WEST VIRGINIA BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES

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Boards revise Scope of Practice and Delegation Models

The West Virginia Board of Examiners for Registered Professional Nurses (RN Board) and the West Virginia State Board of Examiners for Licensed Practical Nurses (LPN Board) jointly developed the Scope of Practice Model and the Delegation Model in the early 90's. The Models have been reviewed and revised over the years. This year, the Boards appointed a Task Force to review the Models and propose revisions. The Models were reviewed and stakeholder groups were invited to meet with the Task Force to discuss the Models. Draft revisions were made based upon the comments from that meeting. THE BOARD Wants TO HEAR FROM YOU!! Please take time to review and comment on the Models as they appear in this newsletter on pages 2 and 3. The Scope of Practice Model is essentially the same in content, however, the look of the Model is much different. The Delegation Model, however, has revolutionary changes. Not only has the appearance of the Model changed, the concept of the Model makes clearer the responsibility of the person making the delegation decision. In reviewing the Models, the Task Force discussed the questions often asked by nurses when they call the Board office with delegation questions. The goal of the Task Force was then to revise the Model to make those "stopping places" clearer and easier to move through the Model. Go now to pages 2 and 3 to review the Models and send your comments to the Board office by U.S. mail or e-mail, rnboard@state.wv.us, by May 1, 2005. Your comments will help the Task Force develop a Model that will be the most useful to you in providing the safest care possible to the citizens of West Virginia.

RN BOARD PREPARES TO REVIEW NURSE PRACTICE ACT

The RN Board is preparing to review the Nurse Practice Act to determine if the language needs to be updated or revised. Part of this process includes gathering information from RN's. The Board is having a FOCUS GROUP DAY at the Board office on MAY 23, 2005 from 9:00 a.m. until 4:00 p.m. The day's schedule is planned so nurses with similar interests can meet and talk with representatives of the Board and staff about their ideas, concerns or suggestions related to the law. The schedule is as follows:

9 -10 AM Nurse Administrators 12 - 1 Nurse Practitioners/Clinical Nurse Specialists
10 -11 Nurse Educators 1 - 2 Nurse Midwives
11 -12 School Nurses 2 - 3 Certified Nurse Anesthetists
3 - 4 Staff Nurses

If you are unable to attend, please send your comments by US mail or e-mail.
SCOPE OF PRACTICE DECISION MODEL FOR RN'S AND LPN'S

Assess patient and define the activity or task

Is this activity or task consistent with or permitted by the West Virginia Nurse Practice Act and Legal Standards or Practice for RN or LPN Position Statements issued by the Boards or any other applicable law?

Decision 1

Yes

Report/defer to qualified individual

Decision 2

No

STOP

Is the act consistent with all of the following;
- National Nursing Standards?
- Nursing Literature/Research?
- Institutional Policy/Procedures?
- Agency Accreditation Standards?
- Board Position Standards?

Yes

Report/defer to qualified individual

Decision 3

No

STOP

Task taught in pre-licensure, post basic or approved continuing education program?

Yes

Report/defer to qualified individual

Decision 4

No

STOP

Is there a written order from a licensed physician, PA or APN or is there a signed written protocol?

Yes

Report/defer to qualified individual

Decision 5

No

STOP

Do you have the current knowledge and skill to perform the activity and is this documented?

Yes

Report/defer to qualified individual

Decision 6

No

STOP

Would a reasonable and prudent nurse perform the act?

Yes

Report/defer to qualified individual

Decision 7

No

STOP

Are you prepared to accept the consequences of your actions?

Yes

Report/defer to qualified individual

Decision 8

No

STOP

Do WRITTEN policies or employer allow you to perform the activity?

Yes

Report/defer to qualified individual

No

STOP

PROCEED
Delegation/Assignment Decision Model

Define the activity or task and Assess patient

Do you have the competencies to perform the task you are delegating?

Is delegation of the act consistent with all of the following:
- National Nursing Standards?
- Nursing Literature/Research?
- Institution Policy/Procedures?
- Agency Accreditation Standards?
- Board Position Statements*?
- West Virginia Code and Rules**?

