

New York State Association of School Nurses

www.nysasn.org

Memo of Opposition

A7503 Assemblyman Gottfried

S5481 Senator Hannon

An act to amend the public health law, in relation to community paramedicine services provided by emergency medical providers

The proposed legislation would authorize emergency medical technicians (EMTs) to provide care in expanded circumstances, potentially resulting in EMTs utilized in roles falling outside of their scope of practice, such as School Nursing.

The School Nurse shall be a Registered Professional Nurse

This legislation would enable EMTs to extend the circumstances upon which their scope of practice allows. This “community paramedicine” is meant to provide expanded outreach of paramedic services while under supervision of a medical doctor. **The New York State Association of School Nurses (NYSASN) is concerned that this bill could enable EMTs to be utilized in schools to provide care that is outside of their training, knowledge base and which they are not licensed to conduct.** This cost saving measure would put students at risk.

In New York, school health services exist as a legally authorized clinical micro-system within the broader education macro-system. The professional health services provided to students in New York’s schools are authorized by and explicitly defined under Article 19 of the NYS Education Law.

This legal authorization to practice a health profession in New York schools is required under New York’s Corporate Practice of the Professions doctrine. This doctrine exists in order “to guarantee that licensed professionals provide professional services to the public without undue influence from other professionals or from unlicensed persons who are not subject to the professional responsibility requirements prescribed in Education Law.”

“Community Paramedicine” is poorly defined and cannot meet the bills’ goal of improving community health

This proposed legislation would not “improve the health of individuals in the community setting.” Community health is based on preventative care, increasing self-care skills through patient education, risk assessment and planned interventions conducted by healthcare providers and registered nurses. EMTs are not licensed to conduct diagnostic assessments or formulation of care plans. This proposed legislation fails to clarify the boundaries of practice that EMTs could be utilized under “community paramedicine.” There are no specifications indicated that would state appropriate health practice EMTs could be asked to perform in expanded settings.

Paramedics and nurses are not interchangeable

Nurses are trained and licensed, in accordance with Article 139 of NYS Education Law (The Nurse Practice Act), for “diagnosing and treating human responses to actual or potential health problems through such services as case-finding, health teaching, health counseling and provision of care supportive to or restorative of life and well-being.”

EMTs, however, are trained and authorized by certification to conduct a defined set of protocols for the purposes of pre-hospital emergency care on site and upon transport to hospital, as indicated by the patient’s complaint and/or condition, without exceeding the limit of their training and under the supervision of a medical doctor. Assessment and treatment implementation are outside the scope of the EMTs practice.

Conclusion

School health services involves bridging the gap between health and learning, requiring the expertise to identify, assess, plan, implement and evaluate the health needs of the school community. Legislation such as A7503/S5481 provides an opportunity for school districts to replace RN School Nurses with EMTs as a cost saving measure. This lowers the standard of school health care to an environment that is no longer safe for the students of New York State.

The New York State Association of School Nurses insists that we uphold Article 19 and ensure that every school nurse shall be a Registered Professional Nurse

November 2016