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Providing Health Services for Children With Special Health Care Needs on Out-of-State Field Trips

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An increasing number of children attend school with special health care needs. Title II of the Americans with Disabilities Act (ADA) requires all school-sponsored activities to be easily accessible to all students. School-sponsored field trips enhance students' education, and students who require health services may not be excluded. For students with special health care needs, fully participating in the field trip experience presents unique challenges. These challenges are further complicated by out-of-state field trips due to variances in nurse practice acts, variances in delegation regulations, and most recently, state-by-state participation or nonparticipation in the Nurse Licensure Compact. Review of state laws, regulations, and nursing scope of practice for school health services is critical when planning and problem

solving for students requiring health services on out-of-state field trips.

Keywords: out-of-state field trips; health services; delegation; safe practice

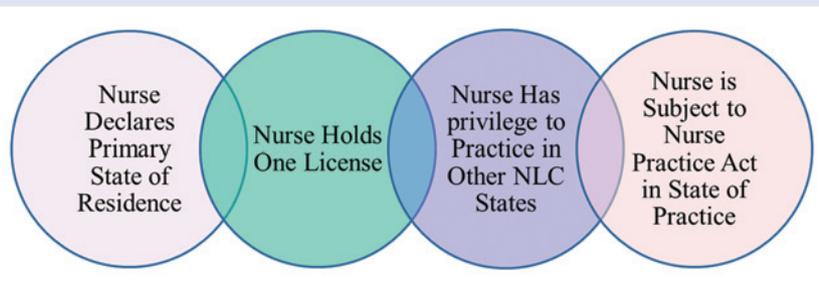
The number of children attending school with special health care needs and complex medical conditions continues to increase. The use of field trips to enhance learning experiences necessitates that schools provide services for children with special health care needs in order for them participate fully in these field trips. The field trips may occur locally, within a state, out of the state, or out of the country.

Students who require health services may not be excluded or denied access to these activities. In the United States,

26.6% of children have special health care needs (Van Cleave, Gortmaker, & Perrin, 2010). Schools are mandated by federal laws to provide all students equal opportunity to participate in academic, nonacademic, and extracurricular activities. Three federal laws protect students with disabilities: Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 (ADA), and the Individuals with Disabilities Education Improvement Act (IDEIA), reauthorized in 2004. The school nurse coordinates the planning for all health care services and accommodations needed for the student's field trip.

Provision of health care for these students often proves to be a challenge for the school. Furthermore, not all school children have access to a registered

Figure 1. Mutual Recognition of Nursing License



Source: <https://www.ncsbn.org/nlc.htm>.

The multistate licensure (MSL) follows the mutual recognition model of licensure, which is similar to the driver's license. The MSL is issued by the state of residence but provides a privilege to practice in other member states. The nurse is required to follow the nurse practice act in the state where care is administered.

professional school nurse. While all schools and school nurses providing health care to students need to know their specific state laws governing nursing practice, it is equally as important to know the laws and regulations for out-of-state field trips or out-of-country field trips. Areas of particular importance include nursing practice regulations regarding delegation, medication administration, and emergency care.

Delegation of School Health Services

The scope of nursing practice in any state, including the delegation of nursing health services, is typically governed by that state's Board of Nursing and varies from state to state. The American Nurses Association (ANA) defines *delegation* as "transferring the responsibility of performing a nursing activity to another person while retaining accountability for the outcome" (ANA & National Council of State Boards of Nursing [NCSBN], 2006; National Association of State School Nurse Consultants [NASSNC], 2010). Professional organizations such as NASN and the ANA have developed foundation documents such as standards of practice and policy statements. These standards and policy statements impact daily nursing practice and are utilized and referred to in a court of law. The Kentucky Nurse Practice Act, KRS 314.6, incorporates ANA and other professional organizations' standards into

our statutes by reference. When determining whether or not to delegate a nursing activity, school nurses are accountable to state laws, rules, and regulations, employer/agency regulations, and standards of professional school nursing practice, including those pertaining to delegation (NASSNC, 2010).

What Is a Nurse Licensure Compact?

The Nurse Licensure Compact (NLC) provides for multistate licensure—a mutual recognition model of licensure, similar to a driver's license. The license is based on your state of residence but provides a privilege to practice in other member states. The NLC allows nurses to work in other compact states without having to obtain another nursing license. However, the nurse must follow the nurse practice act of each state, similar to observing driving laws while driving out of the state of residence. Figure 1 depicts the mutual recognition of license.

