



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

4/10/2019 12:41:29 PM

Office of West Virginia
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Registered Professional Nurses TITLE-SERIES: 19-10
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
RULE NAME: Scope of Professional Nursing Practice
CITE STATUTORY AUTHORITY: W. Va. Code §30-7-4

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) SB 199

Section 64-9-8 Passed On 3/8/2019 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

April 10, 2019

This rule shall terminate and have no further force or effect from the following date:

April 10, 2029

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes
Alice R Faucett -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

**TITLE 19
LEGISLATIVE RULE
BOARD OF EXAMINERS FOR REGISTERED
PROFESSIONAL NURSES**

**SERIES 10
SCOPE OF PROFESSIONAL NURSING PRACTICE**

19-10-1. General.

1.1. Scope. -- This rule establishes standards of safe practice for the registered professional nurse, and serves as a guide for the board in evaluating nursing care to determine if it is safe and effective.

1.2. Authority. -- W. Va. Code § 30-7-4

1.3. Filing Date. -- April 10, 2019.

1.4. Effective Date. – April 10, 2019.

1.5. Sunset Date. – This rule will terminate and have no further force or effect upon April 10, 2029.

19-10-2. Standards Related to the Registered Professional Nurse's Scope of Practice.

2.1. Standards related to Professional Accountability:

2.1.1. Practices within the legal boundaries for nursing through the scope of practice in W. Va. Code § 30-7-1 et seq. and rules governing nursing.

2.1.2. Demonstrates honesty and integrity in nursing practice.

2.1.3. Bases nursing decision on nursing knowledge and skills, the needs of patients and registered professional nursing standards.

2.1.4. Accepts responsibility for judgements, individual nursing actions, competence, decisions and behavior in the course of nursing practice.

2.1.5. Maintains competence through ongoing learning and application of knowledge in registered professional nursing practice.

2.1.6. Reports violations of the acts or rules by self or other licensees.

2.2. Standards related to Scope of Practice.

2.2.1. Conducts a comprehensive nursing assessment.

2.2.2. Applies nursing knowledge based upon the biological, psychological and social aspects of the patient's condition.

2.2.3. Detects faulty or missing patient information.

2.2.4. Plans nursing care and nursing interventions consistent with the patient's overall health care plan.

2.2.5. Utilizes decision-making, critical thinking and clinical judgement to make independent decision and nursing diagnoses.

2.2.6. Seeks clarification of orders when needed.

2.2.7. Implements treatment and therapy, including medication administration and delegated medical and independent nursing functions.

2.2.8. Obtains orientation/training for competence when encountering new equipment and technology or unfamiliar care situations.

2.2.9. Demonstrates attentiveness and provides patient surveillance and monitoring.

2.2.10. Identifies changes in patient's health status and comprehends clinical implications of patient's signs, symptoms and changes as part of expected and unexpected patient course or emergent situation.

2.2.11. Evaluates the patient's response to nursing care and other therapy, including patient's response to interventions, need for alternative interventions, need to communicate and consult with other health team members and need to revise the plan of care.

2.2.1. Communicates and consults with other health team members including patient concerns and special needs, patient status and progress, patient response or lack of response to interventions and significant changes in patient condition.

2.2.13. Documents nursing care.

2.2.14. Revises care plan as needed.

2.2.15. Takes preventive measures to protect patient, others and self.

2.2.16. Provides comprehensive nursing and health care education in which the RPN assesses and analyzes educational needs of the learners, plans educational programs based on learning needs and teaching-learning principles, ensures implementation of an educational plan either directly or by delegating selected aspects of the education to other qualified persons and evaluates the education to meet the identified goals.

2.3. Standards for Patient Advocacy.

2.3.1. Respects the patient's rights, concerns, decisions and dignity.

2.3.2. Identifies patient needs.

2.3.3. Attends to patient concerns or requests.

2.3.4. Promotes safe patient environment.

2.3.5. Communicates patient choices, concerns and special needs with other health team members regarding patient status and progress, response or lack of response to therapies, significant changes in patient condition.

2.3.6. Maintains appropriate professional boundaries.

2.3.7. Assumes responsibility for nurse's own decision and actions.

2.4. Standards to Organize, Manage and Supervise the Practice of Nursing.

2.4.1. Assigns to another only those nursing measures that fall within that nurse's scope of practice, education, experience and competence or unlicensed person's role description including assigning care within the RN scope of practice to other RNs, LPN within the LPN scope of practice based on the RN's assessment of the patient and LPN's ability and supervising , monitoring and evaluating the care assigned to an LPN.

2.4.2. Delegates to another only those nursing measures for which that person has the necessary skills and competence to accomplish safely. In maintaining accountability for the delegation, an RN shall ensure the:

2.4.2.1. Unlicensed assistive personnel (UAP) has the education, legal authority, and demonstrated competency to perform the delegated task.

2.4.2.2. Tasks delegated are consistent with the UAP's job description and can be safely performed according to clear, exact and unchanging directions.

2.4.2.3. Results of the task are reasonably predictable.

2.4.2.4. Task does not require assessment, interpretation or independent decision making during its performance or at completion.

2.4.2.5. Selected patient and circumstances of the delegation are such that delegation of the task poses minimal risk to the patient and the consequences of performing the task improperly are not life-threatening.

2.4.2.6. Provides clear directions and guidelines regarding the delegated task or, for routine tasks on stable patients, verifies that the UAP follow each written facility policy or procedure when performing the delegated task.

2.4.2.7. Provides supervision and feedback to the UAP.

2.4.2.8. Observes and communicates the outcome of the delegated task.

2.4.3. Matches patient needs with personnel qualification, available resources and appropriate supervision.

2.4.4. Communicates directions and expectation for completion of the delegated task.

2.4.5. Supervises others to whom nursing activities are delegated or assigned by monitoring performance, progress and outcomes; assures documentation of the activity.

2.4.6. Provides follow-up on problems and intervenes when needed.

2.4.7. Evaluates the effectiveness of the delegation or assignment.

2.4.8. Intervenes when problems are identified, and revises plan of care as needed.

2.4.9. Retains professional accountability for nursing care provided.

2.4.10. Promotes a safe and therapeutic environment by providing appropriate monitoring and surveillance of the care environment, identifying unsafe care situation and correcting problems or referring problems to appropriate management level when needed.

2.4.11. Teaches and counsels patient and families regarding their health care regimen, which may include, but not limited to, general information about health and medical condition, specific procedures and wellness and prevention.