



DELEGATION OF NURSING FUNCTIONS IN A SCHOOL SETTING

Maryland State School Health Services Guidelines

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FOREWORD

There is a strong relationship between academic achievement and a child's physical, emotional, and mental health. This link is the foundation for providing school health services as an important component of a school program. School health services provide primary prevention aimed at keeping students in schools through appropriate screenings: early identification of children at risk for physical, emotional, and mental health concerns; and case management of students with chronic health concerns.

The Maryland Code Annotated, Education Article § 7-401 requires the Maryland State Department of Education (MSDE) and the Maryland Department of Health (MDH) to jointly develop public standards and guidelines for school health programs. The following guideline was developed in accordance with that requirement and is based on the expressed needs of the local school health services programs. The guidelines developed under Md. Code Ann., Educ. § 7-401 contains recommendations for minimum standards of care and current best practices for the health service topics addressed. It is intended that these guidelines will be used by the local education agencies (LEA) in developing local school health services policies and procedures to assist local school health services programs in providing consistent and safe care to the students of Maryland. Specific laws and regulations that direct school nursing practice or other health services are identified in the guidelines.

To implement these guidelines, LEAs and local health departments should consult with MSDE and MDH who will:

- Assist and provide technical assistance to local school health services programs to support their efforts to plan for students with special health needs;
- Provide training to all appropriate school staff regarding issues related to students with special health needs including, but not limited to, planning, maintaining a safe environment, and medication administration issues; and
- Monitor the implementation of school health services programs including, but not limited to, programs and policies related to students with special health needs.

SECTION I: INTRODUCTION

PURPOSE

The purpose of these guidelines is to:

1. Provide guidance for the school nurse to appropriately delegate tasks to an unlicensed individual, certified nursing assistant (CNA), or certified medication technician (CMT) when providing nursing services in the school setting.

BACKGROUND

Legal Authority

The Maryland State School Health Services Guideline: Delegation of Nursing Functions in a School Setting aligns with the Maryland Nurse Practice Act mandates under the Maryland Board of Nursing (MBON) – Code of Maryland Regulations (COMAR) 10.27.11 Delegation of Nursing Functions and Health Occupations Article §8-102, 8-205, 8-6A-01, 8-6A-03, 8-6A-05(a)(4) and 8-6A-08(f)(5), Annotated Code of Maryland. The MBON delineates safe delegation of nursing tasks and its legal parameters in the Nurse Practice Act as stated in COMAR 10.27.11.01-.06 and COMAR 10.27.09.03I.

Definitions

Delegation is the act of authorizing an unlicensed individual, a certified nursing assistant (CNA), or a certified medication technician (CMT) to perform acts of registered nursing or licensed practical nursing. Nursing judgment will determine when and where the performance of a select nursing task for an individual student is appropriate.

The school nurse is a registered professional nurse currently licensed by MBON whose specialized nursing practice protects and promotes student health, safety, and academic success. The determination of nursing services required by the student in school is made on a case-by-case basis using the health appraisal and nursing assessment. To improve the care coordination of students who require nursing services, the school nurse may consider delegation to support the implementation of the student's individualized health care plan.

SECTION II: DELEGATION IN THE SCHOOL SETTING

CRITERIA FOR DELEGATION

It is imperative that the school nurse is knowledgeable about the current delegation regulations per the Maryland Nurse Practice Act. The following are criteria for delegation that must be thoroughly assessed and documented for the school nurse to assume the role of case manager in delegating nursing tasks, including the administration of medications:

- The student's health care needs are **chronic, stable, uncomplicated, routine, and predictable**;
- The environment is conducive to delegation of nursing tasks; and
- The student is unable to perform his/her own care.

The school nurse shall be readily available as the primary decision maker when delegating a nursing task to the unlicensed individual, CNA, or CMT. The school nurse will retain accountability of the task by verifying the competency of the individual to whom nursing tasks may be delegated. Orientation, training, supervision, evaluation, and re-evaluation of the student's health status, the nursing task, and the environment in which it is to be performed shall be thoroughly documented.

The school nurse shall maintain formalized documentation to support the continued competency of the unlicensed individual, CNA or CMT to perform the delegated nursing task and the environment in which the task is to be performed. Supervisory on-site visits should occur in compliance with the Maryland Nurse Practice Act to evaluate the student's health status and progress towards their health goals.

The school nurse may decide at any time that the student's medical safety requires a licensed professional nurse to perform the task. Therefore, continuation of delegation is at the discretion of the school nurse.

DELEGATABLE NURSING SERVICES

Delegable nursing services are dependent upon the complexity of the task and the stability of the student's condition as assessed by the school nurse. In compliance with the delegation criteria described in the Maryland Nurse Practice Act, the following are school health nursing tasks which may be delegated and performed by an unlicensed individual, CNA, or CMT under the supervision of the delegating nurse based on the nursing assessment.

