**Conclusion Statement**
Under Washington law, Chapter 28A.210 RCW, the registered nurse (RN) is permitted to delegate certain nursing care and medical tasks to designated unlicensed persons in public and private kindergarten through twelve (K-12) grade schools. (Common School Provisions, Title 28A RCW). These laws provide specific legal exceptions to delegation limits under the Nurse Practice Act, Chapter 18.79 RCW. It is not within the scope of practice for the licensed practical nurse (LPN) to delegate nursing tasks to unlicensed persons in a K-12 school setting.

**Background and Analysis**
Growing numbers of Washington State students with acute or chronic health care needs depend on help with nursing tasks during the school day. Students must have access to health care during school hours and at extra-curricular school-sponsored events to enable them to participate fully. Many school districts in Washington State do not have a full-time school nurse. Providing nursing care and delegation in school settings is uniquely challenging since a school’s primary mission is education, not health care. It is not a traditional health care setting where advanced emergency equipment and other licensed health care providers are readily available.

Nursing delegation is defined as the transfer of the performance of selected nursing tasks to competent individuals in selected situations. The nurse delegating the task is responsible and accountable for the nursing care of the patient. The nurse delegating the task supervises the performance of the unlicensed
person. Nurses must follow the delegation process outlined in the Nurse Practice Act. Nurses are not allowed to delegate administration of medications, the piercing or severing of tissues, or acts that require nursing judgment unless specifically allowed by law. RCW 18.79.260. Chapter 28A.210 RCW allows exceptions for the RN to delegate certain medical tasks to unlicensed persons in schools. This law applies only to kindergarten through twelve grade (K-12), both public and private schools. Common School Provisions, Title 28A RCW. Chapter 28A.210 RCW does not apply to early childhood programs (child care facilities, preschools, head start programs, or early head start programs) licensed by the Department of Children, Youth, and Families (DCYF) or to the state schools for the blind, deaf, or sensory handicapped, or to camp settings not under the jurisdiction of a K-12 public or private school. Chapter 28A.210 RCW.

Under the Common School Provisions, Title 28A. RCW, Chapter 28A.210 RCW, the RN may delegate some nursing tasks to unlicensed persons. These include:

- The administration of specific medications (topical medications, oral medications, eye drops, ear drops, and nasal spray medications with a prescription from an authorized health care practitioner) that would not be allowed under nursing laws:
  - Intranasal legend drugs (including controlled substances) may be delegated only if a licensed RN is not on the premises. (RCW 28A.210.260). The law requires a school employee (non-nurse) that administers a legend drug (intranasal) to summon emergency medical assistance as soon as practicable.

- The administration of epinephrine using an auto-injection device (RCW 28A.210.383).

- The performance of non-sterile, intermittent bladder catheterization (RCW 28A.210.280).

- The performance of other routine and non-complex nursing tasks that do not require nursing judgment or nursing skill.

In K-12 schools, these tasks are sometimes performed by non-credentialed, unlicensed assistive personnel (UAP) who are school employees, or by a parent-designated adult (PDA) according to the student’s individual health plan (IHP) and/or emergency health plan (EHP). The law requires an IHP and EHP for students with diabetes (RCW 28A.210.330) or seizure disorder. An EHP is required for students with anaphylaxis. RCW 28A.210.380. The school law allows a PDA to perform specific tasks for:

- Students with diabetes (RCW 28A.210.330).

- Students with a seizure disorder (RCW 28A.210.260(8)(a)).

The RN assigned to a student, or who has a student caseload, is responsible for the decision to delegate nursing care. The law provides protection from coercion or retaliation by others (such as administrators, teachers, parents, or other health care providers) if the nurse determines it is inappropriate to delegate a task (RCW 18.79.260).

**Recommendations**

Delegation, as historically constructed in the school setting, allows the school RN to supervise care to best assure patient safety. Delegation may only be done if a student’s condition is stable and predictable unless a legal exception for emergency care exists. It is important to clarify that tasks that require nursing skill and judgment may not be delegated. Complex tasks may not be delegated. The school RN must understand the principles of delegation and follow the delegation process.
**Conclusion**
Where law permits, appropriately designated, trained, and supervised unlicensed persons can, through principles of delegation, assist the school RN in meeting the health care needs of students in a safe and effective manner. The use of UAP for specific tasks is a decision the school RN makes on a case-by-case basis and is determined through the decision-making process that includes the components of nursing delegation.

**References**


Washington State Office of the Superintendent of Public Instruction Health Services Resources: [http://www.k12.wa.us/HealthServices/Resources.aspx](http://www.k12.wa.us/HealthServices/Resources.aspx)