

281—14.2(256) Special health services. Some individuals need special health services to participate in an educational program. These individuals will receive special health services along with their educational program.

14.2(1) Definitions. The following definitions are used in this rule, unless the context otherwise demands:

“Assignment and delegation.” “Assignment” means the routine health care, activities and health procedures that are within the licensed health personnel’s authorized scope of practice as defined by state law. “Delegation” means the process within the licensed health personnel’s scope of practice in transferring a task, skill, or procedure of the licensed health personnel to qualified designated personnel. Primary consideration is given to the recommendation of the licensed health personnel and health instruction competence of the delegate is documented to perform a specific activity, skill, or procedure that is beyond the qualified personnel’s traditional role and not routinely performed.

“Co-administration” means the eligible individual’s participation in the planning, management and implementation of the individual’s special health service and demonstration of proficiency to licensed health personnel.

“Educational program” includes all school curricular programs and activities both on and off school grounds.

“Education team” may include the individual, the individual’s parent, administrator, teacher, licensed health personnel, and others involved in the individual’s educational program. The education team may be the team under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, both effective as of February 7, 2024, if the child is eligible under either of those statutes.

“Health assessment” means the systematic collection of data collected by the licensed health personnel to determine the student’s health status and initial plan of care, to identify any actual or potential health problems, or upon any significant change in the student’s status relating to the individual’s education program.

“Health instruction” means education by licensed health personnel to prepare qualified designated personnel to deliver and perform special health services contained in the eligible individual’s health plan. Documentation of education and periodic updates will be on file at school.

“Individual health plan” means the documented plan of care utilizing the nursing process as defined in 655—Chapter 6 for evidence-based management of the student’s ongoing special health service in the educational program. The school nurse may develop this plan in collaboration with the education team. The plan also includes a provision for emergencies to provide direction in managing an individual’s health condition (stable or unstable). Documentation of evaluation and updates to the plan are completed as needed and at least annually.

“Licensed health personnel” means a licensed registered nurse, licensed physician, licensed physician associate, or other licensed health personnel legally authorized to delegate or provide special health services and medications under the auspices of the school.

“Prescriber” means licensed health personnel legally authorized to prescribe special health services and medications.

“Qualified designated personnel” means individuals who perform delegated tasks, activities and procedures beyond their traditional role who are instructed, supervised, and competent in implementing the eligible individual’s health plan or delegation of special health services.

“Special health services” includes services for eligible individuals whose health status (stable or unstable) necessitates:

1. Interpretation or intervention,
2. Administration of health procedures and health care, or
3. Use of a health device to compensate for the reduction or loss of a body function.

“Supervision” means the assessment, delegation, monitoring, and frequency of evaluation and documentation of special health services by licensed health personnel. Levels of supervision include situations in which:

1. Licensed health personnel are physically present.
2. Licensed health personnel are available at the same site.

3. Licensed health personnel are available on call.

14.2(2) *Special health services policy.* Each board of a public school or the authorities in charge of an accredited nonpublic school shall, in consultation with licensed health personnel, establish policy and guidelines for the provision of confidential special health services in conformity with this chapter. Such policy and guidelines will address the following:

a. Licensed health personnel provide special health services under the auspices of the school. Duties of the licensed health personnel include:

- (1) Participating as a member of the education team.
- (2) Providing the health assessment.
- (3) Planning, implementing and evaluating the written individual health plan.
- (4) Planning, implementing and evaluating special emergency health services.
- (5) Serving as a liaison and encouraging participation and communication with health service agencies and individuals providing health care.
- (6) Providing health consultation, counseling and instruction with the eligible individual, the individual's parent and the staff in cooperation and conjunction with the prescriber.
- (7) Maintaining a record of special health services. The documentation includes the eligible individual's name, special health service, prescriber or person authorizing, date and time, signature and title of the person providing the special health service and any unusual circumstances in the provision of such services.
- (8) Reporting unusual circumstances to the parent, school administration, and prescriber.
- (9) Assigning and delegating to, instructing, providing technical assistance to and supervising qualified designated personnel.
- (10) Updating knowledge and skills to meet special health service needs.

b. Prior to the provision of ongoing special health services, the following are to be on file:

- (1) A written statement by the prescriber detailing the specific method and schedule of the special health service, when indicated.
- (2) A written statement by the individual's parent requesting the provision of the ongoing special health service.
- (3) A written individual health plan available in the health record and integrated into the IEP or 504 plan, if applicable, for ongoing health services and documentation of the education team meeting.

c. Licensed health personnel delegating health services, in collaboration with the education team, determine the special health services to be provided designated qualified personnel. The documented rationale will include the following:

- (1) Analysis and interpretation of the special health service needs, health status stability, complexity of the service, predictability of the service outcome and risk of improperly performed service.
- (2) Determination that the special health service, task, procedure or function is part of the person's job description.
- (3) Determination of the assignment and delegation based on the scope of the licensed personnel's practice, the student's needs and the qualifications of school personnel performing health services.
- (4) Review of the designated person's competency.
- (5) Determination of initial and ongoing level of supervision, monitoring and evaluation required for safe, quality services.

d. Licensed health personnel supervise the delegated special health services, define the level of frequency of supervision and document the supervision.

e. Licensed health personnel instruct qualified designated personnel to deliver and perform delegated special health services. Documentation of instruction, written consent of personnel pursuant to Iowa Code section 280.23 and evaluations are to be on file at the school.

f. Parents provide the usual equipment, supplies, and necessary maintenance of the equipment, unless the school is required to provide the equipment, supplies, and maintenance under the Individuals with Disabilities Education Act, effective February 7, 2024, and 281—Chapter 41 or Section 504 of the Rehabilitation Act of 1973, effective February 7, 2024. The equipment will be stored in a secure area.

The individual health plan is to designate the responsibilities roles of the school, parents and others in the provision, supply, storage and maintenance of necessary equipment.

14.2(3) *Relationship between this rule and other laws and rules.* In complying with this rule, for children who are eligible under the Individuals with Disabilities Education Act, effective February 7, 2024, and 281—Chapter 41 or Section 504 of the Rehabilitation Act of 1973, effective February 7, 2024, the school health services is to comply with any additional or differing provisions of those laws based on a specific child's needs.

14.2(4) *Seizure training and response.*

a. Each school district, accredited nonpublic school, or charter school shall adopt policies and implement seizure action plan and training requirements contained in Iowa Code section 280.13D as enacted by 2025 Iowa Acts, House File 835.

b. The state board of education shall adopt a seizure education program, which is to be consistent with standards of the Epilepsy Foundation of America. The department will post materials on the department's Internet site, educate.iowa.gov. Materials beyond what is required by paragraph 14.2(4) "a" are voluntary.

14.2(5) *Information regarding vaccinations.* In any communication to a parent or guardian regarding immunizations, a school district, accredited nonpublic school, or charter school will comply with Iowa Code section 256.7(15) as enacted by 2025 Iowa Acts, House File 299.

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