

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #1

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF PUBLIC HEARING ON A PROPOSED RULE

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

RULE TYPE: Legislative; CITE AUTHORITY W.V. Code 30-7A-1 et seq.

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: _____

DATE OF PUBLIC HEARING: Wednesday, June 19, 1991 TIME: 1:00 p.m.

LOCATION OF PUBLIC HEARING: Board Office at 922 Quarrier Street, Room 506
Charleston, West Virginia 25301

COMMENTS LIMITED TO: ORAL , WRITTEN , BOTH

COMMENTS MAY ALSO BE MAILED TO THE FOLLOWING ADDRESS: West Virginia State Board of Examiners for L.P.N.
922 Quarrier St. Room 506

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate the review of these comments.

Charleston, WV 25301

The issues to be heard shall be limited to the proposed rule.

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL _____

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

b. Date of hearing: _____

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

d. Attach findings and determinations and reasons:

Attached _____

TITLE 10
LEGISLATIVE RULES
WEST VIRGINIA STATE BOARD OF
EXAMINERS FOR LICENSED PRACTICAL NURSES

SERIES 3 - LEGAL STANDARDS OF NURSING PRACTICE
FOR THE LICENSED PRACTICAL NURSE

SUMMARY OF PROPOSAL

Changes reflect one minor editorial revision and the addition of a standard for participation in relevant continuing education activities to maintain current knowledge and skill levels.

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

LEGAL STANDARDS OF NURSING PRACTICE FOR THE LICENSED PRACTICAL NURSE

§10-3-1. General.

- 1.1. Scope. -- These legislative Rules establish minimum standards of safe practice of the Licensed Practical Nurse.
- 1.2. Authority. -- WV Code §30-7A-1 et seq.
- 1.3. Filing Date. --
- 1.4. Effective Date. --

§10-3-2. Purpose of Standards.

- 2.1. To establish minimum acceptable levels of safe practice for the Licensed Practical Nurse.
- 2.2. To serve as a guide for the Board to evaluate safe and effective nursing care.

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

The Licensed Practical Nurse shall:

- 3.1. contribute to the nursing assessment by:
 - 3.1.1. collecting, reporting and recording objective and subjective data in an accurate and timely manner. Data collection includes;
 - 3.1.1.1. observation about the condition or change in condition of a client, and
 - 3.1.1.2. signs and symptoms of deviation from normal health status.
- 3.2. Participate in the development of the strategy of care by:
 - 3.2.1. providing data,
 - 3.2.2. contributing to the identification of priorities.
 - 3.2.3. contributing to setting realistic and measurable goals, and
 - 3.2.4. assisting in the identification of measures to maintain comfort, support human functions and responses, maintain an environment conducive to well being, and provide health teaching and counseling.
- 3.3. Participate in the implementation of the strategy of care by:
 - 3.3.1. providing care for clients whose conditions are stabilized or predictable, under the direction of a registered professional nurse,
 - 3.3.2. providing nursing care for clients whose conditions are critical and/or fluctuation under the direction and direct supervision of the registered professional nurse,
 - 3.3.3. providing an environment conducive to safety and health,
 - 3.3.4. documenting nursing interventions and responses to care, and
 - 3.3.5. communicating nursing interventions and responses to care to appropriate members of the health team.
- 3.4. Contribute to the evaluation of the responses of individuals and groups to nursing interventions by:
 - 3.4.1. ~~document and communicate~~ documenting and communicating evaluation data to appropriate members of the health care team, and
 - 3.4.2. ~~contribute~~ contributing to the modification of the strategy of care on the basis of the evaluation.

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

The Licensed Practical Nurse shall:

~~4.1. have knowledge of the statutes and regulations governing nursing and function within the legal boundaries of practical nursing practice,~~

- 4.1. be familiar with the statutes and regulations governing nursing,
- 4.2. function within the legal boundaries of practical nursing practice,
- 4.3. accept responsibility for individual nursing actions and competencies,
- 4.4. function under the direction of a registered nurse, licensed physician or licensed dentist,
- 4.5. consult with the registered nurse to seek guidance in delivery of nursing care as necessary,
- 4.6. obtain instruction and supervision as necessary from the registered nurse when implementing nursing techniques or practices,
- 4.7. function as a member of the health team,
- 4.8. contribute to the formulation, interpretation, implementation and evaluation of the objectives and policies related to practical nursing practice within the employment setting,
- 4.9. participate in the evaluation of nursing through peer review,
- 4.10. report unsafe nursing practice to the Board and unsafe practice conditions to recognized legal authorities,
- 4.11. conduct practice without discrimination on the basis of age, race, religion, sex, sexual preference, national origin or handicap,
- 4.12. respect the dignity and rights of clients regardless of social or economic status, personal attributes or nature of health problem,
- 4.13. respect the client's right to privacy by protecting confidential information, unless obligated by law to disclose such information,
- 4.14. respect the property of employers, clients and their families, and
- 4.15. participate in relevant continuing education activities to maintain current knowledge and skill levels.