



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-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 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. observing ~~observation about~~ the condition or change in condition of a client, and
    - 3.1.1.2. reporting and recording 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 competence activities to maintain current knowledge and skill levels in practical nursing as required in 10 CSR 6, Continuing Competence.

Bill LPN, Legal 10-3

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H. B. 4305

(By Delegate Grubb)

(Introduced January 27, 1992; referred to the  
Committee on Health and Human Resources  
then the Judiciary)

10 A BILL to amend and reenact section seventeen, article nine,  
11 chapter sixty-four of the code of West Virginia, one thousand  
12 nine hundred thirty-one, as amended, relating to authorizing  
13 the West Virginia board of examiners for licensed practical  
14 nurses to promulgate legislative rules relating to legal  
15 standards of nursing practice for the licensed practical  
16 nurse.

17 Be it enacted by the Legislature of West Virginia:

18 That section seventeen, article nine, chapter sixty-four of  
19 the code of West Virginia, one thousand nine hundred thirty-one,  
20 as amended, be amended and reenacted, to read as follows:

21 ARTICLE 9. AUTHORIZATION FOR MICELLANEOUS AGENCIES AND BOARDS TO  
22 PROMULGATE LEGISLATIVE RULES.

23 §64-9-17. West Virginia board of examiners for licensed  
24 practical nurses.

1 (a) The legislative rules filed in the state register on the  
2 thirtieth day of July, one thousand nine hundred eighty-six,  
3 modified by the West Virginia board of examiners for licensed  
4 practical nurses to meet the objections of the legislative  
5 rule-making review committee and refiled in the state register on  
6 the thirtieth day of September, one thousand nine hundred  
7 eighty-six, relating to the West Virginia board of examiners for  
8 licensed practical nurses (policies relating to licensure of the  
9 licensed practical nurse), are authorized.

10 (b) The legislative rules filed in the state register on the  
11 thirtieth day of July, one thousand nine hundred eighty-six,  
12 relating to the West Virginia board of examiners for licensed  
13 practical nurses (legal standards of nursing practice for the  
14 licensed practical nurse), are authorized.

15 (c) The legislative rules filed in the state register on the  
16 thirtieth day of July, one thousand nine hundred eighty-six,  
17 relating to the West Virginia board of examiners for licensed  
18 practical nurses (fees for services rendered by the board), are  
19 authorized.

20 (d) The legislative rules filed in the state register on the  
21 eleventh day of July, one thousand nine hundred ninety-one,  
22 modified by the West Virginia board of examiners for licensed  
23 practical nurses to meet the objections of the legislative rule-  
24 making review committee and refiled in the state register on the  
25 nineteenth day of September, one thousand nine hundred ninety-

1 one, relating to the West Virginia board of examiners for  
2 licensed practical nurses (legal standards of nursing practice  
3 for the licensed practical nurse) are authorized.

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5 NOTE: The purpose of this bill is to authorize the West  
6 Virginia Board of Examiners for Licensed Practical Nurses to  
7 promulgate legislative rules relating to legal standards of  
8 nursing practice for the licensed practical nurse.

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10 ~~Strike-throughs indicate language that would be stricken from~~  
11 ~~the present law, and underscoring indicates new language that~~  
12 ~~would be added.~~

KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

A. RENEE COE  
Deputy Secretary of State

CATHERINE FREROTTE  
Executive Assistant

Telephone: (304) 558-6000  
Corporations: (304) 558-8000



STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K  
1900 Kanawha Blvd., East  
Charleston, WV 25305-0770

WILLIAM H. HARRINGTON  
Chief of Staff

JUDY COOPER  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

(Plus all the volunteer  
help we can get)

TO: Nancy Wilson

AGENCY: Examiners for Licensed Practical Nurses

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: August 27, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 3 TITLE: 10 Examiners for Licensed Practical Nurses

\* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: Nancy R. Wilson

TITLE OF PERSON SIGNING: Exec Sec

DATE: 9/4/92

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\* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: \_\_\_\_\_

TITLE OF PERSON SIGNING: \_\_\_\_\_

DATE: \_\_\_\_\_

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.