

Oregon State Board of Nursing Presents

Your Daily Relationship with the Board of Nursing in a Community Based Practice Setting

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Oregon State Board of Nursing

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Nurse Practice Act

- The basis for a nursing license is a state's duty to protect those who receive nursing services.
- That license is an authorization or permission from state government to **practice nursing**.
- The laws and rules within the state nurse practice act provide the framework for safe, competent **nursing practice**.



(Russell, K.A., 2017)



Data from 320 Jurisdictions;
20,623,184 Nurses





State: Oregon
Capital: Salem

Oregon's Practice Act: Why it does not contain lists of easy answers...



To understand why the practice act does not contain lists of easy answers, procedures, medications, interventions... there must be an understanding of *the practice of nursing*.

“Diagnosing and treating human responses to actual or potential health problems ...through services as identification thereof, health counseling, and providing care supportive to, or restorative of, life and well-being...”

ORS 678.010(8)- the legal definition of the practice of nursing

The Practice of Nursing for the RN

RN: Independent in the practice of nursing.

- Independent nursing assessment of the client,
- Identification of client needs or risks,
- Identification of expected outcomes, planning how care will be implemented,
- Implementation of the plan, and
- Evaluation of the plan for continuation or revision.

Chapter 851 Division 45 describes how the RN shall implement the legal definition of the practice of nursing

851-045-0060(3)(a) through (e)

The Practice of Nursing for the LPN

Clinically directed and clinically supervised engagement in the practice of nursing.

- There must be an established RN plan of care for the client.
- The RN then clinically directs the LPN's implementation of the established plan of care for the client.
- Within the boundaries of the RN's established plan of care, the LPN conducts focused assessment of the client at the time of interaction to determine the client's priorities...

Chapter 851 Division 45 describes how the LPN shall implement the legal definition of the practice of nursing

851-045-0050(3)(a) through (e)

The Practice of Nursing for the LPN

Clinically directed and clinically supervised engagement in the practice of nursing *continued...*

- Based on the information gathered, LPN determines what plan of care items are most pertinent during the interaction and proceeds accordingly (focused plan of care).
- When the LPN determines that the observations may require a change in the plan of care, the LPN must discuss these with the RN.
- Only the RN may author and update the nursing plan of care.

Chapter 851 Division 45 describes how the LPN shall implement the legal definition of the practice of nursing

851-045-0050(3)(a) through (e)

The NPA and the Practice of Nursing

The legal scope of practice standards in Division 45 identify **actions and behaviors** that demonstrate an acceptable level of safe nursing practice in any practice role and in any practice setting.



Actions and Behaviors that Demonstrate Acceptable Level of Safe Nursing Practice

Oregon State Board of Nursing • Oregon Administrative Rules

Division 45

Standards and Scope of Practice for the Licensed Practical Nurse and Registered Nurse

851.045.0030
Purpose of Standards and Scope of Practice
(1) To establish acceptable levels of safe practice for the Licensed Practical Nurse (LPN) and Registered Nurse (RN);
(2) To serve as a guide for the Board to evaluate safe and effective nursing care;
(3) To serve as a guide for the Board to determine when nursing practice is below the expected standard of care; and
(4) To provide a framework for evaluation of continued competency in nursing practice.

Stat. Auth.: ORS 678.150
Stats. Implemented: ORS 678.150 & 678.010
Hist.: BN 4-2008, f. & cert. ef. 6-24-08; BN 5-2012, f. 5-7-12, cert. ef. 6-1-12; BN 8-2017, f. 7-7-17, cert. ef. 8-1-17

