

SENATE BILL REPORT

SHB 1346

As Reported by Senate Committee On:
Early Learning & K-12 Education, March 21, 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: House Committee on Education (originally sponsored by Representatives Springer, Muri, Dolan, Harris, Appleton, Tarleton, Cody, Santos and Ortiz-Self).

Brief History: Passed House: 2/27/17, 95-1.

Committee Activity: Early Learning & K-12 Education: 3/13/17, 3/21/17 [DP].

Brief Summary of Bill

- Specifies that a registered nurse or an advanced registered nurse practitioner working in a school setting is authorized and responsible for the nursing care of students to the extent that the care is within the practice of nursing.
- Provides that a school administrator may supervise a registered nurse or an advanced registered nurse practitioner in aspects of employment other than the practice of nursing.
- Provides that 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.

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 and Warnick.

Staff: Alia Kennedy (786-7405)

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.

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.

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: A registered nurse or an advanced registered nurse practitioner working in a school setting is authorized and responsible for the nursing care of students to the extent that the care is within the practice of nursing. A school administrator may supervise a registered nurse or an advanced registered nurse practitioner in aspects of employment other than the practice of nursing. 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.

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.

The Superintendent of Public Instruction must notify each school district of these requirements, within existing funds.

The practice of nursing means registered nursing practice, advanced registered nursing practice, and licensed practical nursing practice as defined in nursing care statute. Such practice includes the administration of medication pursuant to a medication or treatment order and the decision to summon emergency medical assistance. It also requires 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.

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: Nurses often have both pedagogical and clinical responsibilities within a school. When a nurse is working in their clinical capacity, then the nurse should be responsible for medical decision-making. Administrators should be responsible for personnel-related issues. The Nurses Commission supports this bill. The bill distinguishes between the responsibility of nurses as both an employee and a clinician. Non-medically trained supervisors should not make decisions with regard to clinical care.

OTHER: The Association of Washington School Principals prefers the House version of the bill.

Persons Testifying: PRO: Representative Larry Springer, Prime Sponsor; Theresa Hutchison, School Nurses of Washington Organization; Catherine Woodard, Nursing Care Quality Assurance Commission.

OTHER: Jerry Bender, Association of Washington School Principals.

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