

SENATE BILL REPORT

ESB 5920

As Passed Senate, March 11, 1995

Title: An act relating to delegating nursing care in schools.

Brief Description: Authorizing delegation of nursing care tasks in public schools.

Sponsors: Senators Franklin, Pelz, McAuliffe, Rasmussen, Snyder, Winsley, Fairley and C. Anderson.

Brief History:

Committee Activity: Health & Long-Term Care: 2/28/95 [DP, DNP].
Passed Senate, 3/11/95, 48-0.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Quigley, Chair; Wojahn, Vice Chair; Fairley, Franklin and Winsley.

Minority Report: Do not pass.

Signed by Senators Deccio and Moyer.

Staff: Rhoda Jones (786-7198)

Background: There are 348 school nurses providing medical services to 900,000 students in Washington public and private schools. Three specific statutes authorize non-medical school personnel to dispense oral medications and perform intermittent bladder catheterization of students under a nurse's supervision. There is growing concern amongst school personnel that they are being asked to perform increasingly complicated medical tasks without supervision in school settings.

Summary of Bill: School nurses may train school personnel to do specific nursing care tasks. These include topical medications and ointments, nose, ear and eye drops and ointments, suppositories, and gastrotomy feedings in established, wound-healed gastrotomies. School nurses may not delegate sterile procedures, crossing the barrier of the skin, management, manipulation, or care for intravenous devices, intravenous lines, or infusion of intravenous substances. Delegates must be registered or certified nursing assistants, or credentialed health personnel.

These tasks may only be performed on a patient who is in a stable and predictable condition, as defined by the Washington State Nursing Care Quality Assurance Commission (NCQAC). NCQAC must establish delegation protocols, which include training requirements, by July 1, 1996.

School districts participating in nurse delegation must designate two certificated or classified school employees at the beginning of the school year to act as delegates.

Delegates must be trained in infection control procedure to be provided by the school district.

The Legislative Budget Committee is authorized to conduct a study on the number of school nurses in the state and report to the Legislature by December 1996.

School nurses must obtain a written consent signed by the consumer, delegate, and registered nurse agreeing to the provision of delegated nursing tasks.

No one may coerce a school nurse into delegation. No school nurse or delegate is subject to employer reprisal or commission disciplinary action for refusing to delegate or accept delegated tasks.

School nurses and delegates acting within the protocols of their delegation authority are immune from suit in any action, civil or criminal, performed in the course of their delegation duties.

Delegates and consumers have the right to refuse the delegation of nursing tasks.

The Department of Health, NCQAC, the Superintendent of Public Instruction and other interested parties submit a report on nurse delegation in public schools to the Legislature by December 1997. OSPI communicates information about nurse delegation to the public.

Appropriation: None.

Fiscal Note: Requested on February 20, 1995.

Effective Date: Sections 1 through 3, and 5 through 7 take effect September 1, 1996.

Testimony For: The number of medically needy children in schools is increasing. Public school employees need help handling their needs.

We need appropriate medical supervision in schools. Allowing nurses to delegate and train us will improve care for needy children.

Testimony Against: The problem is too few nurses in schools. This bill will stretch the scarce resource even further.

Testified: Lynn McKinnon, PSE (pro); Judy Hartman, WEA (pro); Lisa Thatcher, WSNA, SNOW (con).