Decision

NO

STOP

Do Not Delegate

Decision

Yes

Do Not Delegate

Is the task to be delegated by you medication administration?

Decision

Yes

It may be delegated to another RN or LPN, who has demonstrated and documented competence, and the activity is within their respective scope of practice OR
May be performed in select settings in accordance with West Virginia Code and Rules**

NO

STOP

Does the activity fall within the scope of provision of personal hygiene, vital signs, comfort, nutrition, ambulation, safety, protection or collection of specimens?

Decision

NO

STOP

May be delegated to RN or LPN or assigned to unlicensed person, who has demonstrated and documented competence

Does the activity require substantial, specialized knowledge and skill, or nursing evaluation intervention or revision of goals/ plans of care? It is not acceptable for intravenous cannulation to be delegated to an unlicensed individual.

Decision

Yes

Do Not assign to unlicensed persons. This task may be delegated to another RN, APN or to a LPN, who has demonstrated and documented competence and the activity is within their respective scope of practice

No

STOP

Is the patient's condition stable and outcome of the act predictable?

Decision

Yes

Do Not Delegate to LPN
Delegate to RN or APN with demonstrated and documented competence

Decision

No

Delegate to RN or APN with demonstrated and documented competence

Is the person's competency to perform the specific task demonstrated and documented?

Decision

Yes

Do Not Delegate to LPN
Delegate to RN or APN with demonstrated and documented competence

Decision

No

Delegate to RN or APN with demonstrated and documented competence

Do you believe the person is competent at this time in this situation?

Decision

No

Report/defer to qualified individual

Yes

STOP

Would a reasonable and prudent nurse delegate the act?

Decision

Yes

Report/defer to qualified individual

Decision

No

STOP

Are you prepared to accept the consequences of your decision to delegate?
Board Agenda Items

The Board's agenda is set based upon general business and requests. General business topics on the agenda include the Open Forum, Education, Practice, Discipline, National Council of State Boards of Nursing, meeting reports, plans for future meeting attendance, and office related matters. The items may be generated by the Board or by request of non-Board members. There are times when questions posed to Board staff can be answered without the issue going to a Board Meeting. Some examples of these situations include when the Board has previously responded to the question, when the law is clear on the answer, or when the Decision Models provide an answer.

Sometimes people want to know why it takes a long time to get an answer to an issue from the Board. The Board meets at least three (3) times each year. The longest time between meetings is five (5) months. When an item is placed on an agenda every effort is made to assure all information related to the topic is available to the Board so a timely decision can be made. If the Board needs or requests more information, the information is gathered and the item is placed on the agenda for the next meeting.

What are the guidelines for having a topic placed on the agenda?
The Board has developed these guidelines and they are presented below.

Parameters for Board Agenda Items

The West Virginia Board of Examiners for Registered Professional Nurses is committed to fulfilling their charge to protect the citizens of West Virginia through the regulation of the practice of the registered professional nurse. To provide the best opportunity for members to review and consider agenda items from outside entities, members must have adequate information in advance of the meeting during which the item is discussed. In order to provide ample time for a review and processing of information related to agenda items, the information must be received by the Board at least thirty (30) days before a meeting date. Once the request is received, the following process will occur:

1. The request will be reviewed by Board executive staff to determine:
   a. Clarity of the request
   b. Presence of required or necessary supporting documents
   c. Need to gather more information

2. After executive staff review, the Executive Director and the Board President will meet to discuss the request. The President will make the determination regarding placement on a meeting agenda, or referral to a Board Committee.

Factors that may affect placement on a meeting agenda are:
   a. Whether or not the issue is under the Board’s jurisdiction;
   b. Significance of the issue on public health and safety;
   c. Completeness of information provided and whether or not additional information is needed; and,
   d. Timeliness of the request.

3. Once the decision is made about placement on an agenda, the person making the request will be notified. If the item is not placed on the agenda, a reason will be provided, such as a request for more information or an answer to the question which has been previously provided by the Board. If the item is placed on the agenda, the person making the request will be invited to attend the Board meeting in person or by phone to be available for discussion or questions from the Board.

