

**New York State Office of Children and Family Services
Bureau of Early Childhood Services
Policy Statement**

ID Number: 06-6

Topic: Registered Nurses May Not Sign Medical Statements

Modalities Impacted: All Modalities

Applicable Regulations: Title 18 of The New York State Codes Rules and Regulations: § 413.2(q).

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**Effective: Immediately May 12, 2006 (Revised 3-3-09)
This policy statement is effective immediately and cancels all previous memos or statements on the topic.**

The purpose of this policy statement is to clarify whether registered nurses are permitted to sign the medical statements that providers, assistants, household members, employees and volunteers must submit prior to beginning employment (and every two years thereafter), and the medical form required to be on file for every child prior to being accepted for care. Both forms assess the child and caretaker's health to participate in child day care, and document that the child and caretaker are free from contagious or communicable diseases.

Signing the Medical Form

The Office of Children and Family Services (OCFS) contacted the State Education Department (SED) with regard to this issue. SED confirmed that registered nurses may not sign medical statements as described above. Signing a medical statement, according to SED, is outside a registered nurse's scope of practice. OCFS does not have the authority to permit a registered nurse to perform tasks outside his or her scope of practice. OCFS will be proposing changes to the current child care regulations in Title 18 of The New York State Codes Rules and Regulations § 413.2(q) to correct this inaccuracy.

All medical statements must be signed by one of the following licensed health care providers: physicians, physician assistants, or nurse practitioners. In addition, a licensed midwife is permitted to conduct annual exams for women as long as this is within his/her scope of practice. Thus, based on this information a licensed Midwife may sign a medical statement for women, but not for men or children.

Recording Test Results on A Medical Statement

Mantoux tuberculin (TB) tests given by registered nurses (RN) are performed via non-patient specific orders and protocols that are authorized by a physician or a certified nurse practitioner. A non-patient specific order authorizes RNs employed or under contract with a legally authorized entity (such as a local health department, clinic or medical facility) to administer TB tests. As a result, RNs working for a legally authorized entity are permitted to perform a TB test, record its results and sign off on the results of a TB test. OCFS will accept an RN's signature to the TB section of the medical form. A health Care provider, however, must sign off on the other areas included on the medical statement.

Approved [X] 3-3-09



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