

KENTUCKY BOARD OF NURSING
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ADVISORY OPINION STATEMENTS 1983-2018 SUMMARY

Beginning in 1983, the Kentucky Board of Nursing published Advisory Opinion Statements on various nursing practice issues. This document provides a consolidated summary of those statements issued from 1983 – 2018.

Index of Practice Components

This summary includes information on the following practice components:

Abandonment, patient
Advanced life support procedures
Arterial puncture, specimen collection
Assignments, accountability/responsibility
Cancer, Gyn, detection procedures
Cardiac invasive procedures, assistance with
Confidentiality of patient information
Cosmetic & Dermatological procedures
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Delegation to paramedics in ER
Dialysis
Endoscopic procedures
Gastric tubes, Insertion/Removal of Nasogastric Tubes and Reinsertion of Percutaneous Endoscopic Gastrostomy (PEG) Tubes
Internal Defibrillator
Intrapartum patient care
Intravenous therapy – recommended course content
Intraspinal route, medication administration.
LPN practice components
Medication adm, PRN and placebos
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Prehospital emergency care
Prescribing to self/family – APRN Practice
Private duty nursing
Psychiatric nursing
Respiratory/Cardiopulmonary nursing
Resuscitation Orders, Pronouncement of Death and Death Certificates
School nursing
Scope of Practice, Determination Guidelines RNs/LPNs
Sedation, Procedural and Analgesia
Self-administration of medications in non-healthcare setting
Sheath removal
Social Media

Spinal screening
Surgery, RN first assistant
Wound Assessment, Staging, Treatment (care) (debridement)
Wound closure, superficial

KBN Mission

The primary mission and purpose of the Board is to develop and enforce state laws governing the safe practice of nursing in order to protect the health and welfare of the citizens of the Commonwealth. As a regulatory agency of state government, the Board of Nursing accomplishes an aspect of this mission by issuing advisory opinions on what constitutes the legal scope of nursing practice.

Information

An advisory opinion is not a regulation of the Board; it does not have the force and effect of law. Rather, an opinion is issued as a guidepost to licensees who wish to engage in safe nursing practice.

Applicable Statutory Definitions

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

... The performance of additional acts by registered nurses who have gained advanced clinical knowledge and skills through an accredited education program that prepares the registered nurse for one (1) of the four (4) APRN roles; 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 practice registered nursing as a certified nurse practitioner, certified registered nurse anesthetist, certified nurse midwife, or clinical nurse specialist; and who certified in at least one (1) population focus. The additional acts shall, subject to approval of the board, include but not be limited to prescribing treatment, drugs, devices, and ordering diagnostic tests. Advanced practice registered nurses who engage in these additional acts shall be authorized to issue prescriptions for and dispense nonscheduled legend drugs as defined in KRS 217.905 and to issue prescriptions for but not to dispense Schedules II through V controlled substances described in or as classified pursuant to KRS 218A.020, 218A.060, 218A.080, 218A.100, and 218A.120 under the conditions set forth in KRS 314.042 and regulations promulgated by the Kentucky Board of Nursing on or before August 15, 2006. . . . 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 administrative regulation;

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 American Nurses'

Association Scope and 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 medications in the prescribed dosage, route, and frequency, including dispensing medications only as defined in subsection (17)(b) of this section;
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; and

(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(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, advanced practice registered nurse, physician assistant, 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; and
- (e) The performance of other nursing acts which are authorized or limited by the board and which are consistent with the National Federation of Practical Nurses' Standards of Practice or with Standards of Practice established by nationally accepted organizations of licensed practical nurses;

KRS 314.021(2) states:

All individuals licensed or privileged 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.

Accountability and Responsibility of Nurses

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.

Acts, which are within the permissible scope of practice for a given licensure level, may be performed only by those licensees who personally possess the educational preparation and current clinical competency to perform those acts safely and competently. A nurse/licensee who doubts his/her personal competency to perform a requested act has an affirmative obligation to refuse to perform the act, and to inform his/her supervisor and the provider prescribing the act, if applicable, of his/her decision not to perform the act.

If a nurse accepts an assignment that the nurse believes is unsafe or for which the nurse is not educationally prepared, then the nurse also assumes the potential liability, which may occur as a result of the assignment. Others may equally or concurrently be responsible, accountable, and liable for a licensee's actions.

The responsibilities which any nurse can safely accept are determined by the variables in each nursing practice setting. These variables include:

1. The nurse's own qualifications including:
 - a) basic prelicensure educational preparation;
 - b) knowledge and skills subsequently acquired through continuing education and practice; and
 - c) current clinical competence.
2. The "standard of care" which would be provided in similar circumstances by reasonable and prudent nurses who have similar training and experience;
3. The complexity and frequency of nursing care needed by a given client population;
4. The proximity of clients to personnel;
5. The qualifications and number of staff;
6. The accessible resources; and
7. The established policies, procedures, standards of practice, and channels of communication that lend support to the types of nursing services offered.

