

The background of the slide is a composite image. The top left shows two yellow school buses, one with the number 32. The bottom left shows a classroom with blue walls, decorated with colorful balloons and framed pictures. There are several small white tables and chairs arranged in the room.

Delegation to Unlicensed School Personnel, What Are the Issues?

Angie McDonald ADN, RN, NASSNC
KDE State School Nurse Consultant
Michelle Malicote BSN, RN, NASSNC
KDPH School Health Branch Manager
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Objectives:

- Understands the general issues related to delegation
- Can identify federal laws protecting students with disabilities
- Can define delegation and how it relates to nursing care
- Understands the recommended qualifications for unlicensed assistive personnel (UAPs) and licensed practical nurses (LPNs) and can identify the roles and responsibilities as they relate to school nursing

With more than 500,000 seasoned RNs anticipated to retire by 2022, the U.S. Bureau of Labor Statistics projects the need for 1.1 million new RNs for expansion and replacement of retirees, and to avoid a nursing shortage.

Is there Really A Nursing Shortage?



The Issue:

- According to the Centers for Disease Control (CDC), one in every five children in the United States have special health care needs (2021)
- Federal laws mandate schools to provide ALL students equal opportunity to participate in academic, nonacademic and extracurricular activities (including school-sponsored field trips)

More Issues:

- Students who require health services may not be excluded or denied access to school or school sponsored events/activities
- Not all school children have access to a school nurse





Federal Laws Protecting Students with Disabilities:

[Section 504 of the Rehabilitation Act of 1973.](#)

[Your Rights Under Section 504 of the Rehabilitation Act](#)

[Title II of the Americans with Disabilities Act of 1990 \(ADA\)](#)

[Individuals with Disabilities Education Improvement Act \(IDEA\) 2004](#)

Delegation Defined:



- Transferring the responsibility of performing a nursing activity to another person, while retaining accountability for the outcome. - American Nurses Association (ANA)/National Council of State Boards of Nursing (NCSBN) 2006, National Association of State School Nurse Consultants (NASSNC) 2010

National Association of School Nurses (NASN) Position on Delegation:

- Delegation of nursing tasks in school setting can be a valuable tool for a school nurse [NASN Nursing Delegation in the School Setting](#).
- Based on the state nursing definition of delegation [KRS 314.011](#)
- In compliance with state nursing regulations and guidance [KBN Supervision and Delegation of Nursing Tasks to Unlicensed Personnel](#)

Delegation of Nursing Care:

- Delegation of nursing care is a legal term
- Legal parameters for nursing delegation defined by State Nurse Practice Acts, State Board of Nursing guidelines and Nursing Administrative Regulations/Rules
- [KBN Decision Tree for Delegation to UAP](#)
- Delegation of Nursing Tasks is not allowed in some states

Factors to Consider:

- Complexity of task
- Predictability of outcomes
- Availability/competency of UAP
- Type and supervision required for UAP
(ANA, 2012)

Components of Delegation

- Based on student assessment by RN
- Determined on a case-by-case basis
- Needs and condition of the student
- Stability and acuity of student's condition
- Potential for harm



Delegation of Nursing Activities:

- Kentucky Board of Nursing provides guidance of nursing activities through
 - ✓ Nursing laws (statutes)/scope of practice (KRS 314)
 - ✓ Administrative Regulations
 - ✓ Advisory Opinion Statements

School Nursing Laws

- KRS 314.011 (6) Registered nursing practice
 - Use of substantial specialized knowledge, judgement and nursing skill
 - May practice independently
 - May delegate appropriate nursing tasks to unlicensed personnel



Delegation in the School Setting:

School Nursing Laws

- KRS 314.011 9 (10) [Licensed Practical Nursing Practice](#)
 - Must be supervised by RN, physician or dentist
 - May not delegate, train or supervise unlicensed school personnel

Delegation in Schools:

- Selected nursing task transferred to a competent unlicensed individual (UAP) in a specific situation
- Decision to delegate and supervise nursing task in the school setting is the sole responsibility of the registered nurse
- [NASN Nursing Delegation in the School Setting](#)

