

HOUSE BILL REPORT

HB 1790

As Reported by House Committee On: Education

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: Representatives Springer, Muri, Ortiz-Self and Reykdal.

Brief History:

Committee Activity:

Education: 2/10/15, 2/17/15 [DPS].

Brief Summary of Substitute Bill

- 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.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist, Caldier, Fagan, Gregory, Griffey, Hargrove, Hayes, S. Hunt, Kilduff, Lytton, McCaslin, Orwall, Pollet and Springer.

Minority Report: Do not pass. Signed by 1 member: Representative Klippert.

Staff: Robin Hammond (786-7291) and Cece Clynch (786-7195).

Background:

Students attend school with a broad range of health conditions. These range from potentially life-threatening acute and chronic conditions to correctable vision problems.

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.

The attendance of children at public schools is conditioned upon the presentation, before or on each child's first day of attendance, of a medication or treatment order addressing any life threatening health condition that the child has that may require medical services to be performed at the school. Once such an order has been presented, the child is allowed to attend school.

Summary of Substitute Bill:

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

This does not:

- prohibit a non-nurse supervisor from supervising, directing, or evaluating with respect to other matters;
- require a registered nurse or advanced registered nurse practitioner to be clinically supervised; or
- prohibit a non-nurse supervisor from conferring with the nurse regarding the practice of nursing.

The practice of nursing is defined as registered nursing practice, advanced nursing practice, and licensed practical nursing, including, but not limited to, the administration of medication pursuant to a medication or treatment order and the decision to summon emergency medical assistance. Such practice also encompasses 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, professional conduct, or practice.

Substitute Bill Compared to Original Bill:

The substitute bill adds the statement to the intent section and the underlying bill that 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 a registered nurse or an advanced registered nurse practitioner in all other aspects of employment.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Nurses are rigorously trained to respond quickly to complex issues. Nursing is a profession that requires a unique license and is subject to standards. School educators do not have the knowledge, ability, or legal authority to direct or supervise nurses.

This bill allows a nurse to practice his or her judgment, without harm or interference, to be an effective advocate for children. When nurses make a medical decision, it is important that their judgment will be followed without delay to avoid health risks to the student. Insistent questioning by non-nurses can get in the way of care. Children should not be the subject of debate when they need medical attention.

School health has changed dramatically over the last 35 to 40 years. From 1992 to 2011 the number of children with diabetes grew 40 times and the number of children with asthma grew 60 times. These serious and life-threatening health conditions have skyrocketed. There are children in our schools who have gastrostomy tubes for feeding, are on oxygen, need constant care, and are undergoing chemotherapy. All these students attend school, and the current system puts them at-risk. This can be fixed easily by clarifying existing law.

(In support with concerns) In some schools there are not enough resources for more than one nurse at a time. Therefore, the problem is that there is no one to supervise a nurse in this situation to determine if he or she is doing their job. This issue needs to be addressed. The working definition of the practice of nursing also needs to be addressed.

(Opposed) None.

Persons Testifying: (In support) Representative Springer, prime sponsor; and Celeste Dillard, Theresa Hutchinson, and Sofia Aragon, School Nurses Organization of Washington.

(In support with concerns) Jerry Bender, Association of Washington School Principals.

Persons Signed In To Testify But Not Testifying: None.