

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #4

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APR 28 1 10 PM '00

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: West Virginia State Board of Examiners
for Licensed Practical Nurses TITLE NUMBER: 10

CITE AUTHORITY W. Va. Code 30-7A-5

AMENDMENT TO AN EXISTING RULE: YES NO

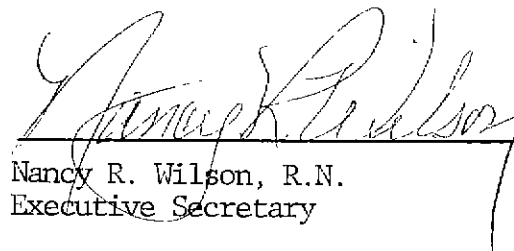
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Legal Standards of Nursing Practice
for the Licensed Practical Nurse

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.



Nancy R. Wilson, R.N.
Executive Secretary

WEST VIRGINIA
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

NANCY R. WILSON, R.N.
EXECUTIVE SECRETARY



LANETTE L. ANDERSON, J.D., R.N.
ASSISTANT EXECUTIVE SECRETARY

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April 28, 2000

Ms. Judy Cooper, Director
Administrative Law Division
Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

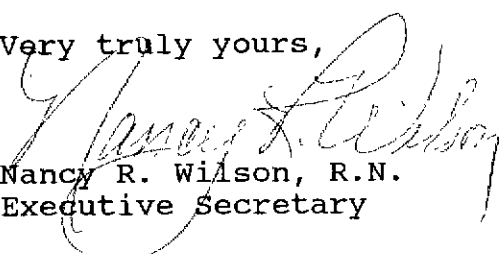
Dear Ms. Cooper:

On behalf of the West Virginia State Board of Examiners for Licensed Practical Nurses, enclosed please find the appropriate documentation required in the filing of a modified approved Rule with the Secretary of State.

These proposed amendments to Legislative Rules, 10 C.S.R. 3, Legal Standards of Nursing Practice for the Licensed Practical Nurse, were previously filed with your office on November 29, 1999 and March 21, 2000. This Rule was considered by the Legislative Rule-Making Review Committee on April 17, 2000. Modifications were made by this agency based upon recommendations from Committee counsel.

If any irregularities exist with what is submitted herein, please advise. Your assistance in this matter is appreciated.

Very truly yours,


Nancy R. Wilson, R.N.
Executive Secretary

NRW/a

Enclosures:

WEST VIRGINIA
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES

NANCY R. WILSON, R N
EXECUTIVE SECRETARY



LANETTE L. ANDERSON, J D, R N
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April 28, 2000

Legislative Rule-Making Review Committee
Building 1, Suite 152
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

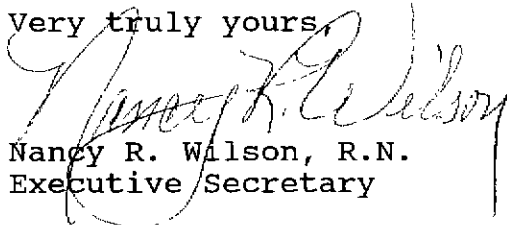
To All Interested Persons:

On behalf of the West Virginia State Board of Examiners for Licensed Practical Nurses, the enclosed documentation is hereby respectfully submitted in accordance with the requirements for Notice of Rule Modification of a Proposed Rule.

These proposed amendments to Legislative Rules 10 C.S.R. 3, Legal Standards of Nursing Practice for the Licensed Practical Nurse, have been filed concurrently with the Office of the Secretary of State. This Rule was considered by the Legislative Rule-Making Review Committee on April 17, 2000. Modifications were made by this agency based upon recommendations from Committee counsel.

If any irregularities exist with what is submitted herein, please advise. Your assistance in this matter is appreciated.

Very truly yours,


Nancy R. Wilson, R.N.
Executive Secretary

NRW/a

Enclosures:

TITLE 10
LEGISLATIVE RULES
STATE BOARD OF EXAMINERS
FOR LICENSED PRACTICAL NURSES
SERIES 3

FILED

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LEGAL STANDARDS OF NURSING PRACTICE ~~FOR THE LICENSED PRACTICAL NURSE~~

OFFICE OF W. L. VIRGINIA
SECRETARY OF STATE

§10-3-1. General.