Decision to Delegate:

Determination to delegate based on:

- [KBN Nursing Practice](#) and assessment
- Compliance with applicable laws
- Guidance by professional nursing associations i.e., American Nurses Association (ANA) and the National Council of State Boards of Nursing (NCSBN)
- [KBN Decision Tree](#)

Delegated Nursing Task Supervision:

Supervising registered nurse must:

- Periodically monitor and assess capabilities and competencies to assure delegated tasks are safely performed
- RN determines how closely and how often supervision and reassessment is done

Delegation in School:

- Nursing tasks done in home setting becomes more complex in school setting
- Parents may not understand why a seemingly higher standard is required
- School nurses must meet state nursing law, federal mandates, parental expectations and other state laws related to education

Rationale in Delegation:

- The registered nurse is the appropriate professional to delegate nursing care
- In 2012, ANA clearly stated that registered nurses should not delegate steps in the nursing process including nursing assessment or the use of nursing judgement
- [ANA's principals of Delegation](#)

Factors in Delegating:

- State laws, rules and regulations
- Safety issues
- Medical needs of students
- School practice characteristics
- Unlicensed assistive personnel (UAP) competencies

Five Rights of Delegation:



- Right task
- Right person
- Right direction
- Right supervision
- Right circumstance - (ANA/NCSBN, 2006)

ANA Principles for Delegation:

- RN directs care and determines the appropriate utilization of any assistant involved in providing direct patient care
- RN accepts aid from nursing assistive personnel in providing direct patient care



Recommended Qualifications for UAPs:

- Education – e.g., high school diploma or higher, first aid and CPR certification, prior health care experience, training per school district policies
- Personal attributes – e.g., willing to assume responsibility for assigned tasks, works within job description, able to understand and follow direction of school nurse

Recommendations:

- Interpersonal attributes – e.g., maintains confidentiality of information, communicates clearly, enjoys working with children
- Emergency effectiveness – e.g., remains calm and demonstrates good judgement when the unexpected occurs, knows how and when to call emergency medical services and or school nurse – (NASN, 8-3-2020)
- [School Nurse Delegation](#)



Roles and Responsibilities of UAP:

- Maintain competence to person the delegated task
- Ask questions if directions are not understood
- Follow directions and guidelines provided
- Communicate concerns promptly
- Report observations and activities to the delegating school nurse
- Documentation of care as directed

(NASN, 2005)

LPN/LVN vs UAP Scope of Practice

Licensed Practical Nursing Practice

- Practice under the direction of a registered nurse, physician or dentist
- Not licensed for independent nursing practice
- Performs acts within scope of practice as defined in KRS 314.011(10)
- Under KRS 156.502(2) the LPN does not delegate health services to school employees
- Practice components for LPN in AOS #27- "Components of Licensed Practical Nursing Practice"



- LPN/LVN have their own license and scope of practice
- RN “assigns” to the LPN/LVN
- RN cannot “assign” nursing activities that are outside the scope of practice of the LPN/LVN
- The LPN/LVN scope of practice will vary from state to state
- RN “delegates” to the Unlicensed Assistive Personnel (UAP)
- UAP has no scope of practice

Assistive Personnel:

- *There may be times when it is inappropriate for school nurses to delegate to UAP, and standards of nursing delegation, state statutes and local policies will guide those decisions and support their rationale*
- *School nurses, therefore, make decisions regarding use of UAP based on the situation at hand, the environment, the experience and training of the UAP, and the health status of the student*

(NASN Position Statement: Unlicensed Assistive Personnel: Their Role on the School Health Services Team, 2015)

Contact Information:

Angie McDonald ADN, RN, NASSNC
KDE State School Nurse Consultant
Angela.Mcdonald@education.ky.gov

Michelle Malicote BSN, RN, NASSNC
KDPH School Health Branch Manager
Michelle.Malicote@ky.gov

спасибо
danke 謝謝
ngiyabonga
teşekkür ederim
dank je
gracias
tapadh leat
hvala
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