

SENATE BILL REPORT

SB 5325

As Passed Senate, March 6, 2017

Title: An act relating to clarifying the authority of a nurse working in a school setting.

Brief Description: Clarifying the authority of a nurse working in a school setting.

Sponsors: Senators Zeiger and Conway.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/07/17, 2/14/17 [DP].

Floor Activity:

Passed Senate: 3/06/17, 49-0.

Brief Summary of Bill

- Prohibits school administrators from interfering with nursing care provided by a registered nurse or advanced registered nurse practitioner working in a school setting, but allows administrators to supervise nurses in all other aspects of employment.
- Provides that only a registered nurse or advanced registered nurse practitioner may supervise, direct, or evaluate a licensed nurse working in a school setting with respect to the practice of nursing.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Zeiger, Chair; Fain, Vice Chair; Rolfes, Ranking Minority Member; Billig, Mullet, Rivers and Warnick.

Staff: Alia Kennedy (786-7405)

Background: In Washington, registered nurses, advanced registered nurses, and licensed practical nurses must be licensed in order to practice or offer to practice. This requirement applies in a school setting.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Current law defines registered nursing practice as the performance of acts requiring substantial specialized knowledge, judgment, and skill based on the principles of certain sciences in one of the following:

- the observation, assessment, diagnosis, care or counsel, and health teaching of certain individuals;
- the performance of such additional acts requiring education and training and are recognized by certain entities;
- the administration, supervision, delegation, and evaluation of nursing practice;
- the teaching of nursing; or
- the executing of medical regimen as prescribed by certain professionals.

Advanced registered nursing practice means the performance of the acts of a registered nurse and the performance of an expanded role in providing health care services as recognized by certain entities. An advanced registered nurse practitioner may prescribe legend drugs and controlled substances.

Licensed practical nursing practice means the performance of services requiring the knowledge, skill, and judgment necessary for carrying out selected aspects of the designated nursing regimen under the direction and supervision of certain professionals.

Under current law, the board of directors of any school district of the second class may employ a regularly licensed physician or a licensed public health nurse for the purpose of protecting the health of children in the district.

Summary of Bill: School administrators may not interfere with nursing care provided by a registered nurse or an advanced registered nurse practitioner working in a school setting, but may supervise in all other aspects of employment.

Only a licensed registered nurse or advanced registered nurse practitioner may supervise, direct, or evaluate a licensed nurse working in a school setting with respect to the practice of nursing.

Within existing funds, the Office of the Superintendent of Public Instruction must notify each school district in the state of this requirement.

The practice of nursing means registered nursing practice, advanced registered nursing practice, and licensed practical nursing practice as defined in current law, including but not limited to the following:

- the administration of medication pursuant to a medication or treatment order; and
- the decision to summon emergency medical assistance.

The practice of nursing also means compliance with any state or federal statute or administrative rule specifically regulating licensed nurses, including any statute or rule defining or establishing standards of patient care or professional conduct or practice.

Nothing in this act:

- prohibits a non-nurse supervisor from supervising, directing, or evaluating a licensed nurse working in a school setting with respect to matters other than the practice of nursing;
- requires a registered nurse or an advanced registered nurse practitioner to be clinically supervised in a school setting; or
- prohibits a non-nurse supervisor from conferring with a licensed nurse working in a school setting with respect to the practice of nursing.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The state regulates school nurses in two separate statutes. The bill simply clarifies that school administrators do not supervise the medical decisions of registered nurses. School nurses are responsible and accountable for the quality of nursing care given to students, and that responsibility cannot be avoided by accepting the directions of another person. The Nursing Commission expects that nurses make decisions about nursing care, not a non-medically trained supervisor. The bill distinguishes between the responsibility of a school nurse with regard to their role as an employee and in providing safe, clinical care to students.

Persons Testifying: PRO: Catherine Woodard, Nursing Care Quality Assurance Commission; Melissa Johnson, School Nurse Organization of Washington, Washington State Nurses Association; Theresa Hutchison, School Nurse Organization of Washington.

Persons Signed In To Testify But Not Testifying: No one.