

**SCHOOL NURSING
MEDICATION ADMINISTRATION
FAQ**

Below are examples of questions/scenarios that school nurses are faced with every day. The questions and responses were prepared in consultation with the North Dakota School Nurse Organization (NDSNO), North Dakota Department of Health, and North Dakota School Board Association.

Q. Who is responsible for assigning the task of medication administration and/or individual health care services in the school setting?

A. The school administrator is responsible for assignments within the school setting. A student's parent or legal guardian must provide written consent to the school for any individual to provide requested medication administration and/or individual health care services to the student. See NDCC 43-12.1-04(9)(g), 23-44-03, and 15.1-19-23.

Q. What is the nurse's responsibility and liability regarding the implementation of NDCC 23-44-03 and NDCC 43-12.1-04(9)(g)?

A. The licensed registered nurse needs to be familiar with the provision added to the existing section of law, NDCC 43-12.1-04, which identifies persons who are exempt from the provisions of the North Dakota Nurse Practices Act. The provision, set forth in subsection 9 (g) of NDCC 43-12-04, exempts a person that provides medications, other than by the parenteral route, "within a primary or secondary school under a program established under section 15.1-19-23 if the individual has received education and training in medication administration and has received written consent of the student's parent or guardian." These laws must be read together to fully understand the scope of school authority to provide medications to students.

Q. Who supervises medication administration in school and assesses individual competency?

A. The parent or legal guardian authorizes the school administration to administer medication to the child. The school administrator is accountable for safe and effective medication administration in the school. The registered nurse is responsible to provide education and training to the individual who will be providing the medication or treatment. Nurses administering medication in a school are accountable under the North Dakota Nurse Practices Act (NDCC Chapter 43-12.1).

Q. If a school nurse is present in a school building where medication administration or individual health care services have been assigned to someone other than the nurse, can the nurse provide training/education to the school staff on safe practices?

A. Yes. If medication administration has not been assigned to the nurse, the nurse may provide training/education to an individual who will provide medications and/or individual health care services within a primary or secondary school according to NDCC 43-12.1-04((9)(g). The

registered nurse is accountable for verifying and documenting an individual's competency at the time of training, but not for the quality of the service provided by that individual over time.

This is not considered delegation according to the North Dakota Nurse Practices Act. The school nurse is not liable for errors occurring in the actual administration of medication by another individual. However, the school administrator and the licensed registered nurse who provides training/education, are accountable for the training of safe medication administration.

Q. What liability exists for the school nurse if a health problem with a student arises, and the nurse has not been involved in the plan of care?

A. The school nurse is required to follow standard emergency procedures. The student's parent or legal guardian is ultimately responsible for notifying the school of a health concern (i.e., medication administration and/or individual health care services.) The school nurse is not liable for relying on or acting upon any incorrect or incomplete information provided by the school, parent, or legal guardian.

Q. Who can do injections and other invasive procedures in the school setting?

A. Licensed nurses and others as authorized by law.

https://ndbon.sharepoint.com/shared_documents/public_data/board_manual/section_7-faq/drafts_done_2-2020/draft_school_nursing-med_admin_faq_9-2022.docx

Q. What kind of training is required for non-nursing staff to do injections and other invasive procedures in the school setting?

A. A registered nurse may delegate nursing interventions in accordance with the Nurse Practices Act (NDCC Chapter 43-12.1). Sections 43-12.1-16 and 43-12.1-16.1 allow nurses to delegate and supervise nursing interventions to a person exempt under the Nurse Practices Act; however, parenteral (injections or intravenous) routes are not authorized pursuant to the exemption set forth in NDCC 43-12.1-04-09(g) of the Nurse Practices Act. Licensed nurses are accountable to identify acceptable nursing interventions on a specific client by an unlicensed assistive person on an individual basis. The individual to whom the nurse delegates must be registered on the Unlicensed Assistive Person registry, or another registry recognized by the board.

Q. Can school staff administer an insulin injection?

A. If a diabetic student is stable and has specific parameters, an insulin injection may be delegated by the licensed nurse using the rules for specific delegation. NDAC 54-07-08, Specific Delegation of Medication Administration, outlines the process for the nurse to follow.

Q. Is the nurse legally able to exchange verbal information with a child's doctor without a written release of authorization from a parent and does the Nurse Practices Act or HIPAA address this issue?

A. It is recommended that each public health unit has their own designated Health Insurance Portability and Accountability Act (HIPAA) Officer, as it is required under 45 CFR 164.530(a) of

HIPAA if they are handling Protected Health Information (PHI). That individual should respond according to their own HIPAA related duties.

Q. Can the school medication provider administer the following Emergency Medications?

- A. Glucagon® for Hypoglycemia**
- B. Epinephrine for Anaphylaxis**
- C. Diastat® Rectal Gel for Seizures**

A. Unless provided for specifically in federal or state law, these medications are generally not used in stable, predictable situations. Emergency care procedures must be in place and implemented. In an emergency, school personnel could administer a Glucagon® injection and Diastat® gel according to Nurse Practices Act exemption found in NDCC 43-12.1-04(1). The administration by school personnel of Epinephrine for Anaphylaxis is authorized as provided by NDCC 23-01-05.2. Nurses may provide training to individuals that may need to administer medication during an emergency.

In addition to the scenarios described above, individuals who are not licensed or registered with the North Dakota Board of Nursing may also be authorized to administer medications in other circumstances, including cases of emergency or disaster. The applicable exemptions are described in NDCC 43-12.1-04.

School Nursing FAQs and NDSNO Medication Administration Q/A were combined effective 04/14, 11/14, 9/22