

**TITLE 6            PRIMARY AND SECONDARY EDUCATION**  
**CHAPTER 63      SCHOOL PERSONNEL - LICENSURE REQUIREMENTS FOR ANCILLARY AND**  
**SUPPORT PERSONNEL**  
**PART 16            LICENSURE FOR SCHOOL LICENSED PRACTICAL NURSES, GRADES PRE K-12**

**6.63.16.1            ISSUING AGENCY:** Public Education Department (PED).  
[6.63.16.1 NMAC - Rp, 6.63.16.1 NMAC, 9/26/2017]

**6.63.16.2            SCOPE:** This rule governs licensure for school licensed practical nurses, grades Pre K-12.  
[6.63.16.2 NMAC - Rp, 6.63.16.2 NMAC, 9/26/2017]

**6.63.16.3            STATUTORY AUTHORITY:** Sections 22-2-1, 22-2-2, 22-10A-3, and 22-10A-17, NMSA 1978.  
[6.63.16.3 NMAC - Rp, 6.63.16.3 NMAC, 9/26/2017]

**6.63.16.4            DURATION:** Permanent.  
[6.63.16.4 NMAC - Rp, 6.63.16.4 NMAC, 9/26/2017]

**6.63.16.5            EFFECTIVE DATE:** September 12, 2017, unless a later date is cited in the history note at the end of a section.  
[6.63.16.5 NMAC - Rp, 6.63.16.5 NMAC, 9/26/2017]

**6.63.16.6            OBJECTIVE:** This rule establishes the requirements for school licensed practical nurses, grades Pre K-12, for persons seeking such licensure.  
[6.63.16.6 NMAC - Rp, 6.63.16.6 NMAC, 9/26/2017]

**6.63.16.7            DEFINITIONS:**

**A.            "Administration of medications"** as defined in Paragraph (2) of Subsection A of 16.12.2.7 NMAC means a process whereby a prescribed drug or biological agent, as allowed by an applicable state or federal law, is given to a patient/client by a person licensed or certified by the board to administer medications.

**B.            "Assessment"** as defined in Paragraph (9) of Subsection A of 16.12.2.7 NMAC means the review and interpretation by a licensed individual of specific data necessary to determine the patient/client's care and treatment needs (also see data collection).

**C.            "Assignment of nursing activity"** as defined in Paragraph (10) of Subsection A of 16.12.2.7 NMAC means appointing or designating another licensed nurse or assistive personnel that is consistent with his/her scope of practice (licensed person) or role description (unlicensed person).

**D.            "Competency in nursing"** as defined by Paragraph (4) of Subsection C of 16.12.2.7 NMAC, means the ability to perform skillfully and proficiently the role of the licensee. The role encompasses essential knowledge, judgment, attitudes, values, skills and abilities, which are varied in range and complexity. Competency is a dynamic concept and is based on educational training, preparation, and expertise.

**E.            "Data collection"** as defined in Paragraph (1) of Subsection D of 16.12.2.7 NMAC means the process of obtaining information, material, fact, or clinical observations which will be used in the assessment process; data collection is not limited to licensed individuals.

**F.            "Delegation"** as defined in Paragraph (2) of Subsection D of 16.12.2.7 NMAC means the transferring to a competent individual the authority to perform a selected nursing task in a selected situation. The nurse retains accountability for the delegation. As stipulated in Subsection B of 16.12.2.12 NMAC the nurse shall assign/delegate to licensed and unlicensed persons only those nursing functions which that person is prepared, qualified, or licensed or certified to perform.

**(1)**        The nurse is accountable for assessing the situation and is responsible for the decision to delegate or make the assignment.

**(2)**        The delegating nurse is accountable for each activity delegated, for supervising the delegated function or activity, and for assessing the outcome of the delegated function or activity.

**(3)**        The nurse may not delegate the specific functions of nursing assessment, evaluation, and

nursing judgment to non-licensed persons.

(4) Registered nurses engaged in school nursing practice may delegate medication administration, including emergency medication, to adults affiliated with school operations.

