

Frequently Asked Questions and Answers for Employers

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| What procedures can nursing students working as tech or nursing assistant do as an employee of the hospital? | <p>A student's role with faculty supervision does not carry over to the role as an unlicensed employee of the hospital when the nursing student is working as a nursing assistant or patient care technician. Unless the nurse is a school nurse, a nurse in the State of Alabama Independent Living Program (SAIL), or a nurse with the Alabama Department of Mental Health Residential Community Program, the rule answering this question is found in the Alabama Board of Nursing <u>Administrative Code</u> Chapter 610-X-6-.11(4) which states:</p> <p>Tasks delegated to unlicensed assistive personnel may not include tasks that require:</p> <ul style="list-style-type: none">• The exercise of independent nursing judgment or intervention• Invasive or sterile procedure<ul style="list-style-type: none">o Finger sticks are not an invasive or sterile procedure within the meaning of these rules.o Peripheral venous phlebotomy for laboratory analysis is not an invasive or sterile procedure within the meaning of these rules.• The assistance with medications except as provided in Chapter 610-X-7. |
| What can a nursing graduate do in a facility/agency <u>until</u> he/she receives a temporary permit? | <p>To provide nursing care in Alabama, a nursing license is required. A first-time applicant for licensure in Alabama, including the nursing graduate, may request a nonrenewable temporary permit to practice nursing. The non-renewable temporary permit allows the graduate to practice as a Nursing Graduate-PN Program (NG-PNP) or Nursing Graduate-RN Program (NG-RNP) with stipulations.</p> <p>Prior to the receipt of the temporary permit, the nursing graduate cannot work in an employment classification that requires a nursing license, including participation in nursing orientation. The graduate without a temporary permit or license is classified as unlicensed and must follow the policies and procedures for unlicensed personnel in the agency/facility. Nursing procedures and activities that are permitted in the nursing education program under the direct supervision of nursing faculty are not allowed in the workplace.</p> |

The regulation answering this question is found in the Alabama Board of Nursing Administrative Code, chapter 610-X-4-.04(5) which states

“A first-time applicant for licensure by examination may request a nonrenewable temporary permit to practice nursing.

(a) The temporary permit is valid for a time period determined by the Board.

(b) The temporary permit allows the applicant for licensure by examination to practice and use the title Nursing Graduate-PN Program (NG-PNP) or Nursing Graduate-RN Program (NG-RNP), as appropriate subject to the following stipulations.

(i) The Nursing Graduate must function under direct supervision of a currently licensed registered nurse.

(ii) The Nursing Graduate shall not assume nor be assigned charge responsibilities.

(c) A temporary permit issued by the Board to an applicant for licensure by examination shall immediately become invalid if one of the following conditions is met:

(i) The applicant fails the licensing examination.

(ii) The permit expires on the expiration date.

(iii) A license is issued.

(iv) The applicant is denied licensure.

(d) The applicant who receives a temporary permit is required to:

(i) Provide every employer the temporary permit for visual inspection.

(ii) Provide to an employer validation of a current license upon receipt of the official license card.

(iii) Inform the employer of denial of licensure.

(iv) Immediately, inform the employer of failure of the licensing examination.

The Board shall issue notice of denial of licensure. Receipt of notice is presumed within five calendar days of mailing.

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| <p>What can a nursing graduate do in a facility/agency with a temporary permit?</p> | <p>As defined in the Alabama Board of Nursing <u>Administrative Code</u>, chapter 610-X-4-.04(5bi)(5bii), the stipulations that impact the nursing graduate <u>with</u> a temporary permit include:</p> <ul style="list-style-type: none"> • The Nursing Graduate must function under <u>direct</u> supervision of a currently licensed registered nurse. • The Nursing Graduate shall not assume nor be assigned charge responsibilities. <p>Direct Supervision is defined in the Alabama Board of Nursing <u>Administrative Code</u>, Chapter 610-X-6-.01(19) as “responsible licensed nurse physically present in facility and readily accessible to designate or prescribe a course of action or to give procedural guidance, direction, and periodic evaluation. Direct supervision by a registered nurse is required for new graduates practicing on a temporary permit.”</p> |
| <p>What is the recommended nurse: patient ratio?</p> | <p>The nurse: patient ratio and number of hours worked is left to the discretion of nursing leadership in the individual facilities and agencies. Their decision should be based upon the Alabama Board of Nursing’s <u>Administrative Code</u>.</p> <p>Section 610-X-6-.03(4) of the Alabama Board of Nursing’s <u>Administrative Code</u> states that the registered nurse and licensed practical nurse shall “be responsible and accountable for the quality of nursing care delivered to patients based on and limited to scope of education, demonstrated competence and nursing experience.” Supervisors have responsibility for the care provided to patients as directed in the Alabama Board of Nursing <u>Administrative Code</u> Section 610-X-6.03(5) which states, “the registered nurse and licensed practical nurse shall be responsible and accountable for the quality of nursing care delivered to patients by nursing personnel under the individual nurse’s supervision.”</p> |
| <p>Can a nurse have a name different from the name on his/her license on the facility/agency nametag?</p> | <p>The name on the license card originates from the nurse’s application for Alabama licensure. The name remains the same unless the nurse requests a name change in writing from the Alabama Board of Nursing. The request may be made on-line at the ABN website www.abn.alabama.gov.</p> <p>A name change will not be processed until appropriate documentation is received in the ABN office. You may FAX a copy of marriage certificate, divorce decree, etc. to (334)293-5201 ATTN: Javonda. Duplicate license may take up to 14 days to be received.</p> <p>Facility policy dictates whether to allow nametags to reflect the name on the license or another name.</p> |

What does the Alabama Board of Nursing recommend for competency determination?

The Alabama Board of Nursing does not maintain a position regarding competency determination. Several rules regarding competency must be considered by the facility, the nursing supervisor and the nurse. Excerpts from the Alabama Administrative Code are listed below:

Rule 610-X-6-.03 (4)

“The registered nurse and licensed practical nurse shall:
Be responsible and accountable for the quality of nursing care delivered to patients based on and limited to scope of education, demonstrated competence, and nursing experience.”

Rule 610-X-6-.03(5)

“The registered nurse and licensed practical nurse shall:
Be responsible and accountable for the quality of nursing care delivered to patients by nursing personnel under the individual nurse’s supervision.”

Rule 610-X-6-.03(7)

“The registered nurse and licensed practical nurse shall:
Accept individual responsibility and accountability for judgments, actions and nursing competency, remaining current with technology and practicing consistent with facility policies and procedures.”

Rule 610-X-6-.04(2) (a)(b)(c)(d) and 610-X-6-.05(2) (a)(b)(c)(d)

Competence in the practice of nursing by a registered nurse/practical nurse shall include, but is not limited to:

- (a) Knowledge and compliance with:
 - (1) Applicable statutes and regulations;
 - (2) Standards of nursing practice; and
 - (3) Standardized procedures for nursing practice including but not limited to facility policies and procedures.
- (b) Maintenance of knowledge and skills in the area of practice
- (c) Assumption of responsibility for recognizing personal limits of knowledge and experience
- (d) Consulting with or referring patients to other healthcare providers to resolve situations beyond the expertise of the registered nurse/practical nurse

Rule 610-X-6-.12, the Standardized Procedure Rule, dictates that for any procedure beyond a nurse’s basic education, there must be a policy and procedure, successful completion of an organized program of study, supervised clinical practice and demonstration of competency, initially and at periodic intervals. Should there be a complaint about a nurse’s practice, training records as well as records of competency determination may be subpoenaed.