

Louisiana State Board of Nursing

DECLARATORY STATEMENT ON THE REGISTERED NURSE DELEGATING TO TRAINED, UNLICENSED SCHOOL EMPLOYEES, THE ADMINISTRATION OF MEDICATIONS DURING LIFE THREATENING SITUATIONS

Preamble

The safety and welfare of the student must be given primary consideration when the Registered Nurse (RN) in the school setting delegates to unlicensed individuals, the administration of medication. The law governing the practice of nursing provides an exception to licensure when rendering nursing assistance by any individual in the case of immediate emergency (La. R.S. 37:911, §929.3). Defined as a complex task, the administration of medications requires the consideration of a number of factors and the formulation of judgments according to those factors. As such, the delegation of medication administration to unlicensed assistive personnel is prohibited in the public school system except for as provided for in La. R.S. 17:436.1 (L.A.C. 46:XLVII.3703).

Authority

Pursuant to La. R.S. 37:911 and L.A.C. 46:XLVII.3321, the Louisiana State Board of Nursing (LSBN), is authorized to issue declaratory statements in response to requests for clarification of the effect of La. R.S. 37:911 et seq. and L.A.C. Title 46, Professional and Occupational Standards, as revised and amended.

Key Concepts

- As mandated by La. R.S. 17:436.1, the Louisiana Board of Elementary and Secondary Education (BESE) and the LSBN, jointly promulgated rules that have outlined the administration of medication, including definitions, conditions and restrictions related therein in the school setting. The rules are set forth in L.A.C. 28:CLVII.Bulletin 135 – Health and Safety.
- Each local educational governing authority shall establish guidelines based upon the joint policy of the BESE and the LSBN for the administration of medication (L.A.C. 28:CLVII.Bulletin 135 – Health and Safety).
- Delegating Nursing Interventions has been defined as entrusting the performance of selected nursing tasks by the RN to other competent nursing personnel in selected situations. The RN retains the accountability for the total nursing care of the individual. The RN is responsible for and accountable to each consumer of nursing care for the quality of nursing care he or she receives, regardless of whether the care is provided solely by the RN or by the RN in conjunction with trained, unlicensed assistive personnel (L.A.C. 46:XLVII.3703).
- The RN shall assess the patient care situation which encompasses the stability of the clinical environment and the clinical acuity of the patient, including the overall complexity of the student's health care problems. This assessment shall be utilized to assist in determining which tasks may be delegated and the amount of supervision which will be required. Any situation where tasks are delegated should meet the following criteria:
 - (a) The person has been adequately trained for the task.
 - (b) The person has demonstrated that the task has been learned.
 - (c) The person can perform the task safely in the given nursing situation.
 - (d) The patient's status is safe for the person to carry out the task.
 - (e) Appropriate supervision is available during the task implementation.
 - (f) The task is in an established policy of the nursing practice setting and the policy is written, recorded and available to all (L.A.C. 46:XLVII.3703).

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- The RN shall know the cause and effect of every medication (s)he administers personally or through delegation. Delegation carries with it the responsibility to ascertain the competence of persons to whom delegation is made. Since supervision of personnel associated with nursing functions are included in the legal definition of nursing, it is the responsibility of the RN to ascertain the competency of the persons to whom (s)he delegates the administration of medication.
- Trained, unlicensed school employees may administer injectable medications in life threatening situations (L.A.C. 28:CLVII.Bulletin 135 – Health and Safety).
- Examples of emergency medications typically utilized in the school setting include, but are not limited to, Glucagon, Diastat, Solu-Cortef and Epinephrine.

LSBN Concluding Statement

Based on the RN's assessment of the school environment and the clinical acuity of the student, including the overall complexity of the student's health care problems, the RN retains the accountability for the total nursing care of the student regardless of whether the care is provided solely by the RN or the RN in conjunction with licensed or unlicensed school employees. **It is the responsibility of the school RN to determine when a life threatening situation exists and when medication administration may be delegated to trained, unlicensed school employees.** The nursing judgment must be based on, in part:

- 1) a clinical protocol that is in place at the school that clearly describes the responsibility and accountability of the school nurse when determining a life threatening situation exists and when medication administration may be delegated to a trained, unlicensed school employee;
- 2) the RN's assessment that the trained, unlicensed school employee is competent to recognize life threatening situations and to administer emergency medications appropriately;
- 3) a signed agreement from the student's parent(s)/legal guardian(s) authorizing the administration of emergency medications to their child by a trained, unlicensed school employee;
- 4) all requirements as outlined in L.A.C. 28:CLVII.Bulletin 135 – Health and Safety have been met.

Sources:

- 1) Louisiana Administrative Code (2017). Title 46, professional and occupational standards, part xlvii. nurses: Practical nurses and registered nurses, subpart 2. registered nurses. Retrieved November 14, 2017 from <http://www.lsbm.state.la.us/NursingPractice/Laws,Rules.aspx>.
- 2) Louisiana Administrative Code (2017). Title 28, education, part clvii. Bulletin 135, health and safety. Retrieved November 14, 2017 from <http://bese.louisiana.gov/documents-resources/policies-bulletins>.
- 3) Louisiana Revised Statutes R.S. 37:911 (2017). The law governing the practice of nursing. Retrieved November 14, 2017 from <http://www.lsbm.state.la.us/NursingPractice/Laws,Rules.aspx>.
- 4) Louisiana Revised Statutes R.S. 17:436.1 (2017). Administration of medication; definition; conditions; restrictions. Retrieved November 14, 2017 from <https://law.justia.com/codes/louisiana/2011/rs/title17/rs17-436-1/>.