Not all states are members of the NLC (see Figure 2). A nurse licensed by a state that is not a member of the NLC has a single-state license valid only in the state of residence. Additionally, a nurse whose primary state of residence is a noncompact state and who applies for a license in a compact state is issued a single-state license.

Further, the NLC applies only to registered nurses and licensed practical/

vocational nurses. Unlicensed school personnel and advanced practice registered nurses are not included. Thus, when considering out-of-state field trips, school nurses must not only be aware of delegation regulations variation between states but also have a firm understanding of NLC factors.

Understandably, delegation variances and increasing state membership in the NLC raise many questions among school administrators and school nurses regarding provision of school health services outside the student's home state. In July 2012, NASN's executive director met with the NCSBN to request a clarification on medication administration for students on school trips that occur in states outside the student's home state. The response from the NCSBN was that "the school nurse will need to contact the boards of nursing in the state where the field trips occur in order to determine the practice allowances for the licensed nurse related to delegation of nursing functions." For out-of-country field trips, schools should contact the U.S. State Department. The U.S. State Department will refer schools to the office/person to contact in the country to be visited.

Plan Ahead

Planning is one of the most important components for providing the maximum benefit of any school field trips.

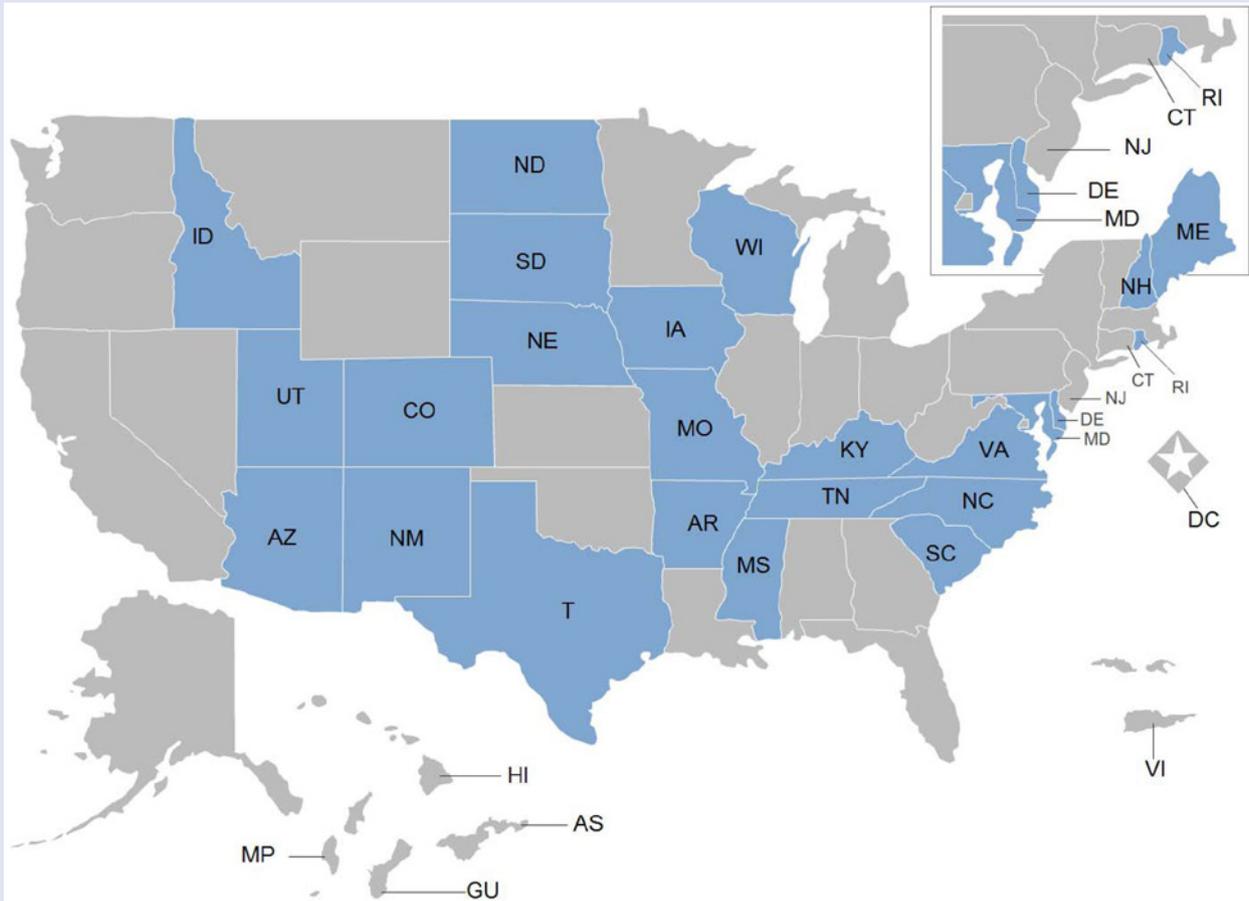
Health Services Considerations

- Is your state a member of the NLC?
- Is the state you are visiting a member of the NLC?
- Do you know the scope of practice in the state you are visiting?
- Do you know if delegation of a health service to unlicensed personnel is permitted in the state you are visiting?
- If delegation is allowed, are there limitations on delegation?
- If delegation is allowed, is training and competency verification required for unlicensed personnel?

School and Student Considerations

- Federal law requires equal access to school activities, including health

Figure 2. Nurse Licensure Compact Member States



Source: <https://www.ncsbn.org/nlc.htm>. Retrieved December 2013.

There are 24 Nurse Licensure Compact (NLC) states (blue states). The NLC applies to registered nurses (RN), licensed practical nurses (LPN), and licensed vocational nurses (LVN) only. The NLC does not apply to unlicensed personnel or advanced practice registered nurses (APRN).

services while participating in a field trip. Students cannot be denied access to activities.

- Invite parents to accompany the student on the field trip. However, parents cannot be required to attend.
- Request that the school nurse perform a nursing assessment with consideration of the field trip activity and the student's needs/limitations.
- Convene a 504 or Individual Education Program (IEP) meeting to discuss challenges and the student's needs/limitations. Consider accommodations as specified in the:

(a) IEP,

(b) Individual Health Plan (IHP) including Emergency Action Plan(s), or

(c) 504 Plan (Identify reasonable accommodations for student with special health care needs).

