



## Kentucky Board of Nursing

### Programs of Nursing Update

Late Fall 2009

Questions? Contact: Patty Spurr, Education Consultant @ 502-429-3333; [Patricia.Spurr@ky.gov](mailto:Patricia.Spurr@ky.gov)

### Nursing Pathways for Patient Safety

By National Council of State Boards of Nursing ; Copyright 2010

\$39.95, Hardcover, Reference; Mosby Title ISBN: 978-0-323-06517-7

With a wealth of helpful guidelines and assessment tools, *Nursing Pathways for Patient Safety* makes it easy to identify the causes of practice breakdowns and to reduce health care errors. It provides expert guidance from the National Council of State Boards of Nursing (NCSBN), plus an overview of the TERCAP® assessment tool. The book systematically examines the causes of practice breakdowns resulting from practice styles, health care environments, teamwork, and structural systems to promote patient safety.

#### Key Features:

- An overview of the NCSBN Practice Breakdown Initiative introduces the TERCAP® assessment tool and provides a helpful framework for understanding the scope of problems, along with NCSBN's approach to addressing them.
- Coverage of each type of practice breakdown systematically explores errors in areas such as clinical reasoning or judgment, prevention, and intervention.
- Case Studies provide real-life examples of practice breakdowns and help you learn to identify problems and propose solutions.
- Chapters on mandatory reporting and implementation of a whole systems approach offer practical information on understanding TERCAP® and implementing a whole systems approach to preventing practice breakdowns.

### Educator Orientation Sessions for 2009-2010 Academic Year

There are still openings for remaining sessions. They are open to anyone from a program who wishes to learn more about Nursing Education and Regulation in Kentucky. All sessions are held at the Board Office. Dates remaining for the academic year include:

- February 12, 2010; and,
- April 2, 2010

The program lasts from 9 a.m. until 2 p.m. To cover some of the costs, we must charge a \$25 non-refundable fee for the session. This \$25 will include: light breakfast, snacks, lunch, and materials. The fee should be received prior to attendance to secure your place at the session. Registration is limited to 20 individuals each date. Continuing education hours are awarded (6.0 CH). Reserve your spot early. This can be done by e-mailing Lila Hicks @ [LilaA.Hicks@ky.gov](mailto:LilaA.Hicks@ky.gov) or calling her at 502-429-3300, ext. 299

## NCLEX Joins Twitter and Facebook

It is hard to find a student who does not have a Facebook account, and Twitter is quickly gaining ground. To be more responsive to the student population, below are the links to share with students and faculty to gain access to current NCSBN information:

### Facebook:

<http://www.facebook.com/pages/NCSBN-NCLEX-RNR-NCLEX-PNR-Examinations/179448145694?v=photos#/pages/NCSBN-NCLEX-RNR-NCLEX-PNR-Examinations/179448145694?v=wall&viewas=505771179>

### Twitter:

<http://twitter.com/NCLEXInfo>

## Committee and Board Meeting Dates for 2010

| <u>Education Committee Date:</u> | <u>Practice Committee Dates:</u> | <u>Board Meeting Date:</u> |
|----------------------------------|----------------------------------|----------------------------|
| January 14, 2010                 | January 15, 2010                 | February 18, 2010          |
| March 18, 2010                   | March 19, 2010                   | April 15-16, 2010          |
| May 13, 2010                     | May 14, 2010                     | June 17-18, 2010           |
| September 16, 2010               | September 17, 2010               | October 14-15, 2010        |
| November 18, 2010                | November 19, 2010                | December 9, 2010           |

Students are always welcome. Just e-mail Lila at [LilaA.Hicks@ky.gov](mailto:LilaA.Hicks@ky.gov) to let us know how many to expect so that we can have accommodations ready.

