

Report from OBN submitted by Kathy O'Dell

Much of the July meeting of OBN was rule review. As you may be aware, each year a portion of the OAC (Ohio Administrative Code) is reviewed & this year Chapter 13, the delegation chapter, was reviewed as was Chapter 5, the education chapter. Here are some of the highlights:

Chapter 13, Delegation: Knowing that school administrators sometimes see Chapter 3313 in education law differently than nurses see Chapter 13 in nursing law I want to share this comment...."The process of the task determines delegatability of the task." Nurses 'may' delegate, not 'shall' delegate. Nursing still retains the responsibility of delegation & as such may deem a 'designee' (by education law) not capable of receiving the delegation.

No person can delegate to another person the task that has been delegated to the original delegatee. That means that an aide to whom you've delegated a nursing task cannot delegate that task to another aide. I had an elementary principal attempt to do so last year & had to step in to provide the appropriate training to the 2nd aide in order for the delegation to legally occur.

ORC (Ohio Revised Code---the law) is clear about the CE requirements for active duty military. The length of military deployment equals the length of time necessary to obtain CE for license renewal. This clarification occurred because it was found that the OAC was in conflict /c ORC & ORC clearly rules!

If you know any nurse who has or intends to let their license lapse, tell them to make it inactive. It is much easier to activate an inactive license than a lapsed license. Besides that there is a financial penalty to reinstate a lapsed license. One cannot use their CE waiver option to reactivate a lapsed or an inactive license.

Just a reminder that nurses cannot count CPR, BLS or work-site orientation or in-service programs for CE.

A reminder for the author of our continuing education documents....the provider information must appear on the certificate & no vendor product promotion may occur in the presentation.

Licenses are being issued much more quickly from OBN now that NCLEX (formerly known as 'state boards') results are received daily @ OBN.

On compact licensure (the multi-state nursing license option)....Ohio is proceeding slowly & for a very good reason. 17 states in the compact do not require criminal background checks like Ohio does. This is so very necessary in protecting the public from unsafe nursing care. While it would be advantageous to the licensee to have compact licensure, it would not protect the public & the protection of the public is the mission of OBN. Stay tuned, as this topic is addressed in every OBN meeting.

The Lancaster BOE vs. OBN case is still 'on the docket'...so to speak. The Epilepsy Association & school boards association have filed an amicus brief in the court of appeals which has held that nursing judgment was not required to administer Diastat & therefore could be delegated.

Again....stay tuned.

ONA still hosts the Nursing Summit. I hope that OASN is still being invited. If not, contact ONA. We need presence in nursing circles, especially if we expect to mount a legislative effort next year.

Speaking of next year....as you may know the legislature is in summer recess & little is happening since this is an election year. Even when the legislature reconvenes in the fall, little beyond the most necessary legislation will be dealt /c. Then after the election, the lame duck session will occur as our major political parties realign themselves. So this would not be the optimum time to introduce any legislation to mandate school health services in Ohio. I think Sam will be telling you the same thing. However, it will give us time to identify our new legislators, including the new Governor, & to start to build relationships or to nurture any existing relationships.

Each time ONA worked their grassroots efforts in contacting certain legislators or executive branch officials to express concern or opposition to important issues, their efforts resulted in victory! Their success is proof that individuals who are willing to communicate /c elected officials can have a significant impact on what laws are enacted & what rules are adopted. A STRONG GRASSROOTS NETWORK IS ESSENTIAL in any lobbying effort & significantly enhances what paid lobbyists are able to accomplish.

An example was HB 117, in its 6th version, (/c the latest version crafting a quasi regulatory scheme through the Dept. of Commerce for providers of complementary or alternative health care services). Legislative liaisons sent numerous emails to members of the House Commerce & Labor Committee & to their own state representatives expressing concern about how the bill failed to include any standards or criteria these providers must meet in order to be listed on a state-sponsored registry. In other words, registrants would not be required to have any relevant education or training related to the services they provide.

The key to these victories is the legislative liaison---volunteers who are matched /c their federal &/or stte lawmakers & agree to communicate /c them on a regular basis. ONA provides legislative updates & alerts to make sure each liaison is aware of developments @ the Statehouse or on Capitol Hill. Our relationship /c ONA will be crucial if we expect their support for mandatory school health services. In the past ONA has provided OASN /c legislative training & I would suggest that the OASN board once again entertain this idea since there are many new members on the OASN board. I think Sam would, once again, support this concept as well. Sam is a wonderful asset to our association but like he has said he can't do it alone. He is our advisor & we are the worker bees!

I don't meant to sound like a commercial for ONA but ONA has a huge presence @ the Statehouse especially in terms of patient safety & support for nurses. The ONA legislative contact is Jan Lanier who can be reached @ janier@ohnurses.org or call 614-448-1028 to schedule the legislative training which will include a training manual that includes info about the legislative process, how to communicate effectively /c legislators & other resources that help make the liaison experience a positive one for both the volunteer & ONA. (There, end of commercial!)

The next OBN meeting is Sept. 21 & 22 & I would encourage anyone to attend. Jan is almost always there! Janis also a former OBN executive director. So she can see both sides of the issue!

ONA will again sponsor Nurses Day @ the Statehouse on Mar. 21, 2007 in the Atrium. OASN needs to be present! The ONA website will contain further info.

I regret that I was unable to attend the Aug. OASN meeting, but my kids in Kansas City needed me to baby-sit the twins while they were both out of town on business trips & I'm not one to turn down an opportunity to spend time /c grandchildren! I hope you understand, but know that I have truely missed being /c all of you & that my heart is still true to OASN & I will help in any way that I can!

Have a healthy, happy school year!

Kathy