- For any needed health service, determine frequency of service need and level of care required. Will medications need to be refrigerated or in a locked container? What special equipment may be needed during the field trip?
- Nurses providing health services on out-of-state field trips are subject to the state nursing laws in the state the care is provided. Determine legal and safe delegation of nursing services, if allowed in the state to be visited.
- Availability of trained staff to provide health care services (The scope of

practice of licensed practical/licensed vocational nurses varies widely from state to state. It is important to know the LPN's or LVN's scope of practice when planning for the delivery of health services on an out-of-state field trip.)

- Provide for documentation and confidentiality of student health services information while on the field trip.
- Finally, determine options for cancellation or alteration of the trip if all students cannot be reasonably accommodated.

Helpful information with information specific to each state board of nursing can be found at the following site: <https://www.ncsbn.org/index.htm>. The school

nurse is the lead individual in assuring that this pre-planning occurs on a regular basis.

Practice Application

Scenario 1

The school nurse has been asked to attend, as one of the chaperones, a middle school out-of-state field trip to New York City and Washington, DC. School health services to be provided include daily medications, emergency Diastat, PRN medications, and first aid as indicated. The nurse currently holds a multistate license. In preparation for the field trip, the school nurse should consider:

- Are the Boards of Nursing for New York and Washington, D.C., NLC members?
Action: The school nurse will have to verify NLC membership.
- What is the nursing scope of practice for this state and district?
Action: If they are not NLC states, the nurse must determine from each individual practice act how health services may be administered during the field trip. (For example, must the school nurse obtain a second license to practice?)

Scenario 2

A Kentucky elementary school is planning a 5th-grade class field trip to Tennessee. Kentucky and Tennessee are both NLC states. In Kentucky, delegation to unlicensed school personnel is permissible for some medications including epinephrine auto-injector administration. In planning for the delivery of health services on the field trip, the nurse should consider:

- What is the scope of nursing practice in Tennessee?

Action: Although Tennessee is a NLC state, Tennessee's nursing scope of practice does not allow for the delegation of medication administration to unlicensed school personnel. The school nurse should arrange for either an RN or LPN to accompany the class on their field trip to Tennessee. Parents may be invited to also attend and administer care to their child but cannot be required to attend the field trip.

Summary

School-sponsored field trips enhance a student's educational experience but can be challenging when planning for students with special health care needs. The school nurse is responsible for collaborating with school administrators, families, and students when planning safe care for those who will participate in out-of-state field trips. Review of state laws, regulations, and nursing scope of practice is critical when planning and problem solving for students requiring health services on out-of-state field trips. ■

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