

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In this Box

Jan 23 1 43 PM '99

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

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

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 5

TITLE OF RULE BEING AMENDED: Open Meetings and Bylaws

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

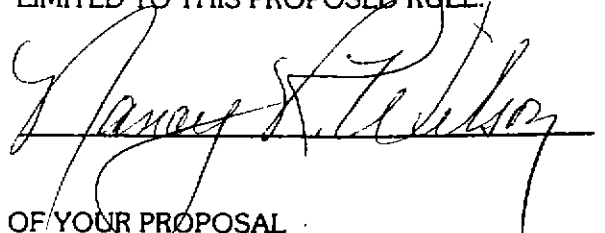
TITLE OF RULE BEING PROPOSED: _____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON January 7, 2000 AT 4:00 pm.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

West Virginia State Board of Examiners for
Licensed Practical Nurses
101 Dee Drive
Charleston, West Virginia 25311-1688

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.



ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

\$3.80

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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CHARLESTON, WEST VIRGINIA 25311-1688

November 29, 1999


Honorable Ken Hechler
Secretary of State
Building 1 Suite 157K
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0770

Dear Sir:

Pursuant to direction from the West Virginia State Board of Examiners for Licensed Practical Nurses, I hereby enclose for filing the required documentation and text of proposed amendments to Procedural Rules, 10 C.S.R. 5, Open Meetings and Bylaws. Said Rules were approved by the members of the Board during its last scheduled meeting on October 14, 1999.

Thank you for your attention to this matter.

Sincerely yours,


Nancy R. Wilson, R.N.
Executive Secretary

NRW/lla

Enclosures:

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

SERIES 5 - OPEN MEETINGS AND BYLAWS

SUMMARY OF PROPOSAL

Proposed changes are editorial and include clarification of conducting open meetings and executive sessions.

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

SERIES 5 - OPEN MEETINGS AND BYLAWS

STATEMENT OF CIRCUMSTANCES REQUIRING RULE

Proposed changes to the Rule are primarily editorial in nature. Clarification of open meetings and executive sessions is made to ensure compliance with W. Va. Code §6-9A-1 et seq., amended during the 1999 Legislative Session.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Open Meetings and Bylaws

Type of Rule: Legislative Interpretive Procedural

Agency West Virginia State Board of Examiners for LPNs

Address 101 Dee Drive

Charleston, West Virginia 25311-1688

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 & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates:

3. Objectives of these rules:

Editorial changes with regards to bylaws of the board.

Rule Title: Open Meetings and Bylaws

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

None

C. Economic Impact on Citizens/Public at Large.

None

Date:

11/29/99

Signature of Agency Head or Authorized Representative

Nancy R. Wilson, R.N.

DRAFT
10/14/99

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

10/25 / 10/14/99
OFFICE
SECRET

LEGAL STANDARDS OF NURSING PRACTICE FOR THE LICENSED PRACTICAL NURSE

§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. contributes 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 condition of a client; and

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

3.2. participates 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. provides 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. Assigns components of nursing care to other qualified persons; and

3.5. Contributes 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~~ is familiar with the statutes and rules governing nursing;

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

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

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

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

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

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

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

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

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

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

RULES AND REGULATIONS - BPN - STANDARDS OF PRACTICE

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

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

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

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

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

4.16.17. participates in relevant continuing competence activities to maintain current knowledge and skill levels in practical nursing as required in 10 CSR 6, Continuing Competence.