4. During the meeting the Board will discuss the item and may ask questions of the person making the request. The Board may 1) make a decision on the agenda item; 2) hold the item over to the next meeting for purposes of obtaining more information or allowing more time for review and consideration of information obtained during the meeting. The Board meets at least three (3) times a year, therefore, a decision from the Board may take five (5) months or more.
Parameters for Board Agenda Items Continued
To assist the Board in making a decision in the most timely fashion, the person making the request can provide the information in ample time before the meeting, provide ample support information and be present or available to the Board during discussion of the agenda item.

Requests made less than thirty (30) days before a meeting will move through the same review process. The President will determine if an emergency exists requiring an agenda change for the upcoming meeting or if the item can be placed on a subsequent agenda.

 LEGISLATIVE UPDATE
Several bills of interest to nursing have been introduced during the 2005 legislative session. Bills that directly include additional regulatory involvement by the RN Board include, the Fees Rule; EMS personnel working in the hospital setting, and a bill that is anticipated to be introduced about the regulation of Dialysis Technicians. The EMS bill permits EMS personnel to work in the hospital setting based upon rules written jointly by the commissioner for the Bureau of Public Health (which is the agency housing the Office of Emergency Medical Services) and the RN Board. There is the intent for the introduction of a bill relating to giving the RN Board jurisdiction over dialysis technicians. A bill passed last year that gave the authority for RN’s to delegate to Dialysis Technicians and gave the Board the authority to regulate education programs. Another bill of interest is the bill relating to the nurse to student ratio in the school setting. This bill sets the student/nurse ratio to include all grades.

To learn more about bills introduced this legislative session visit
www.legis.state.wv.us

 BOARD MEETINGS
Open Forum time for the public and licensees begins at 9:00 a.m. on the first day of a Board meeting when more than one day is scheduled. The meetings begin at 9:00 a.m. and are held in a conference room at the Board office at 101 Dee Drive, Charleston, West Virginia, unless otherwise noted. If no one attends the Open Forum the meeting will proceed according to the agenda. Potential attendees should contact the Board office at (304) 558-3596 prior to the scheduled meeting to determine if there have been any changes in the location or time of the session so adequate space may be provided. Board meetings are:
June 15 -17, 2005
Joint LPN/RN meeting
June 16, 2005
October 19-21, 2005

 BOARD OFFICE SCHEDULE
Open Monday through Friday
8:00 am - 5:00 pm. with the exception of holidays.
Upcoming holidays are:
May 30, 2005 Memorial Day
June 20, 2005 West Virginia Day
July 4, 2005 Independence Day
September 5, 2005 Labor Day

 Board Staff
Laura Skidmore Rhodes, MSN, RN Executive Director
Cyndy R. Haynes, MSN, RN Director of Education and Practice
Álice R. Faucett-Carter, JD General Counsel and Director of Discipline
Marty Alston Secretary II/Accounting Assist II
Tonya Hancock Office Assistant II
Leslie Morris Discipline Assistant
April Rasnake Office Assistant II
Lauranna Ware Secretary I
Margaret Weinberger Data Entry Coordinator

 ONLINE RENEWALS
PLANNED FOR FALL 2005!
The Board is working with the State Treasurer’s Office to provide an online renewal option for RN’s this Fall when renewing the 2006 license.
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<th>Board Members</th>
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| **Pamela Alderman, MSN, RN**  
President  
Chapmanville, WV | > NEW SCOPE AND  
DELEGATION MODELS |
| **Barbara Stevens, EdD, RN**  
Barboursville, WV | > FOCUS GROUPS TO TALK  
ABOUT THE NURSE  
PRACTICE ACT |
| **Linda Williams, JD, CRNA**  
Oak Hill, WV | > BOARD AGENDA ITEMS |
| **Cynthia A. Persily, PhD, RN**  
Secretary  
Charleston, WV | Let us know what you  
think. ... write or e-mail  
rnboard@state.wv.us |
| **Judy Nystrom, Public**  
Member  
Welch, WV | 1 Public Member Position Vacant |
| **Diana Boyle, MSN, RN-CS,**  
FNP  
Fairmont, WV 26554 |