KENTUCKY BOARD OF NURSING
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SCOPE OF PRACTICE DETERMINATION GUIDELINES

The *Kentucky Nursing Laws* (KRS Chapter 314) defines "licensed practical nursing practice," "registered nursing practice," "advanced practice registered nursing practice," and holds all nurses individually accountable and responsible for their nursing decisions and actions. The Kentucky Board of Nursing (KBN) interprets the statutes governing nursing practice and issues advisory opinions[1] as guidelines on what constitutes safe nursing practice.

When the performance of a specific act is not definitively addressed in the *Kentucky Nursing Laws* or in an advisory opinion of the Board, the nurse must exercise professional judgment in determining whether the performance of the act is within the scope of practice for which the nurse is licensed. The KBN has developed a decision tree chart that provides guidelines to nurses in determining whether a selected function is within a nurse's scope of practice now or in the future.

Statutory Definitions and Policy

KRS 314.011(10) defines "licensed practical nursing practice" as:

...The performance of acts requiring knowledge and skill such as are taught or acquired in approved schools for practical nursing in:

a) The observing and caring for the ill, injured, or infirm under the direction of a registered nurse, a licensed physician, or dentist.

b) The giving of counsel and applying procedures to safeguard life and health, as defined and authorized by the board.

c) The administration of medication or treatment as authorized by a physician, physician assistant, dentist, or advanced practice registered nurse and as further authorized or limited by the board which is consistent with the National Federation of Licensed Practical Nurses or with standards of practice established by nationally accepted organizations of licensed practical nurses.

d) Teaching, supervising, and delegating except as limited by the board.

e) The performance of other nursing acts which are authorized or limited by the board and which are consistent with the National Federation of Licensed Practical Nurses' Standards of Practice or with standards of practice established by nationally accepted organizations of licensed practical nurses.

KRS 314.011(6) defines "registered nursing practice" as:

...The performance of acts requiring substantial specialized knowledge, judgment and nursing skill based upon the principles of psychological, biological, physical and social sciences in the application of the nursing process in:

a) The care, counsel, and health teaching of the ill, injured, or infirm.

b) The maintenance of health or prevention of illness of others.

c) The administration of medication and treatment as prescribed by a physician, physician assistant, dentist, or advanced practice registered nurse and as further authorized or limited by the board, and which are consistent either with the American Nurses' Association Standards of Practice or with standards of practice established by nationally accepted organizations of registered nurses. Components of medication administration include, but are not limited to:

1. Preparing and giving medication in the prescribed dosage, route, and frequency;
2. Observing, recording, and reporting desired effects, untoward reactions, and side effects of drug therapy;
3. Intervening when emergency care is required as a result of drug therapy;
4. Recognizing accepted prescribing limits and reporting deviations to the prescribing individual;
5. Recognizing drug incompatibilities and reporting interactions or potential interactions to the prescribing individual; and
6. Instructing an individual regarding medications.

d) The supervision, teaching of, and delegation to other personnel in the performance of activities relating to nursing care.

e) The performance of other nursing acts which are authorized or limited by the board, and which are consistent either with American Nurses' Association Standards of Practice or with standards of practice established by nationally accepted organizations of registered nurses.

KRS 314.011(8) defines "advanced practice registered nursing" (APRN) as:

...The performance of additional acts by registered nurses who have gained added knowledge and skills through an organized post-basic program of study and clinical experience and who are certified by the American Nurses' Association or other nationally established organizations or agencies recognized by the board to certify registered nurses for advanced nursing practice. The performance of these additional acts shall be consistent with the certifying organization or agencies' scopes and standards of practice recognized by the board by regulations.

KRS 314.021(2) states that:

All individuals licensed under provisions of this chapter shall be responsible and accountable for making decisions that are based upon the individuals' educational preparation and experience in nursing and shall practice nursing with reasonable skill and safety.

