

ENROLLED ACT NO. 85, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

AN ACT relating to education; authorizing the state superintendent of public instruction to employ a state school nurse; specifying duties of the state school nurse; authorizing a position subject to conditions; requiring reports; providing a sunset date; and providing for effective dates.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 21-2-202(a) by creating new paragraphs (xxxviii), (xxxix) and by creating a new subsection (g) is amended to read:

**21-2-202. Duties of the state superintendent.**

(a) In addition to any other duties assigned by law, the state superintendent shall:

(xxxviii) When nonstate funds are received by the department of education that provide for one hundred percent (100%) of the cost, the state superintendent may hire the state school nurse as an at-will contract employee or may contract for nursing services to carry out the duties assigned under this paragraph. The state school nurse shall hold a Wyoming license as a registered nurse. The state school nurse shall:

(A) Identify professional development needs for Wyoming school nurses, with focus on caring for students with behavioral health needs and chronic diseases and make available training resources to meet the professional development needs identified;

(B) In consultation with the state health officer and the district boards of trustees, write or

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obtain standing orders for medication administration or treatment for students without a primary care physician who have urgent needs during the school day;

(C) Assist the superintendent in drafting recommendations for school district use to help facilitate care for behavioral health needs, enhance collaboration among school district personnel and community medical and behavioral health providers, and to prevent disease, substance abuse and bullying;

(D) Provide information to school nurses and school district boards of trustees on public health issues;

(E) In a manner to maintain student confidentiality, collect aggregated data from school districts on medical and behavioral health diagnoses, vision and hearing impairment, special education needs, and other nursing challenges that impact schools and students. The state superintendent, in consultation with the board of nursing, shall determine consistent, cost-effective outcomes that can be achieved through the requirements of the state school nurse as provided in this paragraph. The state superintendent shall use the data collected to determine progress toward and success of achieving the outcomes identified in this subparagraph. The state superintendent shall report annually to the joint education interim committee and the joint appropriations committee on the progress toward achieving the identified outcomes;

(F) In consultation with the board of nursing, develop best practice standards for school nursing;

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(G) At the request of district boards of trustees, advise on the child sexual abuse education, prevention and response program under W.S. 21-3-133.

(xxxix) Solicit nonstate funds for costs associated with the position of the state school nurse.

(g) Paragraphs (a)(xxxviii) and (xxxix) of this section are repealed July 1, 2026.

**Section 2.** The department of education is authorized one (1) at-will contract employee position or may contract for nursing services in accordance with W.S. 21-2-202(a)(xxxviii), as created by this act, contingent on the availability of nonstate funds. Any nonstate funds that become available for the purposes of W.S. 21-2-202(a)(xxxviii), as created by this act, shall be accepted through the B-11 process as authorized by W.S. 9-2-1005(b)(ii) and (g) and reported pursuant to W.S. 9-2-1013(b). It is the intent of the legislature that this position and the associated funds be included in the department of education's 2023-2024 exception budget request.

**Section 3.**

ORIGINAL HOUSE  
BILL NO. HB0165

ENGROSSED

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(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2020.

(b) Sections 2 and 3 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk