



# *Oregon School Nurse Association*

## **Position Statement**

### *Delegation*

#### **Position**

It is the position of the Oregon School Nurses Association that;

- All students are entitled to safe and effective management of their special health care needs while at school.
- A registered nurse, knowledgeable in school nursing, must individualize and supervise the health care at school to safely meet students' special health needs.
- Only a registered nurse, in accordance with Oregon's Nurse Practice Act, can determine whether, and to what level, non-nurses may be involved at school in a student's specialized health care.

#### **Definition**

*Delegation* is a term used in many fields, but holds a unique place and meaning in the practice of nursing. It is a complex legal and clinical process. It means *authorizing and supervising a person in the performance of a task of skilled nursing care while retaining accountability for the outcome*. (Oregon Nurse Practice Act Div 47, ANA, 1994;NASSNC, 2000; NCSBN, 1995; NASN, 2005)

#### **The Issue**

Many Oregon students are impacted by health conditions that affect their health, safety, and learning at school.

Growing numbers of Oregon students depend upon help with medical assistive devices and procedures during the school day such as clean intermittent catheterization, gastrostomy tube feeding, suctioning, oxygen administration, tracheostomy care, postural drainage, nebulizer use, and blood sugar regulation and management via blood glucose monitoring and insulin administration. This assistance allows them full access and participation in their educational setting. (ODE)

Federal legislation, Oregon Statutes, and other case law determinations obligate schools to provide school health services necessary for a student's access to a free and appropriate education. (Section 504; OLS; Cedar Rapids)

A registered nurse, knowledgeable in school nursing, is uniquely qualified to *assess* a student's individualized health care need, *develop* an individualized health care plan for school, determine which healthcare tasks can safely be delegated, and *evaluate* treatment outcomes.

The responsibility for the delegation of nursing tasks in the school setting rests solely with the registered nurse. (Mitts) Delegation *may* occur when the nurse cannot provide a student's necessary treatment but such delegation *may not* be appropriate for all students or all school settings. The nurse delegates procedures/tasks based on the needs and condition of the student, stability and acuity of the student's condition, potential for harm, complexity of the task, and predictability of the outcome (ANA, 2001; NASN 2005).

Other considerations include consistent available staff, a setting void of distracting interruption and the ability of the registered nurse to adequately supervise given staffing levels and travel distances. When the registered nurse determines appropriate, the implementation aspect of the nursing process can be delegated, but not assessment, diagnosis, outcome identification, planning or evaluation. (ANA & NASN, 2001)

## **Rationale**

The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act provide students needing health services the right to remain in school and to have their health care needs met to enhance optimum learning. (504; Schwab and Gelfman, 2001)

Student's health needs may not be safely managed without professional nursing assessment, development of individualized health care plans and evaluation of treatment outcomes. In accordance with Oregon Revised Statutes 678.010 to 678.410, state licensure is required for the practice of professional nursing. (ORS)

The Oregon Department of Justice determined the responsibility for delegation of nursing tasks in the schools are the sole responsibility of the registered nurse. (DOJ)

The Oregon State Board of Nursing ruled that provided school health services adhere to established standards of professional nursing practice. (Mitts)

The Supreme Court has upheld the school districts obligation to provide school health services as provided by a qualified school nurse. (Cedar Rapids)

## **Bibliography**

American Nurses Association [ANA] (1994). *Registered professional nurses and unlicensed assistive personnel*. Washington, DC; Author.

American Nurses Association [ANA] (2001). *The Code of Ethics*. Washington DC; Author.

Cedar Rapids Community School District v. Garret F [Cedar Rapids]. 119S.Ct.992,29 IDELR 996 (U.S.199). <http://supct.law.cornell.edu/supct/html/96-1793.ZS.html>.