**G. “Licensed practical nursing”** as defined in Subsection I of Section 61-3-3, NMSA 1978, means the practice of a directed scope of nursing requiring basic knowledge of the biological, physical, social and behavioral sciences, and nursing procedures, which practice is at the direction of a registered nurse, physician, or dentist licensed to practice in this state. This practice includes:

- (1) contributing to the assessment of the health status of individuals, families, and communities;
- (2) participating in the development and modification of the plan of care;
- (3) implementing appropriate aspects of the plan of care commensurate with education and verified competence;
- (4) collaborating with other health care professionals in the management of health care; and
- (5) participating in the evaluation of responses to interventions.

**H. “Nursing Practice Act”** means Chapter 61, Article 3 NMSA 1978 regulating the practice of nursing, schools of nursing, hemodialysis technicians, and medication aides in the state.

**I. “Professional registered nursing”** as defined in Subsection M of Section 61-3-3, NMSA 1978, means the practice of the full scope of nursing requiring substantial knowledge of the biological, physical, social and behavioral sciences, and of nursing theory and may include advanced practice pursuant to the Nursing Practice Act. This practice includes:

- (1) assessing the health status of individuals, families, and communities;
- (2) establishing a nursing diagnosis;
- (3) establishing goals to meet identified health care needs;
- (4) developing a plan of care;
- (5) determining nursing interventions to implement the plan of care;
- (6) implementing the plan of care commensurate with education and verified competence;
- (7) evaluating responses to interventions;
- (8) teaching based on the theory and practice of nursing;
- (9) managing and supervising the practice of nursing;
- (10) collaborating with other health care professionals in the management of health care; and
- (11) conducting nursing research.

**J. “Scope of practice”** as defined in Subsection O of Section 61-3-3, NMSA 1978, means the parameters within which nurses practice based upon education, experience, licensure, certification, and expertise.

**K. “Supervision/direction”** as defined in Paragraph (5) of Subsection S of 16.12.2.7 NMAC, means initial verification of a person’s knowledge and skills in the performance of a specific function or activity followed by periodic observation, direction and evaluation of that person’s knowledge and skills as related to the specific functions or activity.

[6.63.16.7 NMAC - Rp, 6.63.16.7 NMAC, 9/26/2017]

**6.63.16.8 REQUIREMENTS:** Persons seeking licensure as a school licensed practical nurse (LPN) pursuant to the provisions of this rule shall meet the following requirements:

- A.** high school diploma or equivalency; and
- B.** minimum 18 years of age; and
- C.** current valid certification in cardiopulmonary resuscitation (CPR), which includes hands-on skills demonstration;
- D.** provide verification of current valid certification in basic first aid; and
- E.** completion of a state approved or nationally accredited program of study for practical nursing; and
- F.** current valid practical nursing license issued by the New Mexico board of nursing or a multi-state license to practice practical nursing pursuant to the nurse licensure compact or any successor licensing board for;
- G.** minimum of one year of supervised clinical nursing experience, outside of a school setting; and
- H.** verification by the public school superintendent or private school official that a local orientation related to assigned duties, and facilitated by the PED licensed registered nurse, was satisfactorily completed; and
- I.** submit to and satisfactorily clear a fingerprint-based background check per local school board or regional education cooperatives policy pursuant to Section 22-10A-5, NMSA 1978.

[6.63.16.8 NMAC - Rp, 6.63.16.8 NMAC, 9/26/2017]

**6.63.16.9 CONTINUING LICENSURE FOR SCHOOL LICENSED PRACTICAL NURSES:** Persons holding a valid school licensed practical nurse license and seeking continuation of this license shall meet the following requirements:

- A.** A completed application for continuing PED licensure shall be submitted to the director of professional licensure; and
- B.** a copy of a current valid certification in cardiopulmonary resuscitation which includes hands-on demonstration; and
- C.** a copy of a current valid certification in first aid; and
- D.** the superintendent of the local school district or the governing authority of the state institution or private school by which the applicant has been most recently employed as of the date of application for continuing licensure must submit verification that the applicant has satisfactorily been employed as a PED school licensed practical nurse; and
- E.** a copy of a current valid practical nursing license shall be submitted with the application for continuing PED licensure.

