

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

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

**WHEREAS, healthy students are better learners; therefore, it is essential to deliver quality health care to students with special health care needs, including the**

administration of medications, as needed in public schools;  
and

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

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

BE IT FURTHER RESOLVED that the department of health and the state department of public education work with New Mexico representatives from the school nurse association, the school nurse advisory committee, the boards of nursing and pharmacy, the school administrators association, the council for exceptional children, licensed educational assistants currently practicing as health assistants in New Mexico

schools and parents whose children will be affected; and

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

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

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

BE IT FURTHER RESOLVED that copies of this memorial be distributed to the secretary of health, the superintendent of public instruction and the director of the legislative education study committee for appropriate distribution.