## NCLEX Examinations Web Update

The NCLEX® Examinations Department has announced new information about the *2010 NCLEX-RN® Test Plan*, alternate items and a research brief on the TOEFL iBT Standard Setting. For more information, visit the following links:

- [2010 NCLEX-RN Test Plan and FAQ](#)
- [Information Regarding Alternate Items](#)
- [Research Brief on the TOEFL iBT Standard Setting](#)

## Flu Shots

At the ADN/BSN Meeting of Coordinators last week, Dr. Beason shared with me that there were questions regarding the use of nursing students and flu shots. Nathan Goldman has developed the following statement:

"Nursing students under the supervision of a faculty member or assigned preceptor may give flu shots when there is a valid order from a prescriber."

Attached is the KBN Advisory Opinion Statement #18: **EMPLOYMENT OF NURSING STUDENTS AS NURSING PERSONNEL USING EITHER AN ACADEMIC OR A "NURSE EXTERN" SERVICE MODEL**. Paragraphs of interest have been **bolded**.

## Educational Development Plan/Mentoring Plan

As programs hire new faculty, a key element of the regulation speaks to the need for orientation but more important a mentoring of new faculty members that do not have prior teaching experience. Teaching experience is defined as academic teaching. Think about your students—would you let a student give an injection or insert a foley for the first time without supervision? I am sure the answer is "No." Then why would you not provide assistance to new faculty members when they are selecting teaching strategies for a class or preparing a test or analyzing a test? But we do. The regulation states: **201 KAR 20:310. Faculty for prelicensure registered nurse and practical nurse programs.** (h) Nurse faculty hired without prior teaching experience shall have a mentor assigned and an educational development plan implemented.

When nurse faculty forms are submitted to the Board for persons without prior teaching experience, a copy of the "educational development plan" must be included. This does not mean the list as for a scavenger hunt, such as where the supplies are kept or the code to use the copy machine, etc. This should include a plan that will address the acquiring of the competencies of an educator.

Some have asked if a plan can be developed for the program which would be used for all new faculty without prior teaching experience. Yes and No. You can certainly develop a comprehensive plan, but it should be personalized for the individual being appointed. Make it their plan and submit to us.

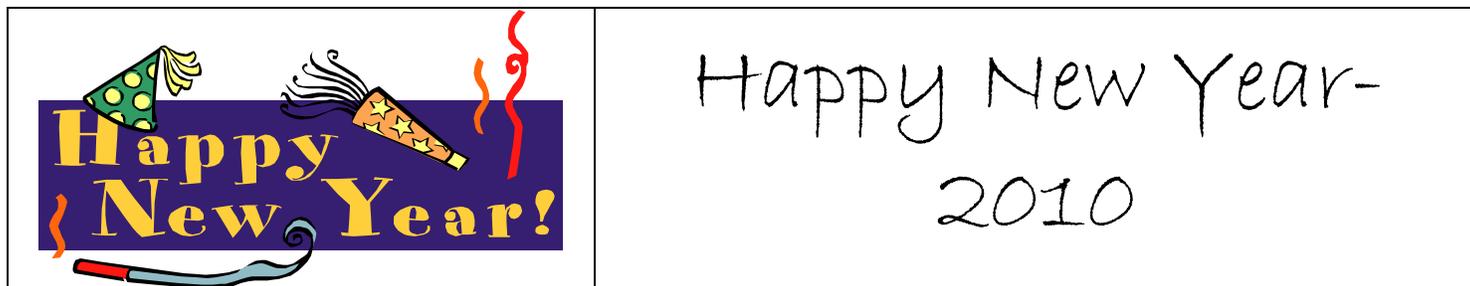
## StuNurse.com

As you may know, *StuNurse.com Magazine* is currently distributed newsstand-style to every accredited nursing school in the continental U.S. Published four times throughout the school year, *StuNurse.Com* is comprised of timely news from notable, well-respected sources about professional development, employment, and continuing education, designed to keep student nurses up-to-date with the ever-changing requirements in their chosen profession. Today, we are excited to offer a free interactive digital version of the publication (e-pub) that can be sent directly to students through an emailed link that you can view here:

