

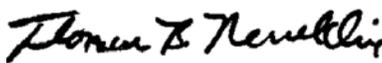


THE STATE EDUCATION DEPARTMENT/THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY 12234

OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES
EXECUTIVE COORDINATOR FOR SPECIAL EDUCATION SERVICES

January 1996

TO: Directors of Approved Preschool Programs and Preschool Educators
Early Childhood Direction Centers
Preschool Special Education Advisory Panel

FROM: Thomas B. Nevelidine 

SUBJECT: Provision of Nursing Tasks and Health-Related Activities in Approved Preschool
Special Education Settings for Children with Disabilities, Ages Three and Four Years

The purpose of this memorandum is to clarify a preschool special education program's responsibility regarding the provision of nursing tasks and health related activities. Consistent with school-age programs, preschool programs, approved under Section 4410 of the Education Law, must follow the Nurse Practice Act (Education Law §6900 et.seq.) which governs the professional practice of nursing in New York State.

The Act requires that certain professional nursing activities may only be performed by registered professional nurses, or in some cases, by licensed practical nurses under the direction of a registered nurse. For information on those activities required to be performed by a registered nurse, please refer to the March 1995 memorandum *The Provision of Nursing Tasks and Health Related Activities in the School Setting for Students with Special Health Care Needs*. A registered professional nurse may delegate to a licensed practical nurse (LPN) nursing tasks listed in Attachment A of the March 1995 memorandum. However, an LPN, as a dependent practitioner, may only perform nursing under the direction of a registered nurse.

Approved preschool programs may employ or contract for the services of a nurse when such an individual is required for the provision of a nursing task. If, as a result of complying with the Act, an approved preschool program exceeds the total cost screen upon reconciliation, the Program Services Reimbursement Unit may consider recommending a waiver of the total cost screen. The program should submit a waiver request during the normal reconciliation rate comment period.

If you have any question regarding this information, please contact Michael Plotzker at (518)473-4823 or Thomas Hamel at (518)474-3227.

