

SENATE BILL REPORT

SHB 1790

As of March 25, 2015

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: House Committee on Education (originally sponsored by Representatives Springer, Muri, Ortiz-Self and Reykdal).

Brief History: Passed House: 3/10/15, 80-17.

Committee Activity: Early Learning & K-12 Education: 3/24/15.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Ailey Kato (786-7434)

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

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 that 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.

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.

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 the children in said district.

Summary of Bill: The stated intent is to reaffirm the authority of a licensed nurse working in a school setting to practice nursing without the supervision of a person who is not a licensed nurse.

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 Superintendent of Public Instruction must notify each school district in this 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 nonnurse 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 nonnurse supervisor from conferring with a licensed nurse working in a school setting with respect to the practice of nursing.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: When engaging in the practice of nursing, school nurses should be supervised by a medically trained person. In other respects, school

nurses should be supervised by a principal. A school nurse must be able to make a nurse's own decisions when engaging in the practice of nursing. Non-nurse supervisors or colleagues should not be able to disagree or challenge a nurse when the nurse exercises professional judgment. School nurses need space and autonomy, so they can safely deliver healthcare to students.

Persons Testifying: PRO: Representative Springer, prime sponsor; Sofia Aragon, Theresa Hutchison, Celeste Dillard, School Nurse Organization of WA.

Persons Signed in to Testify But Not Testifying: No one.