



Councilmember David Grosso

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the District of Columbia Public School Nurse Assignment Act of 1987 to require that any public school currently receiving school nurse services above 20 hours per week as of October 25, 2016, continue at that existing level of service, or the level recommended by the Department of Health's risk-based assessment, whichever is greater, for school year 2018-2019.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public School Nurse Assignment Emergency Amendment Act of 2018".

Sec. 2. Section 2 of the District of Columbia Public School Nurse Assignment Act of 1987, effective December 10, 1987 (D.C. Law 7-45; D.C. Official Code § 38-601 *et seq.*), is amended as follows:

(a) Subsection (c) is repealed.

(b) A new subsection (c-1) is added to read as follows:

"(c-1) Any school that, on October 25, 2016, received school nursing services pursuant to this section that exceeded the hours per week prescribed by subsection (b) of this section shall continue the level of service existing on that date, or the level recommended by the Department of Health's risk-based assessment, whichever is greater, for school year 2018-2019."

Sec. 3. Fiscal impact statement.

37 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
38 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
39 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

40 Sec. 4. Effective date.

41 This act shall take effect following approval by the Mayor (or in the event of veto by the
42 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
43 90 days, as provided for emergency acts of the Council of the District of Columbia in section
44 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
45 D.C. Official Code § 1-204.12(a)).

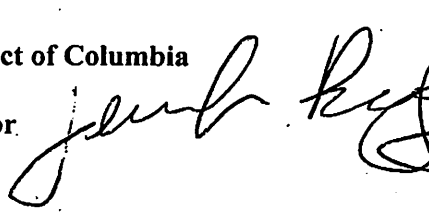
COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director



Jennifer Budoff
Budget Director

FISCAL IMPACT STATEMENT

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jennifer Budoff, Budget Director 

DATE: July 10, 2018

SHORT TITLE: "Public School Nurse Assignment Emergency Amendment Act of 2018"

TYPE: Emergency

REQUESTED BY: Councilmember David Grosso

Conclusion

Funds are sufficient to implement this proposed emergency legislation because there is no impact to the District's budget and financial plan.

Background

This emergency legislation would alter the "District of Columbia Public School Nurse Assignment Act of 1987."¹ It would require that any school that received more than the minimum level of nursing services on October 25, 2016 would continue to receive this level of service for the 2018-2019 school year. If the Department of Health's risk-based assessment recommended a higher level of nursing coverage, that level should be used instead.

Analysis of Impact on Spending

This legislation will not impact spending. The FIS for the "Public School Nurse Assignment Temporary Amendment Act of 2017" found that the legislation would have no cost, but the Department of Health (DOH) has since indicated that the measure created a spending pressure since the agency was unable to shift nurses between schools to meet demand. The "Fiscal Year 2019 Local Budget Act of 2018" enhances the DOH's budget by \$4.4 million, which will allow the agency to address any spending pressures that could be caused by extending this temporary/emergency legislation into the 2018-2019 school year.

¹ Effective December 10, 1987 (D.C. Law 7-45; D.C. Official Code § 38-621).

Analysis of Impact on Revenue
This legislation will not impact revenue.



OFFICE OF THE GENERAL COUNSEL

Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 4
Washington, DC 20004
(202) 724-8026

MEMORANDUM

TO: Councilmember David Grosso

FROM: John Hoellen, Acting General Counsel *JH*

DATE: July 9, 2018

RE: Legal Sufficiency Determination for Bill 22-____, the
Public School Nurse Assignment Emergency
Amendment Act of 2018

This emergency measure is legally and technically sufficient for Council consideration.

The Public School Nurse Assignment Emergency Amendment Act of 2018 would amend section 2 of the District of Columbia Public School Nurse Assignment Act of 1987, effective December 10, 1987 (D.C. Law 7-45; D.C. Official Code § 38-621), to repeal subsection (c), which is outdated, and add a new subsection (c-1), which would require the Department of Health to maintain school nurse services at District of Columbia Public Schools and public charter schools at the hourly level of service existing on October 25, 2016, through the 2018-2019 school year.

I am available if you have any questions.