
HB 4009:

**Relating to Students Admitted to
Pediatric Nursing Facilities**

Oregon Department of Education

December 2014

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RELATING TO STUDENTS ADMITTED TO PEDIATRIC NURSING FACILITIES

Issue

Some of Oregon's most vulnerable students live in pediatric hospitals in order to have their special health needs addressed. The education of these students had been the responsibility of the school district in which the hospital was located, despite the hospital drawing students from around the state and sometimes from outside the state. In most cases the children are transported to a neighborhood school and some receive education services at the facility.

HB 4009 (2014) shifted the responsibility of providing educational services to students admitted to pediatric nursing facilities from the school districts in which the facilities reside to the Oregon Department of Education. The bill also established the Pediatric Nursing Facility Account within the State School Fund and appropriated \$5.155 million to the program or \$35,838 per student, up to a maximum of 58 students, to support their educational programs.

As part of this bill the legislature directed the Oregon Department as Education as follows:

- (1) The Department of Education, in cooperation with the Department of Human Services, shall review methods and responsibilities for payment of the costs of educational services provided to students who:
 - (a) Are admitted to pediatric nursing facilities in this state; and*
 - (b) Are not residents of this state for educational purposes.**
- (2) The Department of Education shall submit a report on the review described in subsection (1) of this section to the interim legislative committees on education no later than December 1, 2014.*

Pediatric Nursing Facilities in Oregon

HB 4009 defines a pediatric nursing facility as an organization that is licensed by the Department of Human Services and serves pediatric residents, of which 50 percent or more were admitted when 13 years of age or younger and of which 100 percent are 22 years of age or younger.

Responsibility for Educational Funding

HB 4009 states that the Department of Education shall be responsible for the provision of educational services to students admitted to pediatric nursing facilities. Further, HB 4009 assures that educational services be provided in the least restrictive environment in which the student can be educated. To accomplish this, HB 4009 directs that the Department of Education and the school district where a pediatric nursing facility is located to enter into a contract for the purpose of providing educational services to the students admitted to the pediatric nursing facility.

Current Contract Discussions with School Districts

Currently, there is only one pediatric nursing facility in the state that meets the criteria set down in HB 4009 and is therefore entitled to receive funding for educational services through the department. This program is the Providence Child Center, a pediatric nursing facility in Portland. As such, the department has entered into contract negotiations with Portland Public Schools for the payment of funds to the district to cover the costs of educating the students admitted to the Providence Child Care. At this time the contract negotiations are ongoing as the final contract language is worked out.

There are currently 39 students who reside at the Providence Pediatric Nursing Facility in Portland. Of these, 36 are Oregon resident students placed in the facility through the Department of Human Services. The other three students in the facility are not currently Oregon resident students with at least two of them being Washington residents.

Current Discussions and Review

As of the completion of this report, the Department of Education and the Department of Human Services have met and reviewed the process by which students are admitted to the Providence Pediatric Nursing facility and how the funding for medical services is provided through the state.

Meetings have been scheduled between the Director at the Department of Education and the Director of Providence Pediatric Nursing to discuss the possibility of the program including in their contract with other states payment for the provision of educational services. However, neither the Department of Education nor the Department of Human Services has been able to connect with the appropriate department in Washington State that is responsible for the placement and funding of the services for children placed from Washington into the Providence facility.

Placement decisions and the funding for these children can come from several sources and may result in the blending of both private and state dollars. This makes identifying the appropriate individual or department within Washington difficult. It is the goal of the Department of Education to ultimately determine whether or not current interstate agreements entered into by surrounding states are relevant to this case, or whether some other mechanism must be employed to secure payment from other states to cover the educational costs for students admitted to the Providence facility from outside of Oregon.