Educational Preparation and Documentation

Nurses are responsible for having adequate educational preparation and experience to safely perform any act they perform as required by KRS 314.021 (2). Nurses should maintain documented evidence of completion of continuing education and/or other training, and of demonstrated clinical competency in the performance of nursing acts.

Standards of Practice

Nurse's practice should be consistent with the *Kentucky Nursing Laws*, established standards of practice, and be evidence-based.

Issuance of Advisory Opinion Statements and Individual Opinion Letters

When studying practice issues, the Board reviews and considers applicable standards of practice statements published by professional nursing organizations; the educational preparation of both registered and licensed practical nurses as provided in the prelicensure nursing education programs in the Commonwealth; and, when applicable, the organized post-basic educational programs for advanced practice registered nurses. The Board also gathers information regarding practice issues from nurses in relevant practice settings (including staff nurses, supervisors, nurse faculty members, etc.) and/or representatives from state nursing

associations in the Commonwealth, among others. Further, the Board reviews applicable opinions issued by the Office of the Attorney General.

When multiple inquiries are received on the same practice matter, the Board publishes an advisory opinion statement for wide dissemination. In addition, the Board has addressed many individual practice related inquiries and issued advisory opinion responses/letters to these individual requests. These letters are also available from the agency. Should you have a practice related question that is not addressed in a published advisory opinion statement, please contact the Board office with the questions.

**CONSOLIDATED SUMMARY OF ADVISORY OPINION STATEMENTS
ISSUED FROM 1983-2018**

Alphabetized by Topic

PRACTICE COMPONENT	WITHIN APRN SCOPE?	WITHIN RN SCOPE?	WITHIN LPN SCOPE?	AOS # REFERENCE and COMMENTS
Abandonment (Patient)	⇒	⇒	⇒	See AOS #24 for the complete statement.
Advanced Life Support Procedures: <ul style="list-style-type: none"> • Cricothyrotomy • Chest tube placement • Telemetry • Cardiac Defibrillation • Cardiac Monitoring • Endotracheal intubation • Endotracheal Intubation • Umbilical arterial catheterization • Administration of Drugs or IV Fluids and other techniques 	Yes	Yes	No	See AOS #26 for the complete statement. APRN may independently initiate the procedures. RN initiates the procedures using established guidelines. LPN may assist others in performing the procedures.
Arterial Puncture, Specimen Collection	Yes	Yes	No	AOS #06
Assignments, Accountability and Responsibility	⇒	⇒	⇒	See AOS #19 for the complete statement.
Cancer, GYN <ul style="list-style-type: none"> • Bi-Manual exam • Breast exam • Pap smear 	Yes	Yes	No	AOS #02 APRN may independently initiate the procedures. RN initiates according to guidelines, identifies abnormalities and reports/refers to others for treatment and diagnosis. LPN may assist others in performing the procedures.
Cardiac Procedures (Invasive) Assistance	Yes	Yes	No	See AOS #20 for the complete statement.
Confidentiality	⇒	⇒	⇒	See AOS #34 for the complete statement.
Cosmetic & Dermatological Procedures by Nurses	⇒	⇒	⇒	See AOS #35 for the complete statement.

PRACTICE COMPONENT	WITHIN APRN SCOPE?	WITHIN RN SCOPE?	WITHIN LPN SCOPE?	AOS # REFERENCE and COMMENTS
Delegation to Unlicensed Persons	Yes	Yes	Yes	See 201 KAR 20:400 and AOS #15 for the complete information.
Delegation to Paramedics in ER	Yes	Yes	No	See 201 KAR 20:400 and AOS #33 for the complete information.
Dialysis (Nurse and Technician Roles)	Yes	Yes	Yes	See 201 KAR 20:470 and AOS #21 for the complete information.
Emergency Care	Yes	Yes	No	See AOS #26 for the complete statement.
Endoscopic Procedures	Yes	Yes	Yes, with limitations	See AOS #28 for the complete statement.
Gastric Tubes Insertion/Removal of Nasogastric Tubes and Reinsertion of Percutaneous Endoscopic Gastrostomy (PEG) Tubes	Yes	Yes	Yes, with limitations	See AOS #11 for the complete statement.
Internal Defibrillator Deactivation by Nurses	Yes	Yes	No	See AOS #39 for the complete statement.
Intrapartum Patient Care	Yes	Yes	Yes, with limitations	See AOS #10 for the complete statement.
Intravenous Therapy – recommended course content	⇒	⇒	⇒	See AOS #03 for complete statement. See 201 KAR 20:490 for LPN Infusion Therapy Practice
Intraspinal Route Administration of Analgesic Medications	Yes	Yes, except in laboring patients.	No	See AOS #04 for the complete statement.
LPN Practice Components	Not applicable	Not applicable	Yes	See AOS #27 for the complete statement and 201 KAR 20:490 for LPN Infusion Therapy Practice.
Medication Administration • Placebos • “PRN” Medications	⇒	⇒	⇒	See AOS #17 for the complete statement.
Medication Administration Via Various Routes	Yes	Yes	Yes, with limitations	See AOS #16 for the complete statement.
Nursing Students, Employment of	Not applicable	Not applicable	Not applicable	See AOS #18 for the complete statement.
Orders (Medical) Implementation	Yes	Yes	Yes	See AOS #14 for the complete statement.

