
SENATE BILL 5325

State of Washington

65th Legislature

2017 Regular Session

By Senators Zeiger and Conway

Read first time 01/20/17. Referred to Committee on Early Learning & K-12 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) School administrators may not interfere with nursing care
7 provided by a registered nurse or an advanced registered nurse
8 practitioner working in a school setting, but may supervise a
9 registered nurse or an advanced registered nurse practitioner in all
10 other aspects of employment;

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

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

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

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

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

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

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

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

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

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

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

26 (1) School administrators may not interfere with nursing care
27 provided by a registered nurse or an advanced registered nurse
28 practitioner working in a school setting, but may supervise a
29 registered nurse or an advanced registered nurse practitioner in all
30 other aspects of employment. Only a registered nurse or an advanced
31 registered nurse practitioner licensed under chapter 18.79 RCW may
32 supervise, direct, or evaluate a licensed nurse working in a school
33 setting with respect to the practice of nursing as defined in this
34 section.

35 (2) Nothing in this section:

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

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

3 (c) Prohibits a nonnurse supervisor from conferring with a
4 licensed nurse working in a school setting with respect to the
5 practice of nursing.

6 (3) Within existing funds, the superintendent of public
7 instruction shall notify each school district in this state of the
8 requirements of this section.

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

10 (a) Registered nursing practice as defined in RCW 18.79.040,
11 advanced registered nursing practice as defined in RCW 18.79.050, and
12 licensed practical nursing practice as defined in RCW 18.79.060,
13 including, but not limited to:

14 (i) The administration of medication pursuant to a medication or
15 treatment order; and

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

17 (b) Compliance with any state or federal statute or
18 administrative rule specifically regulating licensed nurses,
19 including any statute or rule defining or establishing standards of
20 patient care or professional conduct or practice.

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