

Making Decisions about Assigning Skilled Medical Procedures/Nursing Interventions at School: Guidance for School Administrators

I. What activities fall under the scope of “skilled medical procedures?”

A. Not all students with medical diagnoses or conditions require special interventions at school.

B. Special medical interventions required during the school day should be medically necessary, required in order to maintain the student’s health, safety, and ability to perform at school. Medical necessity is established by written authorization from the student’s health care provider. In some situations, it is valid to obtain and evaluate additional medical history on the student, with parent/guardian consent, in order to establish the medical necessity of the procedure or intervention. A licensed health care professional working on behalf of the school may be needed to assist administrators in evaluating this information.

C. The more common skilled medical procedures needed by Nebraska students include (but are not limited to):

1. cares for students with diabetes
2. medication administration by routes other than oral, topical, inhalation, and instillation. These additional routes may include: medications by gastrostomy tube, by injection (insulin, glucagon, clotting factors for hemophilia), or by rectal suppository (Diastat)
3. urinary catheterization
4. gastrostomy tube feedings
5. tracheostomy cares including suctioning, removal of the trach for cleaning, and emergency replacement of the trach tube
6. invasive procedures of any type
7. procedures intended to be utilized on an as needed basis, which involve understanding the circumstances or indications when the procedure should/should not be implemented.

II. Considerations for School Administrators

A. Staff assignments and training

1. The delegation decision is made by a registered nurse.
2. The assignment may be outside the “usual” assigned duties of the educational personnel.
3. Additional specialized training is often required.
4. The designated staff member must agree to the responsibility of performing the additional assignment.
5. Sometimes gender and strength considerations apply (in delivering personal cares that may involve disrobing the student; in requirements to safely transfer and position the student).
6. There must be adequate planning for a trained and qualified substitute for the person primarily assigned.

B. Parent/guardian concerns

1. Parents of children with special needs will look to the principal to assign capable, responsive, agreeable staff to their child.
2. Parents/guardians often wish to have ongoing and frequent communication with their child's assigned caregiver.
3. Parents/guardians will judge the adequacy of the care given their child and will communicate concerns or perceptions of shortcomings to the principal.
4. Building a relationship of trust and satisfaction between school and parent/guardian may face special challenges. It may take time for parents to feel confident the school is adequately prepared to provide necessary medical cares at school for a child with special needs.

C. Legal/ethical considerations

1. The adequacy of delivery of skilled medical cares at school can be the difference of life or death.
2. The child who is verified special education is protected by federal law, IDEA. The child's individualized education plan must encompass related services if they are needed, the plan must address the child's safety at school, and qualified personnel must be provided.
3. The child who is not verified special education but has needs for medical attention during the school day may qualify for accommodations by the school under section 504 of the Civil Rights Act.
4. Delivery of skilled medical procedures by an institution such as the school is a regulated act in the state of Nebraska. A reliable and appropriate process must be demonstrated in making decisions about staffing and assignment of such procedures in order to assure that neither parent/guardian nor school is practicing medicine or nursing without a license.

III. **Parents provide these skilled cares. What difference does it make who does it at school as long as parent/guardian is satisfied?**

- A. The delivery of skilled medical procedures in non-home settings is regulated by the state.
- B. A parent/guardian in Nebraska is permitted to learn the necessary cares for their own child, and carry them out themselves in home or other locations. When an organization such as a school assumes responsibility for these cares, a registered nurse is required to assess and delegate the cares to be provided, consistent with state laws and regulations.
- C. IDEA includes provisions for related services that require the services of a licensed nurse. It is not presumed in IDEA that unlicensed school personnel can or should carry out all care and services required by the student.

IV. **What is the decision-making process for determining if a child's procedures can be assigned to a school teacher or para?**

- A. Obtain parent/guardian request/consent for the cares, including a complete description of what is to be done at school, and when.

- B. Obtain written authorization from a health care professional stating the cares are medically necessary and required for the student's safe and optimal participation in the educational experience.
- C. Obtain additional medical information if needed to understand how the student's educational program and performance will be affected by the condition and by necessary cares, and to obtain adequate medical direction on performance of the cares or procedures at school.
- D. Establish the plan of medical care at school. The activities and the procedures necessary to accomplish the plan of medical care are nursing interventions. Nursing interventions fall within the regulated scope of practice of nursing.
- E. The delegation decision is made by a registered nurse and includes determining which nursing intervention(s) may be delegated, selecting which unlicensed person(s) may provide the delegated interventions, determining the degree of detail and method to be used to communicate the delegation plan, and selecting a method of evaluation and supervision. Only licensed Registered Nurses may delegate nursing interventions to be performed by others.
- F. When unlicensed personnel are assigned the responsibility of performing the procedures, this is an act of delegation, and is defined as "transference from an RN to an unlicensed person the authority, responsibility, and accountability to provide selected non-complex nursing interventions on behalf of the RN"
- G. Only selected non-complex nursing interventions may be delegated. Non-complex interventions those which safely be performed according to exact directions, do not require alteration of the standard procedure, and for which the results and patient/student responses are predictable (either results do not vary, or vary within a predictable range which can be identified in the plan).
- H. Complex nursing interventions may not be delegated to unlicensed personnel. These require nursing judgment to safely alter standard procedures in accordance with the needs of the student, or require nursing judgment to determine how to proceed from one step to the next; or require the multidimensional application of the nursing process.

V. If a school does not employ a school nurse, how are delegation decisions to be made by the school when a child with special health care needs enrolls?

- A. Delegation decisions require a Registered Nurse.
- B. Under Nebraska law, only the licensed Registered Nurse is qualified to make the necessary delegation decision and provide the required training and supervision if the cares are to be delegated to an unlicensed member of the school staff.
- C. Nothing in Nebraska law precludes the school engaging a registered nurse on a volunteer basis to perform these functions.
- D. An Educational Service Unit may be the source of information and guidance on accessing services of a Registered Nurse familiar with the school setting.
- E. A local health department familiar with the school environment may employ a nurse who can provide consultation to the local school for this purpose.
- F. The Department of Health and Human Services, School Health program, employs a Registered Nurse available for consultation on delegation decisions as well as other areas of school health practice.