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HOUSE JOINT MEMORIAL 3

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Rick Miera

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

A JOINT MEMORIAL

**REQUESTING THAT THE DEPARTMENT OF HEALTH AND THE STATE
DEPARTMENT OF PUBLIC EDUCATION CONDUCT A STUDY TO DETERMINE THE
TYPES OF PROVIDERS WHO CAN SAFELY DELIVER HEALTH CARE SERVICES
AND ADMINISTER ROUTINE MEDICATIONS IN NEW MEXICO SCHOOLS.**

**WHEREAS, the maintenance of optimal health care in schools
requires access to safe environments and to health services
provided by professional registered nurses and, when
appropriate, by qualified unlicensed assistive personnel as
delegated by registered nurses for the safe care of students;
and**

**WHEREAS, there are currently a variety of untrained and
unsupervised persons assisting with the administration of
medications in New Mexico public schools, thereby posing a**

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1 health and safety risk to children and a legal risk to public
2 school personnel; and

3 WHEREAS, the Nursing Practice Act currently prohibits the
4 delegation of medication administration to nonlicensed persons,
5 except as provided for in the board of nursing's rules for
6 certified medication assistants; and

7 WHEREAS, healthy students are better learners; therefore,
8 it is essential to deliver quality health care to students with
9 special health care needs, including the administration of
10 medications, as needed in public schools; and

11 WHEREAS, the number of children with chronic health
12 conditions that require routine medications to be administered
13 during the school day in New Mexico has consistently increased
14 without a concomitant increase in resources to hire a
15 professional nurse in every school;

16 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
17 STATE OF NEW MEXICO that the public health division of the
18 department of health and the state department of public
19 education be requested to conduct a study to determine the
20 types of providers who can safely deliver health care services
21 in New Mexico public schools, including registered nurses and
22 licensed practical nurses, and to study the feasibility of
23 certifying school health assistants who may administer routine
24 medications under the direction and supervision of a licensed
25 school nurse and in compliance with the Nursing Practice Act;

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1 and

2 BE IT FURTHER RESOLVED that the department of health and
3 the state department of public education work with New Mexico
4 representatives from the school nurse association, the school
5 nurse advisory committee, the boards of nursing and pharmacy,
6 the school administrators association, the council for
7 exceptional children, licensed educational assistants currently
8 practicing as health assistants in New Mexico schools and
9 parents whose children will be affected; and

10 BE IT FURTHER RESOLVED that this study review the
11 recommendations of the school nurse advisory committee
12 regarding the delegation of nursing care, including medication
13 administration, in New Mexico schools as well as relevant
14 national standards and models of practice; and

15 BE IT FURTHER RESOLVED that this study develop
16 recommendations and criteria regarding the training,
17 certification and requirements for nursing supervision of
18 school health assistants and a method to determine and ensure
19 the safety and feasibility of using health assistants in New
20 Mexico public schools; and

21 BE IT FURTHER RESOLVED that the department of health and
22 the state department of public education report their findings
23 and recommendations to the legislative health and human
24 services committee and the legislative education study
25 committee by November 2002; and

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