

**California Indian Health  
Service:  
2013 Best Practices & GPRA Measures  
Conference**

Registered Nurse  
**SCOPE OF PRACTICE**



**Presented by**

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# Mission of the Board

To protect the public by regulating the practice of registered nurses and implementing and enforcing the **Nursing Practice Act** (laws related to nursing education, licensure, practice, and discipline).



**BOARD OF REGISTERED NURSING  
MONTHLY STATUS REPORT**

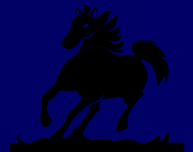
*April 30, 2013*

<b>DESCRIPTION</b>	<b>ACTIVE</b>	<b>INACTIVE</b>	<b>TOTAL</b>
<b>REGISTERED NURSES</b>	386,733	16,028	402,761
<b>CLINICAL NURSE SPECIALIST</b> 3,380	25	3,405	
<b>NURSE ANESTHETISTS</b>	2,202	39	2,241
<b>NURSE-MIDWIVES</b>	1,232	25	1,257
<b>NURSE-MIDWIVES FURNISHING</b>	812	9	821
<b>NURSE PRACTITIONERS</b>	17,910	392	18,302
<b>NURSE PRACTITIONER FURNISHING</b>	13,604	109	13,713
<b>PSYCHIATRIC/MENTAL HEALTH</b>	355	19	374
<b>PUBLIC HEALTH NURSES</b>	53,483	2,503	55,986
<b>CONTINUING ED PROVIDERS (CEP'S)</b> 3,452		-	3,452



**BOARD OF REGISTERED NURSING**  
**Executive Director**

**Louise Bailey, MEd., R.N., E.O.**



# Board Committees

- Administrative
- Education/Licensing
- Nursing Practice
- Legislative
- Diversion/Discipline



# BOARD MEMBERS

- Raymond Mallel – President, Public Member
- Erin Niemela – Public Member
- Cindy Klein – RN, Direct Patient Care Member
- Michael Jackson – MSN, RN Nurse Educator Member
- Trande Phillips – RN, Direct Patient Care Member
- Jeanette Dong - Public Member
- Joshua Groban - Public Member



Raymond Mallel



Michael Jackson



Trande Phillips



Erin Niemela



Cindy Klein

Jeanette Dong



Joshua Groban

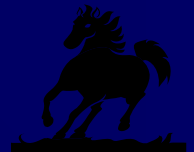




# Administrative Committee

Raymond Mallel- Chair  
Cindy Klein

Louise Bailey - Consultant



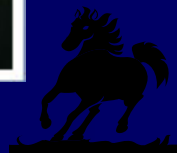
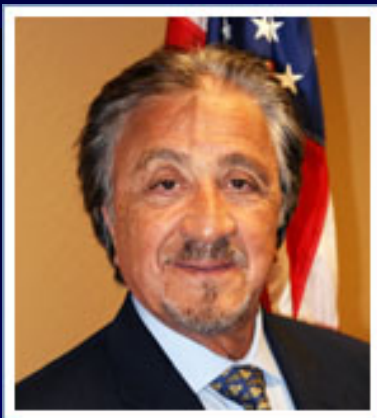
# Education/Licensing Committee

Michael Jackson - Chair

Ray Mallel

Erin Niemela

Trande Phillips



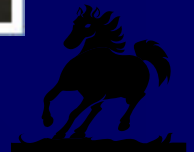
# Nursing Practice Committee

Trande Phillips - Chair

Cindy Klein

Jeanette Dong

Michael Jackson

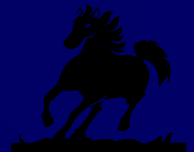
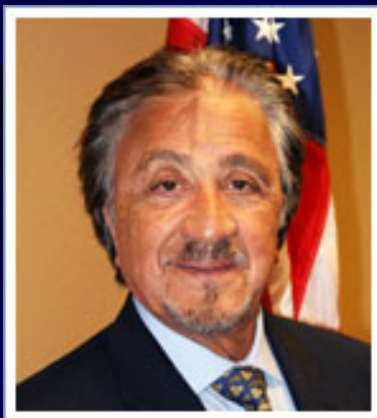


# Discipline/Diversion Committee

Cindy Klein - Chair

Ray Mallel

Michael Jackson



# Legislative Committee

Erin Niemela - Chair

Cindy Klein

Trande Phillips

Jeanette Dong



# **Tribal Health Programs: Health Care Practitioners Registered Nurses and Advanced Practice Nurses**

**Legislation enacted during 2011-2012 Session**

Assembly Bill 1896, (Chesbro) Chapter 119 is an act to amend the heading of Article 10 (commencing with Section 710) of Chapter 1 of Division 2 of, and to add Section 719 to, the Business and Professions Code.

