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**SUBSTITUTE HOUSE BILL 1346**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** House Education (originally sponsored by Representatives Springer, Muri, Dolan, Harris, Appleton, Tarleton, Cody, Santos, and Ortiz-Self)

READ FIRST TIME 02/13/17.

1 AN ACT Relating to clarifying the authority of a nurse working in  
2 a school setting; adding a new section to chapter 28A.210 RCW; and  
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) A registered nurse or an advanced registered nurse  
7 practitioner working in a school setting is authorized and  
8 responsible for the nursing care of students to the extent that the  
9 care is within the practice of nursing. A school administrator may  
10 supervise a registered nurse or an advanced registered nurse  
11 practitioner in aspects of employment other than the practice of  
12 nursing;

13 (b) Nursing is governed by specific laws and regulations and  
14 requires a unique license to practice. Clinical supervision of a  
15 nurse is based on knowledge of the laws, regulations, and rules  
16 governing nursing practice, nursing practice standards, and nursing  
17 performance standards;

18 (c) Student health needs have changed dramatically over the last  
19 twenty years. The number of students with special health care needs  
20 has risen exponentially;

1 (d) School nurses are held accountable through chapter 18.79 RCW  
2 and the uniform disciplinary act, chapter 18.130 RCW, for errors in  
3 nursing judgment and actions;

4 (e) Individuals who are not nurses are unqualified to make  
5 nursing judgments and assessments;

6 (f) The independent nature of nursing has been recognized in both  
7 statute and rule. For example, under RCW 18.79.040, "registered  
8 nursing practice" includes the "administration, supervision,  
9 delegation, and evaluation of nursing practice." Furthermore,  
10 continuing competency rules recently adopted by the nursing care  
11 quality assurance commission recognize and acknowledge the  
12 independent nature of nursing; and

13 (g) The ability of a nurse to practice nursing without the  
14 supervision of a nonnurse supervisor is particularly important given  
15 the primacy of the nurse-patient relationship.

16 (2) It is therefore the intent of the legislature to reaffirm the  
17 authority of a licensed nurse working in a school setting to practice  
18 nursing without the supervision of a person who is not a licensed  
19 nurse.

20 (3) It is not the intent of the legislature to:

21 (a) Prohibit a nonnurse from supervising a licensed nurse working  
22 in a school setting with respect to matters other than the practice  
23 of nursing, such as matters of administration, terms and conditions  
24 of employment, and employee performance; or

25 (b) Require a school to provide clinical supervision for a  
26 licensed nurse working in a school setting.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.210  
28 RCW to read as follows:

29 (1)(a) A registered nurse or an advanced registered nurse  
30 practitioner licensed under chapter 18.79 RCW working in a school  
31 setting is authorized and responsible for the nursing care of  
32 students to the extent that the care is within the practice of  
33 nursing as defined in this section.

34 (b) A school administrator may supervise a registered nurse or an  
35 advanced registered nurse practitioner licensed under chapter 18.79  
36 RCW in aspects of employment other than the practice of nursing as  
37 defined in this section.

38 (c) Only a registered nurse or an advanced registered nurse  
39 practitioner licensed under chapter 18.79 RCW may supervise, direct,

1 or evaluate a licensed nurse working in a school setting with respect  
2 to the practice of nursing as defined in this section.

3 (2) Nothing in this section:

4 (a) Prohibits a nonnurse supervisor from supervising, directing,  
5 or evaluating a licensed nurse working in a school setting with  
6 respect to matters other than the practice of nursing;

7 (b) Requires a registered nurse or an advanced registered nurse  
8 practitioner to be clinically supervised in a school setting; or

9 (c) Prohibits a nonnurse supervisor from conferring with a  
10 licensed nurse working in a school setting with respect to the  
11 practice of nursing.

12 (3) Within existing funds, the superintendent of public  
13 instruction shall notify each school district in this state of the  
14 requirements of this section.

15 (4) For purposes of this section, "practice of nursing" means:

16 (a) Registered nursing practice as defined in RCW 18.79.040,  
17 advanced registered nursing practice as defined in RCW 18.79.050, and  
18 licensed practical nursing practice as defined in RCW 18.79.060,  
19 including, but not limited to:

20 (i) The administration of medication pursuant to a medication or  
21 treatment order; and

22 (ii) The decision to summon emergency medical assistance; and

23 (b) Compliance with any state or federal statute or  
24 administrative rule specifically regulating licensed nurses,  
25 including any statute or rule defining or establishing standards of  
26 patient care or professional conduct or practice.

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