DECISION TREE/GUIDELINES FOR DETERMINING SCOPE OF PRACTICE

1. Describe the act being performed.

⇩

2. Is the act expressly permitted/prohibited by the *Kentucky Nursing Laws* for license which you hold?

Permitted ⇩ **Yes** ⇩ **Go to 5**

No ⇨ **Stop**

Unsure ⇩

Prohibited ⇨ **Stop**

3. Does the act require application of substantial specialized nursing knowledge, skill, and independent judgment?

Yes ⇩ WITHIN SCOPE OF RN OR APRN, OR MAYBE[2] APRN PRACTICE ONLY ⇩

No ⇩ MAY BE WITHIN SCOPE OF RN OR LPN PRACTICE ⇩

4. Is the act consistent with the scope of practice based upon at least one of the following factors?
   a. National nursing organizations' standards of practice.
   b. Nursing literature and research.
   c. Appropriately established policy and procedure of employing facility.

Yes ⇩

No ⇨ NOT WITHIN YOUR SCOPE OF PRACTICE

5. Do you personally possess the depth and breadth of knowledge to perform the act safely and effectively as demonstrated by knowledge acquired in a prelicensure program, post-basic program, or continuing education program?

Yes ⇩

No ⇨ NOT WITHIN YOUR SCOPE OF PRACTICE

6. Do you personally possess current clinical competence to perform the act safely?

Yes ⇩

No ⇨ NOT WITHIN YOUR CURRENT SCOPE OF PRACTICE UNLESS COMPETENCE IS ACHIEVED

7. Is the performance of the act within the accepted "standard of care" which would be provided in similar circumstances by reasonable and prudent nurses who have similar training and experience?

Yes ⇩

Unsure ⇩ **Contact KBN**

No ⇨ NOT WITHIN YOUR SCOPE OF PRACTICE: PERFORMANCE OF ACT MAY PLACE BOTH NURSE AND PATIENT AT RISK

8. Are you prepared to accept the consequences of your action?

Yes ⇩

PERFORM THE ACT – BASED UPON VALID ORDER WHEN NECESSARY, AND IN ACCORDANCE WITH APPROPRIATELY ESTABLISHED INSTITUTIONAL POLICY AND PROCEDURE ⇩

ASSUME ACCOUNTABILITY FOR PROVISION OF SAFE CARE

No ⇨ THE ACCOUNTABILITY THAT IS REQUIRED BY KRS 314.021(2) IS NOT ASSUMED ⇩

NOT WITHIN YOUR SCOPE OF PRACTICE ⇩

NOTIFY APPROPRIATE PERSON(S)

GUIDELINES SUMMARY: DETERMINING SCOPE OF PRACTICE

1. Designated act.

⇩

2. *Kentucky Nursing Laws.*

Permitted ⇩ **Yes** ⇩ **No** ⇨ **Stop**

Unsure ⇩

Prohibited ⇩ **Stop**

3. Specialized education required?

Yes ⇩ **RN or APRN** ⇩

No ⇩ **RN or LPN** ⇩

4. Scope of practice factors present?

Yes ⇩ **No** ⇨ **Stop**

5. Possess knowledge?

Yes ⇩ **No** ⇨ **Stop**

6. Competent?

Yes ⇩ **No** ⇨ **Stop**

7. Reasonable and prudent?

Yes ⇩ **Unsure** ⇨ **Contact KBN** **No** ⇨ **Stop**

8. Accountability assumed?

Yes ⇩ **No** ⇨ **Stop**

Perform

1 An advisory 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 and who wish to minimize the possibility of being subjected to malpractice litigation. (Copies of advisory opinion statements and the *Kentucky Nursing Laws* are available for purchase from the Kentucky Board of Nursing office.)

2 The legal scope of advanced practice registered nursing is defined by a) post-basic education; b) certification as an advanced practiced nurse; and c) the national nursing organization's published scope and standards of practice.

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