Under existing law, licensed health professionals employed by a tribal health program are required to be exempt, if licensed in any state, from the licensing requirements of the state in which the tribal health program performs specified services. A tribal health program is defined as an Indian tribe or tribal organization that operates any health program, service, function, activity, or facility that is funded, in whole or part, by the Indian Health Service.



## **Tribal Health Programs: Health Care Practitioners Registered Nurses and Advanced Practice Nurses (con't)**

This act codifies the federal requirement by specifying that a person who is licensed as a health care practitioner in any other state and is employed by tribal health program is exempt from this state's licensing requirements with respect to acts authorized under the person's license where the tribal health program performs specified services.



# What is the RN Scope of Practice?

- Business and Professions Code
- California Nursing Practice Act
- Regulations and Related Statutes



# Nursing Practice Act

- Article 2

- Scope of Regulations

- 2725 Legislative Intent Practice of Registered Nursing defined

# RN Scope

*Basic Health Care:* means helping people cope with difficulties of daily living that are associated with actual or potential health or illness problems or treatments

# RN Scope

## Basic Health Care:

- requires a substantial amount of scientific knowledge and technical skill
- requires scientific knowledge and technical skill core requirement the RN utilizes to assess and make decisions regarding patient care

# RN Practice of Nursing

## Means:

- **Direct and indirect patient care services:**
  - Safety, comfort, personnel hygiene, and protection of patients, performance of disease protection and restorative measures.

# RN Assessment & Decision

## Means:

Clear legal authority for functions and procedures having common acceptance and usage.

# RN Assessment & Decision

## *Common Acceptance and Usage*

- Best Practice
- Standards of Care
- Publications
- Research
- Government Standards
- Accrediting Standards

# RN Assessment & Decision

- Nursing Practice includes observation
  - Observation means assessment and decision making regarding patient care

# Observation is Assessment & Decisions

- Signs and symptoms of illness
- Reactions to treatment
- General behavior
- General physical conditions



# Observation is Assessment & Decisions

- Determining of whether the signs, symptoms, reactions, behavior, or general appearance exhibits abnormal characteristics

# Observation is Assessment & Decisions

- Determining abnormal characteristics
- Responsibility cannot be delegated

# Observation is Assessment & Decisions

## *Abnormal characteristics:*

- heart rhythm, laboratory values, chest and lung auscultation, sensorium, mobility, pain, breathing problems, infection, wound, blood glucose, drug interaction, mental status

# RN Scope of Practice Assessment & Decision

*Patient exhibiting abnormal characteristic*

- Implementation of reporting or referring to the physician

# RN Scope of Practice Assessment & Decision

Implementing of reporting or referring to the  
physician

- RN report to the physician is organized, contains pertinent pt information, may suggest options, advocates for the pt needs and then implements as required

# RN Scope of Practice Assessment & Decision

*Standardized Procedures:*

Code Blue, ACLS, PALS

Oxygen, seizure precautions

# RN Scope of Practice Assessment & Decision

- Access to veins, arteries and immunization
- RNs perform skin tests, immunization, withdrawal of blood from veins and arteries

# RN Scope of Practice Assessment & Decision

Direct and indirect care by RNs

- Indirect care means delegation patient care services: LVN and other care givers



# RN Scope of Practice Assessment & Decision

- RNs administer medications and therapeutic agents
- To implement a treatment, disease prevention, or rehabilitation regimen
- Ordered by a physician, dentist, podiatrist, clinical psychologist

# RN Scope

## *Legislative Intent 1973-1974*

- Legislature recognizes nursing is a dynamic field, the practice is continually evolving to include more sophisticated patient care activities.

# RN Scope

## *Legislative Intent 1973-1974*

- Recognize overlapping functions between registered nurses and physicians, and to permit additional sharing of functions in the organized health care system that provides collaboration between physicians and registered nurses
- Standardized Procedures include policies and protocols developed in collaboration with physicians, nurses, and administrators of facilities.

# RN Scope

## *Standardized Procedure:*

- Policies and Procedures developed by the licensed health care facility.
- Approved Standardized Procedures in a health facility allow RNs to perform functions that would otherwise be considered the practice of medicine and or surgery.

# Board of Registered Nursing

No state agency other than BRN may define or interpret the practice of nursing or develop standardized procedures.

# RN Scope

## *Dispensing Drugs & Devices:*

- RN may dispense (hand to a patient) drugs and devices upon the order of a physician or an NP, CNM, and PA when dispensing within a licensed primary care clinic.
- RN may not dispense controlled substances

# Dispensing of Drugs

- Furnishing NPs and CNMs with DEA registration numbers may dispense per standardized procedure in primary care clinics, including controlled substances.

