



Nursing Practice

Frequently Asked Questions and Answers

| Questions | Answers |
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| <p>How do I know what procedures are within my scope of practice as an LPN or RN?</p> | <p>The Alabama Nurse Practice Act and the ABN <u>Administrative Code</u> are written broadly to apply to nursing practice in any setting. As such, the ABN does not provide lists of tasks. There are two keys to knowing what procedures/tasks a nurse, regardless of classification, can perform:</p> <ol style="list-style-type: none"> 1. The nurse’s basic education 2. The facility/agency/company policies and procedures <p>In 2001, the Alabama Board of Nursing realized that agencies and facilities needed to expand the scope of practice for nurses as new procedures and treatments were developed. After much deliberation, the Board adopted the standardized procedure rule found in ABN <u>Administrative Code</u> Chapter 610-X-6-.12. This rule requires that a facility/agency apply for and receive approval for standardized procedures for practice beyond basic nursing education. The standardized procedure directs that agencies/facilities develop a policy and procedure that is approved by the chief nursing administrator, the chief medical officer, and the chief executive officer, as demonstrated by their signature on the application form. Additionally, the agency/facility must provide an organized program of study for staff, supervised clinical practice, and demonstration of competency that prepares nursing staff to expand the scope of practice for this selected procedure.</p> |
| <p>What is a Standardized Procedure?</p> | <p>The regulation is found in <u>Administrative Code</u> Section 610-X-6-.01(21), which states: “Written policies and protocols establishing the permissible functions, activities, and level of supervision of registered nurses and licensed practical nurses for practice beyond basic nursing education preparation.”</p> |
| <p>What procedures require a Standardized Procedure?</p> | <p>In accordance with the Alabama Board of Nursing’s <u>Administrative Code</u> Section 610-X-6-.12, any practice beyond a nurse’s basic education requires an application and subsequent approval by the Alabama Board of Nursing.</p> |

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| <p>What is the process for applying for a Standardized Procedure?</p> | <p>The process begins by completing an application form found on the ABN website under the “Nursing Practice” tab. The facility/agency/company chief nursing administrator, chief medical officer, and chief executive officer must approve the application by signing it.</p> <p>Accompanying this application must be the following:</p> <ul style="list-style-type: none"> • Policy and procedure, including level of supervision • Organized program of study including instructor qualification • Plan for supervised clinical practice • Plan for demonstration of competency, initially and at periodic intervals <p>Once the application has been submitted to the Alabama Board of Nursing, the Board action may include, but is not limited to:</p> <ul style="list-style-type: none"> • Approval • Approval as a pilot project for a period of time not to exceed twelve months, with reports to the Board at intervals specified by the Board • Denial of the request |
| <p>How do I know what task I can delegate to an unlicensed person to perform? Can Patient Care Technicians cannulate dialysis fistulas, for example?</p> | <p>Patient care technicians are unlicensed personnel, regardless of the location of care being provided. Nurses are prohibited by rule from delegating invasive or sterile procedures to unlicensed persons as reflected in the rule below.</p> <p>ABN <u>Administrative Code</u> Rule 610-X-6-.11(3)(4) states that the registered nurse or licensed practical nurse shall delegate only after considering various factors, including, but not limited to:</p> <ul style="list-style-type: none"> • Knowledge, skills, and experience of the person receiving the delegation • Complexity of the delegated tasks • Health status of the patient <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 procedures • Finger sticks are not an invasive or sterile procedure within the meaning of these rules. • Peripheral venous phlebotomy for laboratory analysis is not an invasive or sterile procedure within the meaning of these rules. • Assistance with medications except as provided in Chapter 610-X-7. |

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| | (Rule 610-X-7-.02 refers to School Nurses, Rule 610-X-7-.03 refers to the State of Alabama Independent Living Program and Rule 610-X-7-.06 refers to the Alabama Department of Mental Health Residential Community Programs) |
| <p>Does the ABN require a nurse providing telephonic case management to patients living in Alabama to have an Alabama Nursing License?</p> | <p>The Alabama Nurse Practice Act states: “In order to safeguard life and health, any person practicing or offering to practice professional nursing or practical nursing in this state, for compensation, shall hereafter be required to submit evidence that he or she is qualified so to practice and shall be licensed as hereinafter provided.”</p> <p>ABN <u>Administrative Code</u> Rule 610-X-4-.16(4) states: “Telephonic or electronic services used to communicate with patients and provide direction regarding nursing and medical care require an active license to practice nursing in Alabama.”</p> <p>Therefore, any nurse who is using his/her nursing education and judgment in the care of patients living in Alabama, whether telephonically or in person, must have an Alabama nursing license.</p> <p>Applications for licensure by endorsement, including the instructions and requirements, are available on our website: www.abn.alabama.gov.</p> |
| <p>I am a nursing student, but I work as a nursing assistant in the hospital. What procedures can I do as an employee of the hospital?</p> | <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 ABN <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 procedures <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. • Assistance with medications except as provided in Chapter 610-X-7. |

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| <p>What can a nursing graduate do in a facility/agency until he/she receives a temporary permit?</p> | <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 non-renewable 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 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> <p>The regulation concerning this question is found in ABN <u>Administrative Code</u>, 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.</p> <p>(a) The temporary permit is valid for a time period determined by the Board.</p> <p>(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:</p> <p>(i) The Nursing Graduate must function under direct supervision of a currently licensed registered nurse.</p> <p>(ii) The Nursing Graduate shall not assume nor be assigned charge responsibilities.</p> <p>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:</p> <p>(i) The applicant fails the licensing examination.</p> <p>(ii) The permit expires on the expiration date.</p> <p>(iii) A license is issued.</p> <p>(iv) The applicant is denied licensure.</p> <p>(d) The applicant who receives a temporary permit is required to:</p> <p>(i) Provide every employer the temporary permit for visual inspection.</p> <p>(ii) Provide to an employer validation of a current license upon receipt of the official license card.</p> <p>(iii) Inform the employer of denial of licensure.</p> <p>(iv) Immediately, inform the employer of failure of the licensing examination.</p> <p>The Board shall issue notice of denial of licensure. Receipt of notice is presumed within five calendar days of mailing.”</p> |

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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 with a temporary permit include:</p> <ul style="list-style-type: none"> • The Nursing Graduate must function under direct 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 ABN <u>Administrative Code</u> Section 610-X-6-.03(4), which 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 <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 online 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. The duplicate license may take up to 14 days to arrive.</p> <p>Facility policy dictates whether to allow nametags to reflect the name on the license or another name.</p> |

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| <p>What does the Alabama Board of Nursing recommend for competency determination?</p> | <p>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 <u>Administrative Code</u> are listed below:</p> <p>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.”</p> <p>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.”</p> <p>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.”</p> <p>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:</p> <p>(a) Knowledge and compliance with:</p> <ol style="list-style-type: none"> (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. <p>(b) Maintenance of knowledge and skills in the area of practice</p> <p>(c) Assumption of responsibility for recognizing personal limits of knowledge and experience</p> <p>(d) Consulting with or referring patients to other healthcare providers to resolve situations beyond the expertise of the registered nurse/practical nurse</p> <p>The standardized procedure rule, 610-X-6-.12, 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.</p> |