1.1. Scope. -- This legislative rule establishes minimum standards of safe practice for the Licensed Practical Nurse.

1.2. Authority. -- WV Code §30-7A-5

1.3. Filing Date. --

1.4. Effective Date. --

§10-3-2. Purpose of Standards.

The purpose of this rule is:

2.1. to establish minimum acceptable levels of nursing practice for the licensed practical nurse; and

2.2. to serve as a guide for the board to evaluate the practice of the licensed practical nurse to determine if the practice is safe and effective.

§10-3-3. Standards Related to the Licensed Practical Nurses' Contribution to, and Responsibility for, the Nursing Process.

The licensed practical nurse practicing under the direction of a registered professional nurse, licensed physician or licensed dentist shall:

3.1. contribute to the nursing assessment by collecting, reporting and recording objective and subjective data in an accurate and timely manner. Data collection includes, but is not limited to observations of:

3.1.a. the condition or change in the condition of a client; and

3.1.b. signs and symptoms of deviation from normal health status;

3.2. participate in the development of the strategy of care in consultation with other nursing personnel. Participation in the development of a strategy of care includes:

3.2.a. contributing to the identification of priorities;

3.2.b. contributing to setting realistic and measurable goals; and

3.2.c. contributing to the selection of nursing interventions which include measures to maintain comfort, support human functions and responses, maintain an environment conducive to well being, and provide health teaching and counseling;

3.3. provide nursing care under the direction of a registered professional nurse by:

3.3.a. caring for clients whose conditions are stabilized or predictable;

RULES AND REGULATIONS- BPN - STANDARDS OF PRACTICE

3.3.b. assisting with clients whose conditions are critical and/or fluctuating under the direct supervision of the registered professional nurse;

3.3.c. implementing nursing care according to the priority of needs and established practices;

3.3.d. providing an environment conducive to safety and health;

3.3.e. documenting nursing interventions and responses to care; and

3.3.f. communicating nursing interventions and responses to care to appropriate members of the health team.

3.4. Assign components of nursing care to other qualified persons; and

3.5. Contribute to the evaluation of the responses of individuals and groups to nursing interventions by:

3.5.a. monitoring the responses to nursing interventions;

3.5.b. documenting and communicating assessment data to appropriate members of the health care team; and

3.5.c. contributing to the modification of the strategy of care on the basis of the assessment data.

§10-3-4. Standards Relating to the Licensed Practical Nurse's Responsibilities as a Member of the Health Care Team.

The Licensed Practical Nurse shall:

4.1. be familiar with the statutes and rules governing nursing;

4.2. clearly display on his or her name tag or other identification badge their licensing credential (LPN);

~~4.2.3.~~ function within the legal boundaries of practical nursing practice;

~~4.3.4.~~ accept responsibility for individual nursing actions, competencies and behavior;

~~4.4.5.~~ function under the direction of a registered professional nurse, licensed physician or licensed dentist;

~~4.5.6.~~ consult with the registered professional nurse to seek guidance in delivery of nursing care as necessary;

~~4.6.7.~~ obtain instruction and supervision as necessary from the registered professional nurse when implementing nursing techniques or practices;

~~4.7.8.~~ supervise and retain accountability for the timely and accurate completion of tasks assigned to other qualified persons;

~~4.8.9.~~ function as a member of the health team;

~~4.9.10.~~ contribute to the formulation, interpretation, implementation and evaluation of the objectives and policies related to practical nursing practice within the employment setting;

~~4.10.11.~~ participate in the evaluation of nursing through peer review;

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4.11.12. report unsafe nursing practice to the Board and unsafe practice conditions to recognized legal authorities;

4.12.13. conduct practice without discrimination on the basis of age, race, religion, sex, sexual preference, national origin or handicap;

4.13.14. respect the dignity and rights of clients regardless of social or economic status, personal attributes or the nature of the health problem;

4.14.15. respect the client's right to privacy by protecting confidential information, unless obligated by law to disclose the information;

4.15.16. respect the property of employers, clients and their families; and

4.16.17. participate in relevant continuing competence activities to maintain current knowledge and skill levels in practical nursing as required in West Virginia State Board of Examiners for Licensed Practical Nurses Rule, Continuing Competence, 10 CSR 6 ~~Continuing Competence~~.