

2002 field memo clarifies that school nurses may lawfully train unlicensed individuals to administer epi-pen injections and generally confirms the practice of training unlicensed individuals to administer medications in **certain emergency circumstances**. Recognizing the public protection benefits of having persons trained to administer glucagon in settings where students with diabetic conditions are at risk, the conditions listed in the 2002 memorandum related to epi-pen administration, apply equally to glucagon administration as follows:

1. Unlicensed individuals trained to administer glucagon may only do so in emergency situations,
2. The person providing the training must be licensed as a registered professional nurse who is competent to provide the training, and
3. The training must be provided in a manner that is neither negligent nor grossly negligent, as defined in the Education Law and Rules of the Board of Regents.

In response to requests from educators and licensed professionals seeking clarification on whether training unlicensed individuals to administer glucagon in an emergency would be considered professional misconduct, a licensee would not be subject to misconduct for providing this training if it is performed in a competent manner. The potential violation of aiding and abetting an unlicensed person in the practice of nursing would not apply based on an exemption in section 6908(1)(a)(iv) of the nurse practice act which permits unlicensed persons to provide nursing assistance in case of an emergency. The unlawful delegation violation would similarly not apply because the nurse would be providing general training rather than delegating a task that requires licensure.

This legal determination is drawn from the State Education Department's 110-year history of regulating the licensed professions. In addition, the Department's opinion on this issue was informed by technical information provided at a workgroup made up of Education Department staff, Department of Health personnel and experts in the field. The team provided technical information including statistical analyses that showed no cases of mortality in the use of glucagon injections. The multi-agency group recognized use of the glucagon injection kit identified in American Diabetes Association literature as being a best practice standard.

We hope this information is helpful. If you have any questions or need additional information, please visit the Office of Professions Web site at www.op.nysed.gov or contact the New York State Board for Nursing by phone at 518-474-3817 ext. 120 or e-mail nursebd@mail.nysed.gov. Additional information is also available through the New York State Center for School Health at www.schoolhealthny.com or by phone at 585-617-2380.