

1 State of Arkansas

2 82nd General Assembly

3 Regular Session, 1999

A Bill

HOUSE BILL 2174

4
5 By: Representative R. Smith

For An Act To Be Entitled

9 "AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH TO
10 ESTABLISH STANDARDS FOR SCHOOL NURSES; AND FOR OTHER
11 PURPOSES. "

Subtitle

14 "AN ACT TO AUTHORIZE THE DEPARTMENT OF
15 HEALTH TO ESTABLISH STANDARDS FOR SCHOOL
16 NURSES. "

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21 SECTION 1. For purposes of this act, "school nurse" means the
22 equivalent of a licensed nurse engaging in school nursing activities.

24 SECTION 2. Only a physician licensed in this state under the Arkansas
25 Medical Practices Act, beginning at Arkansas Code 17-95-201 or a school nurse
26 may dispense any medications to any child in a public or private school in
27 Arkansas.

29 SECTION 3. (a) The State Board of Health shall promulgate rules and
30 regulations establishing health standards guiding school nurses.

31 (b) The State Board of Health shall have no authority to promulgate
32 rules or regulations or to establish standards with respect to the dispensing
33 of medications as referred to in Section 2 of this act.

34 (c) Nothing in this act shall be construed to modify, amend, supersede,
35 or otherwise affect in any way the law regarding school-based health clinics
36 under Arkansas Code 6-18-703.

1 (d) Nothing in this act shall be construed to regulate the practice of
2 nursing under the Nurse Practice Act, beginning at Arkansas Code 17-87-101.

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4 SECTION 4. The State Board of Education, after consultation with the
5 State Board of Health, shall promulgate appropriate rules and regulations for
6 the enforcement of Section 3 of this act by school boards, superintendents,
7 principles and any school official.

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9 SECTION 5. All provisions of this act of a general and permanent nature
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
11 Revision Commission shall incorporate the same in the Code.

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13 SECTION 6. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.

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19 SECTION 7. All laws and parts of laws in conflict with this act are
20 hereby repealed.