<http://www.digitaleditionsonline.com/publication/?i=22625>

You'll notice that you can mouse over the titles on the cover and on the Table of Contents page and click through to go straight to the articles. All hyperlinks referenced in the magazine will open in a new window of your browser which makes it very interactive. A toolbar at the top will let you go directly to the content pages, zoom, or search. It also has a "share" button that will allow users to spread the magazine virally to their contacts as well. [*You must have a current version of Adobe Flash Player and Internet Explorer version 7.0 or higher.*] We encourage deans and department faculty to help distribute this link to their own student email lists as well as through Blackboard or other online teaching resources. Thank you for your continued partnership. We hope this will be a valuable tool for your classrooms.

Shari Erwin- Director of Marketing /Technology, **Publishing Concepts, Inc.** - 14109 Taylor Loop Road- Little Rock, Arkansas 72223-1-800-561-4686 or 501-221-9986



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ADVISORY OPINION STATEMENT

**EMPLOYMENT OF NURSING STUDENTS<sup>1</sup> AS NURSING PERSONNEL USING EITHER AN ACADEMIC  
OR A “NURSE EXTERN” SERVICE MODEL**

## Introduction

The Kentucky Board of Nursing is authorized by Kentucky Revised Statutes Chapter 314 to regulate nurses, nursing education and practice, and to issue advisory opinions on nursing practice, in order to assure that safe and effective nursing care is provided by nurses to the citizens of the Commonwealth. The Board issues advisory opinions as to what constitutes safe nursing practice. As such, an opinion is not a regulation of the Board and does not have the force and effect of law. It is issued as a guidepost to licensees who wish to engage in safe nursing practice.

The Board frequently receives inquiries regarding appropriate utilization, employment, and delegation of acts to individuals who are employed as nursing personnel and are coincidentally enrolled in or have completed a portion of a prelicensure nursing education program. In addition, employers have expressed interest in developing positions and job descriptions whereby these individuals can gain additional clinical practice to enhance their preparation as future licensed nurses, and also be recruited as future licensed nursing staff.

In order to address these inquiries, the Board, through the Practice Committee, researched this issue by reviewing applicable statutes and administrative regulation (201 KAR 20:400 Delegation of nursing tasks; a copy is attached), and subsequently issued this advisory opinion statement.

### Applicable Statutes, Regulations, and Nurse Accountability and Responsibility

The *Kentucky Nursing Laws* require that anyone practicing nursing in Kentucky hold either a current active Kentucky nursing license or temporary work permit. A relevant exception to the mandatory licensure requirement is for nursing students enrolled in approved prelicensure nursing education programs. KRS 314.101(1) states:

This chapter does not prohibit: ... the practice of nursing which is incidental to their program of study by individuals enrolled in nursing education and refresher courses approved by the board or in graduate programs in nursing ...

### **Subsequently, a nursing student may practice nursing when such practice:**

- (a) Is an organized portion of a Board approved prelicensure nursing education program;**
- (b) Occurs under the supervision of approved faculty of the prelicensure education program; and**
- (c) Is appropriate for the educational preparation of the student at that point in the program.**

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<sup>1</sup> “Nursing Students” for the purpose of this statement means individuals currently enrolled in a prelicensure nursing education program approved by the Board.

“Registered nursing practice,” “advanced registered nursing practice,” and “licensed practical nursing practice” are defined in KRS 314.011(6), (8), and (10) respectively.

KRS 314.011(13) defines "nursing assistance" as:

... the performance of delegated nursing acts by unlicensed nursing personnel for compensation under supervision of a nurse.