- Positioning;
- Monitoring of vital signs to report to the school nurse;
- Supervision or performance of student finger stick for blood glucose monitoring;
- Oral medication administration which does not require calculation of dosage;
- Oral medication administration of a fraction of a tablet if the nurse has cut the tablet;
- Medication by metered dose inhalant or nebulizer;
- Oxygen by nasal cannula or mask;
- Medication by subcutaneous injection if the nurse has calculated the dose

- Administration of gastrostomy device feedings and venting;
- Medication by gastrostomy tube if the nurse has calculated the dosage;
- Administration of jejunostomy device feedings;
- Medication by jejunostomy tube if the nurse has calculated the dosage;
- Medication administered by topical route (excluding specific stage pressure ulcers and wound care);
- Medication drops administered by routes involving eye, ear, and nose;
- Medication administered by suppository route;
- Clean intermittent bladder catheterization;
- Emptying of ostomy bag;
- Oro-pharyngeal suctioning;
- Tracheostomy suctioning for a student with a stable tracheostomy and no co-existing conditions that have potential to cause unpredictable response;
- Magnet swiping of vagal nerve stimulator (VNS); and
- Emergency care for chronic disease management; including student-specific emergency medication administration per the Maryland Nurse Practice Act (COMAR 10.27.11.03C). Refer also to the Maryland State School Health Services Guideline: Administration of Medication in Schools.

It is important to note this list is not all-inclusive. A specific task is only delegated for a specific student; therefore, a procedure that is delegable for one student may not necessarily be delegable for another student.

It is also important to note that medication administration occurring on a routine basis would require an unlicensed individual to complete the 20-hour course in medication administration approved by the Maryland Board of Nursing to become certified as a CMT.

NON-DELEGABLE NURSING SERVICES

Non-delegable nursing services are tasks requiring exercise of nursing knowledge, judgment, and skill and may not be delegated. This includes nursing assessment or intervention, the development of a nursing diagnosis or nursing care plan, the establishment of a nursing care goal, and the evaluation of a student's progress toward goal achievement.

Nursing services that cannot be properly and safely performed by the unlicensed individual, CNA, or CMT without jeopardizing the student's welfare should not be delegated. If a reasonable and prudent nurse would not find the nursing task within the scope of sound nursing judgment, the task should not be delegated.

In compliance with the Maryland Nurse Practice Act, the following school health nursing tasks may only be performed by a school nurse or Licensed Practical Nurse (LPN) and should not be delegated:

- Any medication requiring calculation;

- Administration of medication by intramuscular (IM) injection route unless considered a delegable task (e.g., emergency care for chronic disease management, including student-specific emergency medication administration per the Maryland Nurse Practice Act (COMAR 10.27.11.03C);
- Administration of medication by intravenous (IV) route;
- Nasogastric tube replacement, site verification or feeding;
- Gastrostomy device tube replacement;
- Tracheostomy tube replacement or replacement of inner cannula; and
- Oxygen administration with titration.

SECTION III: GLOSSARY

Accountability: Being answerable for actions of self or others.

Certified Medication Technician: An individual who completes a 20-hour course in medication administration approved and certified by the Board of Nursing (COMAR 10.27.11.02.12).

Certified Nursing Assistant: An individual certified by the Board of Nursing as a nursing assistant (COMAR 10.39.01 and COMAR 10.39.03.04).

Delegable nursing services: Nursing functions, which may be delegated to and performed by an unlicensed individual, CNA or CMT, under the supervision of a registered nurse (COMAR 10.27.11.03D and COMAR 10.27.11.04).

Delegation: The act of authorizing an unlicensed individual, CNA or CMT, to perform acts of registered nursing or licensed practical nursing (COMAR 10.27.11.02B(6)).

Licensed Practical Nurse (LPN): An individual who is licensed by the Board of Nursing to practice licensed practical nursing or has a multistate licensure privilege to practice licensed practical nursing (COMAR 10.27.11.02B(11)).

Non-delegable nursing services: Any nursing task which requires nursing knowledge, judgment, and skill and therefore cannot be delegated (COMAR 10.27.11.05A(6)).

Nurse Practice Act: A statute enacted by the legislature of any state or by the appropriate officers of the district that delineates the legal scope of the practice of nursing within the geographical boundaries of the jurisdiction. The Maryland Nurse Practice Act is codified in the Annotated Code of Maryland, Health Occupations Article, Title 8. The accompanying regulations are found in the Code of Maryland Regulations Title 10, Subtitle 27.

School nurse: A registered professional nurse currently licensed by the Maryland Board of Nursing who works in a school setting.

Supervision: The process of critical watching, directing, and evaluating another's performance.

Unlicensed individual: An individual who is not licensed or certified to provide nursing care under Health Occupations Article, Title 8, Annotated Code of Maryland and COMAR 10.27.11.02B(24).

SECTION IV: RESOURCES/REFERENCES

RESOURCES

American Nurses Association (ANA)

Principles for delegation by registered nurses to unlicensed assistive personnel (UAP)

<https://www.nursingworld.org/~4af4f2/globalassets/docs/ana/ethics/principlesofdelegation.pdf>

American Nurses Association (ANA) & National Council of State Boards of Nursing (NCSBN)

National guidelines for nursing delegation

https://www.ncsbn.org/public-files/NCSBN_Delegation_Guidelines.pdf

Maryland Board of Nursing (MBON)

<https://mbon.maryland.gov/Pages/default.aspx>

Includes general state licensure and nursing delegation information

National Association of School Nurses (NASN)

<https://www.nasn.org/home>

Optimizing student health and learning by advancing the practice of school nursing.

Wisconsin Department of Public Instruction

Use of delegation in the school setting

https://dpi.wi.gov/sites/default/files/imce/sspw/pdf/Use_of_Delegation_in_the_School_Setting_2019.pdf

REFERENCES

Delegation of Nursing Functions, COMAR 10.27.11.

<http://mdrules.elaws.us/comar/10.27.11>

School Health Program, Md. Code Ann., Educ. § 7-401.

<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ged§ion=7-401&enactments=false>

Standards of Practice for Registered Nurses, COMAR 10.27.09.

<http://mdrules.elaws.us/comar/10.27.09>