

**ADOPTED REGULATION OF THE
STATE BOARD OF NURSING**

LCB File No. R071-00

Effective October 20, 2000

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 632.120.

Section 1. Chapter 632 of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. A registered nurse who is employed as a school nurse shall direct and provide school nursing services.*
- 2. In carrying out a plan of nursing care for a pupil with special needs pursuant to NRS 391.208, a registered nurse who is employed as a school nurse may delegate nursing care to a qualified person.*
- 3. A school nurse may delegate only those duties of nursing care that the board has approved. The board will maintain a list of the duties it has approved for delegation and provide a copy of the list to a school nurse or member of the general public upon request.*
- 4. A licensed practical nurse who is employed by a school district to provide nursing care in a school may not delegate nursing care or assign duties relating to that care to another person.*
- 5. A school nurse shall develop safe and effective procedures for the administration of medication to pupils that comply with nationally recognized standards and the laws of this state.*

6. A school nurse may not administer medication to a pupil or delegate that duty to another person unless:

(a) He has obtained written authorization from the parent or legal guardian of the pupil to administer the medication;

(b) The medication is labeled; and

(c) He verifies that the medication has been prescribed and dispensed by a person authorized to do so pursuant to chapter 453, 454 or 639 of NRS or the laws of another state or the District of Columbia.

7. A record of the medication administered to a pupil must be maintained at the school the pupil attends. The school nurse shall indicate in the record each time he, or a person to whom he delegated the duty, administers medication to the pupil.

8. As used in this section, “qualified person” means a person who is:

(a) Certified or licensed by this state to provide nursing care to a pupil;

(b) Willing to provide nursing care to a pupil and who the school nurse has determined has the knowledge and skill to provide that nursing care to the pupil in a safe and effective manner; or

(c) Except as otherwise provided in this paragraph, exempt from the requirement of obtaining a license to practice nursing pursuant to subsection 1 of NRS 632.340 and whom the parent or legal guardian of the pupil designates as a person who may provide nursing care to the pupil. A parent or legal guardian may not designate a person who is employed by the school district in which the pupil attends school as a person who may provide nursing care to the pupil.

Sec. 2. NAC 632.248 is hereby amended to read as follows:

632.248 ~~[Unlicensed]~~ *Except as otherwise provided in section 1 of this regulation, unlicensed* personnel may not be assigned those duties which require the knowledge and skill of a licensed professional nurse or a licensed practical nurse as described in chapter 632 of NRS.

NOTICE OF ADOPTION OF REGULATION

September 12, 2000

Brenda J. Erdoes
Legislative Counsel
401 South Carson Street
Carson City, Nevada 89701-4747

Dear Ms. Erdoes:

On September 8, 2000, the Nevada State Board of Nursing adopted the regulation contained within LCB File No. R071-00 with an amendment. I had reviewed the possible amendment with Ms. Iverson prior to the public hearing. The amendment adds the following language at the end of the sentence to Section One, Subsection 5, "and the laws of this state".

The informational sheet and filing sheet are enclosed.

If the Board can provide further information, please contact this office.

Sincerely,
NEVADA STATE BOARD OF NURSING

Kathy Apple, RN, MS
Executive Director

INFORMATIONAL STATEMENT

NEVADA STATE BOARD OF NURSING

LCB FILE No. R071-00

INFORMATIONAL STATEMENT AS A RESULT OF ADOPTION OF REGULATION TO LCB FILE NO. R071-00

Public comment was solicited at the March 23, 2000 regular Board of Nursing meeting (20 people attended), a public workshop held in Las Vegas on April 19, 2000 (5 people attended and 5 people testified) and a public workshop in Reno on April 17, 2000 (3 people attended and 3 people testified). Public comment was solicited at the public hearing on May 18, 2000 (20 people attended and 3 people testified) and a public hearing on September 8, 2000 (32 people attended and 1 person testified). The proposed regulation was noticed to the Board's customary posting places, all interested parties on the Board's agenda mailing list (498 people), 17 county libraries, and the Reno Gazette Journal and the Las Vegas Sun newspapers. There was opposition expressed via email by one person for the public hearing on September 8, 2000. All other testimony provided was supportive of the proposed regulation.

In addition the Board mailed a survey regarding the proposal to 223 school nurses in the state. 82 school nurses responded, 78 were in support, 4 were opposed.

Comment was solicited from administrative school nurses on how the proposed regulation would affect businesses affected by this proposal. Administrative school nurses stated that since the proposed regulation mirrored an advisory opinion that has been in place for nine years, the proposed regulation would not change how business is conducted in schools.

The proposed regulation was amended based on a suggestion received by the Board of Pharmacy that would include a reference to all state laws.

There will be no adverse economic effect on the business of school nursing. There will be a beneficial effect economically. The beneficial economic effect will be both immediate and long term.

There will be no adverse economic effect on the public. There will be a beneficial effect economically on the public. The beneficial economic effect on the public will be both immediate and long term.

There will be no additional cost to the Board of Nursing for enforcement of this regulation.

There is no duplication or overlap with any other local, state, or federal agencies.

The regulation does not establish a new fee or increase an existing fee.

A copy of testimony or summaries may be obtained by contacting the Nevada State Board of Nursing, 1755 East Plumb Lane, Suite 260, Reno, Nevada, 89502, (775) 688-2620.

09/19/00