KRS 314.011(2) defines "delegation" as:

...directing a competent person to perform a selected nursing activity or task in a selected situation under the nurse's supervision and pursuant to administrative regulations promulgated by the board in accordance with the provisions of KRS Chapter 13A. (Reference: 201 KAR 20:400 Delegation of nursing)

**A nurse who allows an unlicensed person to perform acts contrary to 201 KAR 20:400 (e.g., acts for which he/she is not educationally prepared and clinically competent to perform) may be subject to disciplinary action.**

**KRS 314.021(2) holds all nurses responsible and accountable for making decisions that are based upon the individuals' educational preparation and experience in nursing, and requires licensees to practice nursing with reasonable skill and safety. Further, KRS 314.021(2) holds nurses individually responsible and accountable for rendering safe, effective nursing care to clients and for judgments exercised and actions taken in the course of providing care.**

### **Advisory Opinion**

While the Board strongly supports the development of employment opportunities which would enhance the experiential preparation of prelicensure nursing students, the Board must assure that safe and effective nursing care is provided for the citizens of the Commonwealth, and enforce the statutes governing nursing licensure, education and practice. It is the advisory opinion of the Board that these employment opportunities and goals could be accomplished through various models, including the following:

- **MODEL ONE – AN INDEPENDENT STUDY ACADEMIC COURSE MODEL.** This model is based on KRS 314.101(1) and on the establishment of an independent study academic course that includes employment of nursing students as nursing staff in a health care facility. Such a course is developed collaboratively by nursing administrators of health care facilities and nursing educators of prelicensure nursing programs, and is governed by a contractual agreement. A goal of the course is to provide enrichment experiences for nursing students to practice nursing that is appropriate for the educational level of the student, under the supervision of designated faculty.
- **MODEL TWO – A “NURSE EXTERN” OR SERVICE MODEL.** The administrative regulation 201 KAR 20:400 Delegation of nursing tasks, permits the delegation of select nursing tasks to persons who provide nursing assistance, and who possess current knowledge and skill proficiency to perform the tasks in a safe, effective manner. Model Two would be based on a specifically designed employer position description for employees who are also nursing students.  
The Board advises that the title given to this position be standardized throughout the state and recommends the title be “Nurse Extern”.<sup>2</sup>  
The nurse extern would provide nursing assistance under the continuous, direct, onsite supervision of a registered nurse. The nurse should be immediately available and assigned to the unit with the employee.

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<sup>2</sup> The Board has reserved the title or reference to “nurse intern/internship” for use by graduates of pre-licensure programs of nursing who are completing a concentration clinical practice component. In addition, the Board has reserved the reference to a “preceptorship” for currently enrolled nursing students who are completing a concentrated clinical practice component that is required of the program of nursing.

A licensed practical nurse may participate with the registered nurse in providing supervision of a practical nursing student/nurse extern.

If qualified, the nurse extern may perform acts that are routinely a part of any nursing assistant's job description. Nurse externs may also perform additional acts that have been taught in their nursing education program provided that they are individually educationally prepared and clinically competent to perform the acts. The employer should have the employee/student provide an official copy (sent by the school directly to the employer) of the student's skills performance evaluation documenting the skills that the student has successfully completed in his/her program of nursing.

A letter may be sent to the employer from the nursing education program as long as the individual student is verified as having successfully demonstrated their competency in performing the acts. The employer should verify that the student is currently enrolled in the program of nursing.

It is incumbent upon the employer to independently verify and document the competencies of the student to successfully perform the acts that are included in a nurse extern position description. The position description may include the performance of specific acts to directly assist the supervising nurse, but may not include the placement of IV infusion devices, but may include withdrawal of blood specimens via phlebotomy, as long as solutions are not injected in a patient during the process; the administration of medications<sup>3</sup>; receipt of verbal orders; or require the individuals to independently assume the role, function or responsibility of licensed personnel. Nurse externs may not substitute for licensed nursing staff.

Approved: 12/87

Revised: 4/93; 4/01; 2/02; 2/05; 4/08

Attachment: 201 KAR 20:400, eff. 8-13-03

Attachment (1)

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<sup>3</sup> Based on 902 KAR 20:016 governing the operations and services of hospitals, only nurses, physicians, dentists, physician assistants or paramedics shall administer medications in hospitals. Based on 902 KAR 20:048 governing the operation and services of nursing homes, select medications may be administered by a qualified medication aide (medication technician) under the supervision of a nurse. If a nurse extern is qualified as a medication aide, then the extern may administer medications in that capacity if permitted by the employing facility.

