

WEST VIRGINIA  
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

FILED

1991 JUL 11 AM 11:54

DEPT. OF STATE  
WEST VIRGINIA

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: West Virginia State Board of Examiners for TITLE NUMBER: 10  
Licensed Practical Nurses  
CITE AUTHORITY: W.V. Code 30-7A-1 et seq

AMENDMENT TO AN EXISTING RULE: YES  NO

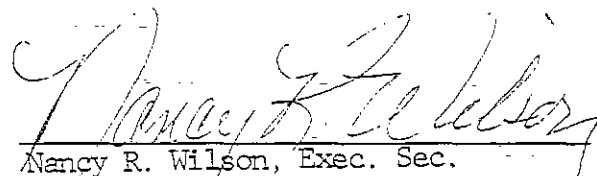
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

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: \_\_\_\_\_

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

  
Nancy R. Wilson, Exec. Sec.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Legal Standards of Nursing Practice for the Licensed Practical Nurses

Type of Rule: XXX Legislative            Interpretive            Procedural

Agency WV State Board of Exam for L.P.N. Address             
922 Quarrier Street, Room 506  
Charleston, West Virginia 25301

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ None	\$ NONE	\$ NONE	\$NONE	\$ NONE
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates:

( )

3. Objectives of these rules:

Adds standard for participation in Continuing Education. Costs attributed to Series 6 - Continuing Competence

DATE:

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia State Board of Examiners for Licensed Practical Nurses

LEGISLATIVE RULE TITLE: Legal Standards of Nursing Practice for the Licensed Practical Nurse

1. Authorizing statute(s) citation W.V. Code 30-7A-1 et seq

2. a. Date filed in State Register with Notice of Hearing:

May 7, 1991

b. What other notice, including advertising, did you give of the hearing?

List of those provided with notices of hearing is attached

c. Date of hearing(s): June 19, 1991

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached XXX No comments received                     

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

f. Name and phone number(s) of agency person(s) to contact for additional information:

Nancy R. Wilson 348-3572

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.

WEST VIRGINIA  
STATE BOARD OF EXAMINERS  
FOR LICENSED PRACTICAL NURSES



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1991 JUL 29 AM 9:11

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Nancy R. Wilson, R.N.  
Executive Secretary

506 EMBLETON BUILDING  
922 QUARRIER STREET  
CHARLESTON, WEST VIRGINIA 25301

TELEPHONE  
348-3572

July 25, 1991

Judy Cooper, Director  
Administrative Law Division  
Secretary of State  
Building 1, Suite 157 K  
Charleston, West Virginia 25305

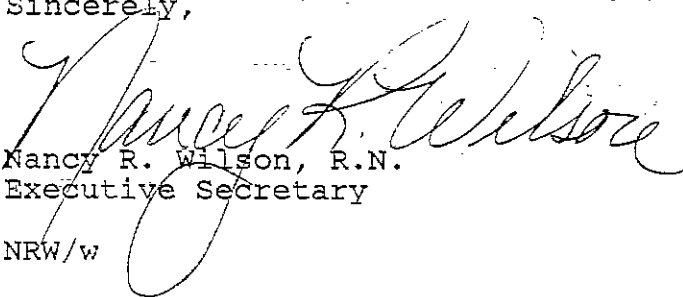
Dear Judy:

Enclosed is a revised copy of Series 3, Legal Standards of Nursing Practice for the Licensed Practical Nurse, and Series 4, Fees for Services Rendered by the Board. They were filed as Agency Approved Rules on July 11, 1991. The problem with them, which was called to my attention by the Legislative Rule Making Committee, is that I failed to include strike throughs for deleted language and underlining for new language.

Please replace the original copies which were filed with you with the new copies attached.

Thank you.

Sincerely,

  
Nancy R. Wilson, R.N.  
Executive Secretary

NRW/w

Enclosure:

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

LEGAL STANDARDS OF NURSING PRACTICE FOR THE LICENSED PRACTICAL NURSE

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