connect us for further discussion.

Sincerely,

Deb Mehr, President  
The School Nurse Organization of Minnesota (SNOM)