PRACTICE COMPONENT	WITHIN APRN SCOPE?	WITHIN RN SCOPE?	WITHIN LPN SCOPE?	AOS # REFERENCE and COMMENTS
Orthopedics – <ul style="list-style-type: none"> • Cast Application 	Yes	Yes, with limitation	No, but may remove, spread or split cast	See AOS #23 for a complete statement.
<ul style="list-style-type: none"> • Closed Reduction 	Yes	No	No	
PICC Line Insertion and management	Yes	Yes	No, insertion; Yes, with limitations – See 201 KAR 20:490	See AOS #25 for the complete statement.
Prescribing of Medications to self and/or family	⇒	⇒	⇒	See AOS #37 for the complete statement.
“Private Duty” Nursing	Yes	Yes	Yes	See AOS #22 for the complete statement.
Psychiatric Nursing Practice- <ul style="list-style-type: none"> • Counseling • Psychotherapy 	Yes	Yes, if Master’s prepared, other RNs may assist in psychotherapy, and perform counseling	See AOS # 27 Components of LPN practice	See AOS #13 for the complete statement.
Respiratory Nursing Practice (Cardiopulmonary)	Yes	Yes	Yes, with limitations	See AOS #29 for the complete statement.
Resuscitation Orders, Pronouncement of Death and Death Certificates	⇒	⇒	⇒	See AOS #36 for the complete statement.
School Nursing Practice	Yes	Yes	Yes, with limitations	See AOS #30 for the complete statement.
Sedation	Yes	Yes, for sedation and analgesia but not for anesthesia.	No, prohibited by 201 KAR 20:490	See AOS #32 for the complete statement.
Sheath Removal	Yes	Yes	No	See AOS #31 for the complete statement.
Social Media	⇒	⇒	⇒	See AOS #40 for the complete statement
Spinal Screening	Yes	Yes	Yes	See AOS #01
Surgery, RN First Assistant	Yes	Yes	No	See AOS #08 for the complete statement.

PRACTICE COMPONENT	WITHIN APRN SCOPE?	WITHIN RN SCOPE?	WITHIN LPN SCOPE?	AOS # REFERENCE and COMMENTS
Wound Assessment, Staging, and Treatment (Debridement)	Yes	Yes	No	Includes surgical and/or mechanical removal of nonviable tissue. See AOS #09 for the complete statement
Wound Closure				AOS #07
<ul style="list-style-type: none"> • Stapling and Suturing 	Yes	Yes, with exception.	No	RN does not suture muscle, nerve or tendon, except as an OR First Assistant.
<ul style="list-style-type: none"> • Application of Topical adhesives 	Yes	Yes	Yes	
<ul style="list-style-type: none"> • Removal of Staples and Sutures 	Yes	Yes	Yes	

Attached is a list of the current Advisory Opinion Statements. A copy of the statements may be downloaded from the KBN website at <http://kbn.ky.gov>

Determining Scope of Practice

KRS 314.021(2) holds all nurses individually responsible and accountable for the individual's acts based upon the nurse's education and experience. Each nurse must exercise professional and prudent judgment in determining whether the performance of a given act is within the scope of practice for which the nurse is both licensed and clinically competent to perform. In addition to this advisory opinion statement, the Kentucky Board of Nursing has issued Advisory Opinion Statement #41 RN/LPN Scope of Practice Determination Guidelines which contains the KBN Decision-Making Model for Determining Scope of Practice for RNs/LPNs and published the APRN Scope of Practice Decision Making Model providing guidance to nurses in determining whether a selected act is within an individual nurse's scope of practice now or in the future. Copies of Advisory Opinion Statement #41 RN/LPN Scope of Practice Determination Guidelines and the APRN Scope of Practice Decision Making Model may be downloaded from the Board's website <http://kbn.ky.gov>.

