



**Ohio Association of School Nurses**  
**House Bill 110**  
**Interested Party Testimony**  
**May 17, 2021**

Good morning Chair Dolan, Vice Chair Gavarone, Ranking Member Sykes and esteemed members of the Senate Finance Committee, thank you for allowing me the opportunity to testify on a proposed amendment to HB 110 supported by the Ohio Association of School Nurses. My name is Heidi Shaw, and I am the President-Elect of OASN.

The budget amendment, which is being carried by several members of the Senate, would remove school nurses from the changes enacted to Ohio Department of Education license requirements in HB 442 of the last General Assembly. To briefly recap, HB 442 was amended during the Lamé Duck session to incorporate several licensure reform recommendations, one of which was the elimination of the ODE license requirement for eight school professionals, including school nurses. This change was enacted in haste and without much opportunity for public comment. As a result, there are serious unintended consequences.

Before the passage of HB 442, only nurses who completed a school nurse licensure program and practicum in a school setting could apply for licensure from ODE to use the title “school nurse.” Schools could still hire nurses on contract to work in schools; those professionals were just unable to use the protected title of “school nurse.” Under the enacted law, any RN with a bachelor's degree in nursing can now purchase a registration from ODE to be a school nurse. This change threatens student and staff safety, potentially violates the Nurse Practice Act, increases liability for schools and eliminates local control. Our primary concern with this change, however, is that it eliminates the critical school-specific education and experience requirements necessary to practice the nursing specialty that is school nursing.

Just as RNs who work in an ICU require additional education, RNs who work in a school setting require the same. There are many differences between the duties of a school nurse and a registered nurse. The two practice under completely separate federal privacy laws, and the consequences for violating FERPA are serious, namely a loss of federal funding. School nurses must understand, draft and implement individualized student care plans like IEPs and 504s, which, if not done correctly, can threaten a student’s ability to have a level playing field for learning. School nurses also have to understand and apply school law to their work, such as special education regulations and rules around proper dispensing of medication. Most importantly, school nurses are practicing healthcare in a non-healthcare setting. Whereas RNs are normally surrounded by other licensed healthcare professionals who they can rely on for assistance, school nurses practice independently. Thus, on day one, they must know the unique

ways their specialty works in practice in a school setting, including how to delegate care to non-healthcare licensed staff, how to craft required school health policies and procedures, and how to know if those plans are working. All of these critical tenets of school nursing are covered in a school nurse licensure program, which was previously required under the ODE license. By removing this requirement, we are allowing RNs to be wholly unprepared for school nurse duties, risking harm to students and staff, and thus failing our school communities.

The removal of the ODE license and its corresponding requirements also potentially violates the Nurse Practice Act, ORC 4723-4-03, which prohibits a RN from “[providing] nursing care that is beyond basic nursing preparation for a registered nurse” without “[obtaining] education that emanates from a recognized body of knowledge relative to the nursing care to be provided.” Allowing RNs to practice the specialty of school nursing with only a background check and without the specific school nursing education and practicum provided under the ODE license is in violation of those provisions of Code. In addition, the enacted law increases liability resulting from a potential failure to appropriately perform duties, not only for schools, but for the RNs practicing as a school nurse. This will likely result in increased costs that already strained school budgets cannot afford. Finally, the enacted language in ORC 3319.221 removes local control by expressly forbidding local districts from requiring an ODE license for their school nurses. This forces all districts to abide by this lower professional standard, even when they may not want to.

Mr. Chairman and members of the Committee, for all these reasons, we would urge the Senate to include our proposed amendment restoring the ODE license and its corresponding educational requirements for licensed school nurses in HB 110. The unintended consequences of current law are far too great not to act. By restoring strong professional standards to school nursing, we will keep students safe, avoid potential legal violations and liability issues, and ensure school nurses have the robust training to match this important title. Thank you again for the opportunity and I would welcome any questions you may have.