



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Nursing Care Quality Assurance Commission
111 Israel Road SE, MS 47864
Tumwater, WA 98504

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To : Martin Mueller via email at Martin.Mueller@k12.wa.us
Office of Superintendent of Public Instruction

From: Paula R. Meyer, Executive Director of the Nursing Care Quality Assurance Commission
Alison Bradywood, Executive Director of the Nursing Care Quality Assurance Commission

Regarding: Authority of Registered Nurses to Administer and Delegate COVID-19 CLIA-Waived Tests in School Settings

With the end of the federal COVID-19 Public Health Emergency declaration on May 11, 2023, and its increased flexibilities in testing regulation through the federal PREP Act, school nurses have raised questions regarding their authority to continue caring for their student populations by administering COVID-19 testing in schools. The Nursing Care Quality Assurance Commission (NCQAC) is issuing this letter to provide clarification regarding registered nursing practice authority in existing law and guidance.

Administration of CLIA-waived COVID-19 Tests in Schools

In accordance with prior NCQAC-issued guidance, it is within the scope of a registered nurse (RN) to administer Clinical Laboratory Improvement Amendments (CLIA)-waived tests without an order from a health care practitioner. See the NCQAC [Frequently Asked Questions](#) under Infusion Therapy, Phlebotomy, and Laboratory Tests. Tests that do not requiring puncturing of the skin may be initiated by an RN without an order from an authorized health care practitioner in a school setting. An RN may consult the test instructions or the FDA website to determine whether a particular test is CLIA-waived.

Delegation of COVID-19 Rapid Tests to Unlicensed Personnel in Schools

Under [RCW 28A.210.305](#), an RN may provide nursing care to students in a school setting. This includes the authority to delegate routine and non-complex nursing tasks, such as administration of a CLIA-waived COVID-19 test without an order from a health care practitioner, to unlicensed assistive personnel (UAP) who are employees of public or private schools that conduct any of grades kindergarten through the twelfth grade.

Licensed RNs working in a school setting are advised to follow [chapter 28A.210 RCW](#) as well as the guidance [in NCQAC Advisory Opinion 15.01: Registered Nurse Delegation in School Settings: K-12 Grades, Public and Private](#).

The PREP Act Liability Immunities Extend Through 2024

Per the [11th amendment](#) to the declaration under the PREP Act for COVID-19 Medical Countermeasures, the Secretary of the federal Department of Health and Human Services has extended immunity from suit and liability for providers who administer or use COVID-19 tests that are subject to an FDA Emergency Use Authorization or relate to a federal grant or other federal agreement through December 31, 2024.

If you have further questions regarding registered nursing practice in Washington, please check out the [NCQAC website](#), or address practice questions to nursingpractice@doh.wa.gov.