[6.63.16.9 NMAC - Rp, 6.63.16.9 NMAC, 9/26/2017]

**6.63.16.10 COMPETENCIES FOR ENTRY LEVEL SCHOOL LICENSED PRACTICAL NURSES:**

The principle role of the school licensed practical nurse is to assist the PED licensed registered nurse with the implementation of the school health program, by providing practical nursing care for students in the health room, and by meeting the complex needs of medically fragile/severely disabled students. This includes, but is not limited to, nursing procedures, medication administration, assisting in the assessment and monitoring of the health and immunization status of students, and communicating effectively with parents, students, medical providers, and school staff. These functions may be carried out in the health room or classroom, traveling to and from school, and on field trips for community based instruction.

- A.** Contributes to the assessment of the health status of individual students and schools.
  - (1)** uses basic nursing knowledge to assess and monitor the status of individual students;
  - (2)** participates in the routine health screening, and assists in the assessment of screening results; and
  - (3)** assists in the assessment of the immunization status of the student population.
- B.** Participates in the development of the nursing plan for care for individual students and the school population.
  - (1)** assists with the development of individualized health/emergency care plans; and
  - (2)** assists with school planning related to health and safety.
- C.** Implements aspects of the nursing plan of care, commensurate with education and verified competency, under the direction and supervision of the PED licensed registered nurse.
  - (1)** provides nursing/medically prescribed interventions including tube feeding, urinary catheterization, glucose monitoring, tracheal suctioning, nebulizer treatment, peak flow measurement, and ventilator care;
  - (2)** administers medications to students in compliance with the Nursing Practice Act;
  - (3)** assists in the implementation of policies and procedures regarding the control of communicable diseases in schools;
  - (4)** prepares and maintains accurate and complete records and reports as required by law, state directives, district policy, and administrative regulations.
- D.** Collaborates with PED licensed registered nurses, health assistants, site administrators, school staff, parents, and students regarding the provision of health care for individual students and the school population as a whole.
- E.** Participates in the evaluation of responses to nursing interventions.
- F.** Maintains professional competence through individual and staff training, in-service educational activities and self-selected professional growth activities.
- G.** Shares the responsibility for the care of district inventory, as well as the proper and safe use of facilities, equipment, and supplies, reporting safety hazards promptly.
- H.** Maintains confidentiality in accordance with state and federal laws and district policy.
- I.** Demonstrates effective interpersonal and communication skills (written and oral) with diverse populations.

[6.63.16.10 NMAC - Rp, 6.63.16.10 NMAC, 9/26/2017]

**6.63.16.11 NOTIFICATION REQUIREMENT:** All persons issued a license as school licensed practical nurses, grades Pre K-12, by the PED shall continuously hold a license issued by the board of nursing for so long as they hold licensure issued by the PED.

**A.** Should this underlying license expire, be suspended or revoked, or its renewed or initial issuance denied, a person seeking or holding a license as a school licensed practical nurse, grades Pre K-12 from the PED shall notify the local school superintendent and the professional licensure bureau in writing within fourteen (14) calendar days of such suspension, revocation, denial, or expiration.

**B.** Suspension, revocation, denial, or expiration of the license issued by the board of nursing shall constitute just cause for discharge or termination from employment, and for suspension, revocation, or denial of renewed or initial issuance of an instructional support provider license.

[6.63.16.11 NMAC - Rp, 6.63.16.11 NMAC, 9/26/2017]

**HISTORY OF 6.63.16 NMAC:**

6.63.16 NMAC, Licensure for School Licensed Practical Nurses, Grades Pre K-12, filed 5/28/2004 was repealed and replaced by 6.63.16 NMAC, Licensure for School Licensed Practical Nurses, Grades Pre K-12, effective 9/26/2017.

**HISTORY OF REPEALED MATERIAL:**

6.63.16 NMAC, Licensure for School Licensed Practical Nurses, Grades Pre K-12, filed 5/28/2004 - Repealed effective 9/26/2017.