# Dispensing of Self-Administered Hormonal contraceptives; injections

- Standardized procedures:
- RNs may dispense self-administered hormonal contraceptives oral and injectable in primary care clinics.
- Other specified requirements...



# Acute Care Hospitals

## Unlicensed Assistive Personnel

UAP's cannot perform nursing functions in lieu of a RN

UAP's may not perform functions under direct clinical supervision of a RN

# RN Scope Unlicensed Personnel

A RN function that requires a substantial amount of scientific knowledge and technical skill, and not limited to, cannot assigned or delegated.

## *Examples of administration of medication:*

- venipuncture
- intravenous therapy
- tube feeding
- invasive procedures
- insertion of catheters
- tracheal suction
- assessment of patient condition
- educating patient and their family about health care including discharge care, moderate complexity tests

# Who can care for the sick?

Practice not prohibited if gratuitous care of the sick by friends and family members.

# Emergency Care by RN's

RN's who, in good faith, render emergency care at the scene of an emergency shall not be liable for any civil damages as a result of acts or omissions.

# Emergency Care by RN's

This section shall not grant immunity for civil damages when the person rendering care is grossly negligent.

# Nursing Students

Nursing services may be rendered by a student when these services are incidental to a course of study and when a student is enrolled in a Board approved program.

# Title “RN”

Use of “RN” means a person can **ONLY** practice as a RN when holding an active license.

# Current RN License

An Employer is required to ascertain that the RN is currently authorized to practice with an active license.



# Inactive RN License

- Send a letter to BRN and request an inactive status
- To activate your license, a licensing fee is required
- Continuing education is required at the time of reactivation
- Fingerprints are required upon reactivation

# RN Scope

RNs can perform medical or surgical functions by approved Standardized Procedures.

One example is an RN 1<sup>st</sup> Assistant

# RN Scope

Standardized Procedures, additional functions for RN practice that include what would otherwise be considered the practice of medicine and or surgery.

# RN Scope

- Approved Standardized Procedures effective in the following organized health care systems:
  - Acute care hospital and clinics
  - Home Health Agencies
  - Physician Offices
  - Public or Community Health Clinics

# RN Scope

## Grounds for Discipline

*Persons subject to discipline:*

- Every certificate holder such as NP, CNM, CNS, CRNA
- RN Licensee
- Temporary licensee
- Licensee in an inactive status

# Grounds for Discipline

## *Gross negligence:*

- Defined as an extreme departure from the standard of care, under similar circumstances, would have been ordinarily exercised by a competent RN

# Grounds for Discipline

## *Gross negligence:*

- An extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could jeopardize the client's health or life

# Grounds for Discipline

## *Incompetence:*

- Means the lack of possession of or the failure to exercise that degree of learning, skill, care, and experience ordinarily possessed and exercised by a competent registered nurse
  
- As described in Section 1443.5



# The Competent RN

- Formulates a nursing diagnosis through observation
- Formulates a care plan
- Performs skills essential to nursing action taken
- Explains the health treatment
- Teaches the client and family
- Delegates tasks to subordinates and effectively supervises

# The Competent RN

- Evaluates the effectiveness of the care plan
- Acts as the client advocate

# What is NP Scope of Practice?

Includes all the RN scope of practice

&

NP has additional educational preparation and skills in physical diagnoses, psychosocial assessment, and management of health and illness needs in primary care.

**NP is a certificate**  
**RN is the license**

January 2008 initial NP qualifications required a master's degree.

NP relies on approved Standardized Procedures for authorization to perform medical functions of diagnosing and treating patients.

# NP Prescriptive Authority

Furnishing is NP prescriptive authority to make drugs and devices available to patients. BRN issues the furnishing number.

NP with furnishing number can register with the Drug Enforcement Agency for a DEA registration to Furnish Controlled Substances, Schedule II thru V.

# Certified Nurse Midwife

Under general supervision of a licensed physician is authorized to attend cases of normal childbirth and provide prenatal, intrapartum, and postpartum care, family planning for the mother, and immediate care of the newborn.

Physician supervision does not require the MD to be physically present when the CNM is practicing.

# Certified Nurse Midwife

The practice of a CNM does not require Standardized Procedures for their authorized practice.

Standardized Procedures are required to furnish drugs and devices.

The CNM with a furnishing number can register with the Drug Enforcement Agency for a DEA registration to prescribe Controlled Substances, Schedule II thru V.

# Clinical Nurse Specialist

CNS is a RN with advanced education who participates in expert clinical practice, education, research, consultation, and clinical leadership as a major component of his or her role.



# Funny Quotes From Medical Records

- The patient refused an autopsy.
- Healthy appearing decrepit 69 year-old male, mentally alert but forgetful.
- She is numb from her toes down.



# LexisNexis

[www.lexisnexis.com](http://www.lexisnexis.com)

# Q & A