**201 KAR 20:400. Delegation of nursing tasks.**

RELATES TO: KRS 311A.170, 314.011, 314.021(2), 314.091(1)

STATUTORY AUTHORITY: KRS 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the board to promulgate administrative regulations necessary to implement KRS Chapter 314. KRS 314.091(1)(d) prohibits a person from negligently or willfully acting in a manner inconsistent with the practice of nursing. This administrative regulation establishes requirements that govern the delegation of a nursing task in a safe, effective manner so as to safeguard the health and welfare of the citizens of the Commonwealth.

Section 1. Definitions. (1) "Board" is defined in KRS 314.011(1).

(2) "Client" means a patient, resident or consumer of nursing care.

(3) "Competence" means performing an act in a safe, effective manner.

(4) "Delegatee" means a person to whom a task is delegated.

(5) "Delegator" means the nurse delegating a task to another person.

(6) "Nurse" is defined in KRS 314.011(3).

(7) "Nursing task" means an act included in the definition of registered nursing practice, advanced registered nursing practice, or licensed practical nursing practice pursuant to KRS 314.011(6), (8), or (10).

(8) "Paramedic" is defined in KRS 311A.010.

(9) "Supervision" means the provision of guidance by a qualified nurse for the accomplishment of a nursing task with periodic observation and evaluation of the performance of the task including validation that the nursing task has been performed according to established standards of practice.

(10) "Unlicensed person" means an individual, other than a nurse, the client, or the client's family, legal guardian, or delegatee, who functions in an assistant or subordinate role to the nurse.

Section 2. Nurse's Responsibility in Delegation. (1) A registered nurse or a licensed practical nurse may delegate a task to an unlicensed person in accordance with this section and Sections 3 and 4 of this administrative regulation.

(2) A registered nurse may delegate a task to a paramedic employed in a hospital emergency department in accordance with KRS 311A.170 and Sections 3 and 4 of this administrative regulation.

(3) Prior to delegating a nursing task, the nurse shall determine the nursing care needs of the client. The nurse shall retain responsibility and accountability for the nursing care of the client, including nursing assessment, planning, evaluation and assuring documentation.

(4) The nurse, prior to delegation to an unlicensed person, shall have either instructed the unlicensed person in the delegated task or determined that the unlicensed person is competent to perform the nursing task.

(5) A nursing task shall be delegated directly or indirectly. An indirect delegation shall not alter the responsibility of the nurse for appropriately assigning and supervising an unlicensed person.

(6) A nurse who delegates a nursing task in violation of this administrative regulation or participates in the utilization of an unlicensed person in violation of this administrative regulation shall be considered acting in a manner inconsistent with the practice of nursing.

Section 3. Criteria for Delegation. The delegation of a nursing task shall meet the following criteria:

(1) The delegated nursing task shall be a task that a reasonable and prudent nurse would find is within the scope of sound nursing judgment and practice to delegate.

(2) The delegated nursing task shall be a task that, in the opinion of the delegating nurse, can be competently and safely performed by the delegatee without compromising the client's welfare.

(3) The nursing task shall not require the delegatee to exercise independent nursing judgment or intervention.

(4) The delegator shall be responsible for assuring that the delegated task is performed in a competent manner by the delegatee.

Section 4. Supervision. (1) The nurse shall provide supervision of a delegated nursing task.

(2) The degree of supervision required shall be determined by the delegator after an evaluation of appropriate factors involved including the following:

(a) The stability and acuity of the client's condition;

(b) The training and competency of the delegatee;

(c) The complexity of the nursing task being delegated; and

(d) The proximity and availability of the delegator to the delegatee when the nursing task is performed. (19 Ky.R. 1242; eff. 1-27-93; Am. 25 Ky.R. 2189; 2546; eff. 5-19-99; 29 Ky.R. 2947; eff. 8-13-03.)