
HOUSE BILL 1753

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Lias, Hope, Clibborn, Maxwell, and Billig

Read first time 02/01/11. Referred to Committee on Education.

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) Nursing is governed by specific laws and regulations and
7 requires a unique license to practice. Clinical supervision of a nurse
8 is based on knowledge of the laws, regulations, and rules governing
9 nursing practice, nursing practice standards, and nursing performance
10 standards;

11 (b) Student health needs have changed dramatically over the last
12 twenty years. The number of students with special health care needs
13 has risen exponentially;

14 (c) School nurses are held accountable through chapter 18.79 RCW
15 and the uniform disciplinary act, chapter 18.130 RCW, for errors in
16 nursing judgment and actions;

17 (d) Individuals who are not nurses are unqualified to make nursing
18 judgments and assessments;

1 (e) The independent nature of nursing has been recognized in both
2 statute and rule. For example, under RCW 18.79.040, "registered
3 nursing practice" includes the "administration, supervision,
4 delegation, and evaluation of nursing practice." Furthermore,
5 continuing competency rules recently adopted by the nursing care
6 quality assurance commission recognize and acknowledge the independent
7 nature of nursing; and

8 (f) The ability of a nurse to practice nursing without the
9 supervision of a nonnurse supervisor is particularly important given
10 the primacy of the nurse-patient relationship.

11 (2) It is therefore the intent of the legislature to reaffirm the
12 authority of a licensed nurse working in a school setting to practice
13 nursing without the supervision of a person who is not a licensed
14 nurse.

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

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

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

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

24 (1) Only a registered nurse or an advanced registered nurse
25 practitioner licensed under chapter 18.79 RCW may supervise, direct, or
26 evaluate a licensed nurse working in a school setting with respect to
27 the practice of nursing as defined in this section.

28 (2) Nothing in this section:

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

32 (b) Requires a registered nurse or an advanced registered nurse
33 practitioner to be clinically supervised in a school setting.

34 (3) Within existing funds, the superintendent of public instruction
35 shall notify each school district in this state of the requirements of
36 this section.

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

1 (a) Registered nursing practice as defined in RCW 18.79.040,
2 advanced registered nursing practice as defined in RCW 18.79.050, and
3 licensed practical nursing practice as defined in RCW 18.79.060,
4 including, but not limited to:

5 (i) The administration of medication pursuant to a medication or
6 treatment order; and

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

8 (b) Compliance with any state or federal statute or administrative
9 rule specifically regulating licensed nurses, including any statute or
10 rule defining or establishing standards of patient care or professional
11 conduct or practice.

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