



STATE OF IOWA

Governor Terry E. Branstad
Lt. Governor Kim Reynolds

BOARD OF NURSING
Kathleen R. Weinberg, MSN, RN
Executive Director

November 4, 2013

Gary Dougherty
Associate Director – State Government Affairs
American Diabetes Association
3495 Bear Pointe Circle
Powell, OH 43065

Re: Letter dated August 19, 2013 regarding delegation of administration of insulin and glucagon for students with diabetes

Dear Mr. Dougherty:

I am in receipt of your August 19, 2013 letter requesting the Iowa Board of Nursing ("Board") withdraw its prior declaratory rulings. Specifically, your letter requests that the Board withdraw its Declaratory Ruling No. 69 and Declaratory Ruling No. 97. Your letter also requests the Board "issue new regulations or guidance to make clear that insulin and glucagon administration can be delegated in the school setting."

In Declaratory Ruling No. 69, the Board addressed the following question: "May a registered nurse employed by a school district delegate to non-licensed health care associates, administration of rectal diazepam (Valium) to students in the school when the students demonstrate seizure activity?" The Board ultimately answered "no" to this question. In Declaratory Ruling No. 97, the Board addressed the following question: "May the registered nurse, employed by WESCO Industries, delegate to certified medication managers and certified medication aides the administration of glucagon injections to a client with severe hypoglycemia?" The Board ultimately answered "yes." The Board issued these declaratory rulings pursuant to Iowa Code section 17A.9 and the Board's administrative rules at 655 Iowa Administrative Code chapter 9, and were based on the circumstances and law provided at the time the requests were made. The declaratory rulings constitute final agency action and the Board cannot withdraw these previously issued orders. However, as you acknowledge in your letter, the Board's declaratory rulings are binding on the parties to the petition and "applicable only in circumstances where the relevant facts and the law involved are indistinguishable from those on which the order was based."¹

These orders were issued before the administrative rules concerning delegation were effective. Pursuant to 655 Iowa Administrative Code, chapter 6, 6.2(5)"c" "Using professional judgment in assigning and delegating activities and function to assistive personnel. Activities and functions which are beyond the scope of practice of the licensed practical nurse may not be delegated to unlicensed assistive personnel."

¹ 655 Iowa Administrative Code 9.12

Therefore, registered nurses may delegate the administration of insulin and glucagon for students with diabetes to trained, non-licensed school personnel. The administration of insulin is within the scope of practice of the licensed practical nurse.

The registered nurse is accountable for the delegation process and making the decision to delegate to non-licensed school personnel.

The decision to delegate to non-licensed personnel is based on the delegation process; assessment, planning, implementation and evaluation. The delegating nurse must ensure the task/function is appropriate to delegate, the individual student's needs are appropriate for delegation under the right circumstances, the non-licensed personnel is educated and competent in the task/function and supervision, evaluation and communication are being carried out. There must be documentation of the non-licensed personnel's education and competency.

It is important to note, that though the delegation of the administration of insulin to a diabetic student is permissible, it should only be carried out when all safe guards are in place to assure the optimal health of the student. Also, assessment and nursing judgment may not be delegated.

Thank you for your inquiry. If you have further questions or concerns please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen R. Weinberg".

Kathleen R. Weinberg, RN, MSN
Executive Director
Iowa Board of Nursing
515/281-3256