Approved: 2/05
Revision: 9/06; 5/07; 6/2010; 4/2012; 6/2012; 10/2016; 12/2017; 2/2018; 4/2018; 6/2018; 10/2018; 12/2018

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- 01** Role of the RN/LPN in Spinal Screening for Detection of Common Abnormal/Curvatures of the Spine
(Initially Approved 1983, Withdrawn from Publication 02/2005, Republished 10/2015, Revised 04/2018)
- 02** Scope of Nursing Practice in Gynecological Cancer Detection
(Initially Approved 1983, Withdrawn from Publication 02/2005, Republished 10/2015, Revised 05/2018)
- 03** Recommended Course Content Intravenous (IV) Therapy for Registered Nurses and Licensed Practical Nurses
(Revised 04/2015)
- 04** Roles of Nurses in the Administration of Medication per Intraspinal Routes
(Initially Approved 1984, Revised 05/2018)
- 05** *Withdrawn from publication 04/2018*
- 06** The Performance of Arterial Puncture by Registered Nurses
(Initially Approved 1984, Withdrawn from Publication 02/2005, Republished 10/2015, Revised 10/2018)
- 07** Roles of Nurses in Stapling, Suturing, and the Application of Topical Adhesives
(Initially Approved 1984, Withdrawn from Publication 02/2005, Republished 10/2015, Revised 10/2018)
- 08** Role of the Registered Nurse First Assistant
(Initially Approved 1984, Revised 05/2018)
- 09** Wound Assessment, Staging, and Treatment by Nurses
(Initially Approved 1985, Revised 05/2018)
- 10** Roles of Nurses in the Care of Intrapartum Patients
(Initially Approved 1985, Revised 05/2018)
- 11** Insertion and Removal of Nasogastric Tubes and Reinsertion of Percutaneous Endoscopic Gastrostomy (PEG) Tubes
(Initially Approved 1985, Revised 05/2018)
- 13** Roles of Nurses in Psychiatric-Mental Health Nursing Practice
(Initially Approved 1985, Revised 05/2018)
- 14** Roles of Nurses in the Implementation of Patient Care Orders
(Initially Approved 1987, Revised 05/2018)
- 15** Roles of Nurses in the Supervision and Delegation of Nursing Acts to Unlicensed Personnel
(Initially Approved 1987, Revised 12/2018)
- 16** Roles of Nurses in the Administration of Medication via Various Routes
(Initially Approved 1987, Revised 05/2018)
- 17** Roles of Nurses in the Administration of “PRN” Medication and Placebos
(Initially Approved 1987, Revised 06/2018)
- 18** Employment of Nursing Students as Nursing Personnel Using Either an Academic or a “Nurse Extern” Service Model
(Initially Approved 1987, Revised 12/2018)
- 19** Responsibility and Accountability of Nurses for Patient Care Assignments and Nursing Care Delivery
(Initially Approved 1988, Revised 12/2018)

- 20** Roles of Registered Nurses in Invasive Cardiac Procedures
(Initially Approved 1989, Revised 05/2018)
- 21** Roles of Nurses and Technicians in Dialysis
(Initially Approved 1990, Revised 05/2018)
- 22** Roles of Nurses Who Provide “Private Duty” Nursing
(Initially Approved 1990, Revised 05/2018)
- 23** The Application and Removal of a Cast by Nurses and Closed Reduction of a Fracture by APRN
(Initially Approved 1990, Revised 05/2018)
- 24** Patient Abandonment
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- 25** Placement of Central Lines by Nurses
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- 26** Roles of Nurses in the Performance of Advanced Life Support and Delivery of Emergency Medical Care Via Ambulance Services *(Initially Approved 1991, Revised 04/2018)*
- 27** Components of Licensed Practice Nursing Practice
(Initially Approved 1992, Revised 05/2018)
- 28** Roles of Nurses in Endoscopic Procedures
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- 29** Cardiopulmonary/Respiratory Nursing Practice
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- 30** School Nursing Practice
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- 31** Removal of Femoral Access Devices (Sheaths) and Use of Mechanical Compression Devices by Nurses
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- 32** Procedural Sedation and Analgesia
(Initially Approved 1995, Revised 05/2018)
- 33** Roles of Nurses in the Delegation of Tasks to Paramedics in a Hospital Emergency Department
(Initially Approved 2003, Revised 12/2018)
- 34** Roles of Nurses in Maintaining Confidentiality of Patient Information
(Initially Approved 8/2005, Revised 04/2018)
- 35** Cosmetic and Dermatological Procedures by Nurses
(Initially Approved 2/2008, Revised 05/2018)
- 36** Resuscitation Orders, Pronouncement of Death and Death Certificates
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- 37** Role of the Advanced Practice Registered Nurse in the Prescribing of Medications to Self and/or Family
(Initially Approved 10/2009, Revised 05/2018)
- 38** *Withdrawn from Publication 04/2018*

39 Scope of Registered Nursing Practice in the Deactivation of Internal Defibrillator
(Approved 04/2012, Revised 05/2018)

40 Social Media (Initially Approved 12/2017)

41 RN/LPN Scope of Practice Determination Guidelines (Initially Approved 02/2018)

Revised 10/2018 mg