851.045.0035
Definitions
(1) "Assign" means directing and distributing, within a given work period, the work that each staff member is already authorized to perform.
(2) "Board" means the Oregon State Board of Nursing.
(3) "Client" means an individual, family, group, community, organization, population, or a student cohort who is engaged in a professional relationship with a licensee.
(4) "Clinical Supervisor" means the RN's provision of guidance, direction, oversight and evaluation of another RN, LPN, certified nursing assistant (CNA), certified medication aide (CMA), or unlicensed assistive person (UAP) in their implementation of the plan of care.
(5) "Community-Based Setting" means a setting where federal law or state law does not require the presence of licensed nursing personnel 24-hours a day. These settings include private homes, congregate housing, home-like settings, schools, and those settings identified in ORS 678.150(8).
(6) "Competency" or "competence" means demonstrating specified levels of knowledge, technical skill, ethical principles, and clinical reasoning which are relevant to the practice role, prevailing standards, and client safety.
(7) "Comprehensive Assessment" means the collection, in-depth analysis and synthesis of client data performed by the RN.
(8) "Context of Care" means the variables that guide a licensee's nursing service delivery and include, but are not limited to, the practice setting, the licensee's role within the setting, the regulations governing the setting, the policies and procedures of the setting, specialty nursing practice standards applicable to the nursing activity, and the ability of the client to engage in their own care.

Division 45 Effective August 1, 2017 Page 1

1. Practice within the laws and rules governing the practice of nursing at the level the nurse is licensed.
2. Practice within the context of care of the setting.
3. Base practice on current and evolving nursing science, other sciences, and the humanities.
4. Be knowledgeable of the professional nursing practice and performance standards and adhere to those standards.

...there are over 70 of these statements...



Division 45 Legal Standards:

- Practice within the laws and rules governing the practice of nursing at the level the nurse is licensed.
- Practice within the context of care of the setting.



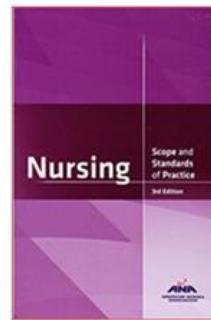
Context of care for the practice of nursing in the school setting:



(ODE & OHA, n.d.)

Division 45 Legal Standards:

- Base practice on current and evolving nursing science, other sciences, and the humanities.
- Be knowledgeable of the professional nursing practice and performance standards and adhere to those standards.



Complications and cares related to the use of the gastrostomy tube in pediatrics.
[Includes abstract] de Araujo Rodrigues, Silvana; Oliveira da Silva, Alba Maria dos Santos Xavier; Maria; Chaves, Edna Maria Carvalho; Rovida Evelina; 2018; 16(7); 1-6; 15p. [Article - research, fulltext]. ISSN: 1678-3141. Database:
Subject: Gastrostomy Nursing; Gastrostomy Tubes Nursing; Dietary Care in Infancy and Childhood; Home Nursing in Infancy and Childhood; Mothers; Adult; 15-44 years; Middle Aged; 45-64 years; Child; 5-12 years; Female
[PDF Full Text](#)

Reemergence of Blended Tube Feeding and Parent's Reported Experiences in Their Tube Fed Children.
By Johnson, Teressa W.; Sparto, Amy L.; Egg, Lisa; Hunt, Ryan T.; Mundi, Margaret S. *Journal of Alternative & Complementary Medicine*. Apr2018; Vol. 24 Issue 4; p307-312; 5p. 5 Charts. DOI: 10.1089/acm.2017.2154.
Subject: ENTERAL feeding; EXPERIENCE; LONGITUDINAL; method; MEDICAL care; NUTRITION; PATIENTS; PEDIATRICS; PEOPLE with disabilities; INTEGRATIVE medicine; PARENT attitudes; DATA analysis software
[Show all Images](#)
[HTML Full Text](#) [PDF Full Text \(136KB\)](#)



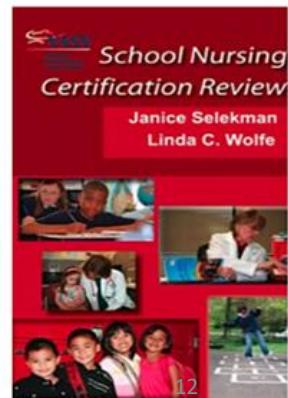
Current/evolving nursing & other sciences, the humanities; professional nursing practice & performance standards for **the practice of nursing in the school setting:**

1. Involvement of Students With Severe Disabilities in Specialized Health Care Procedures.

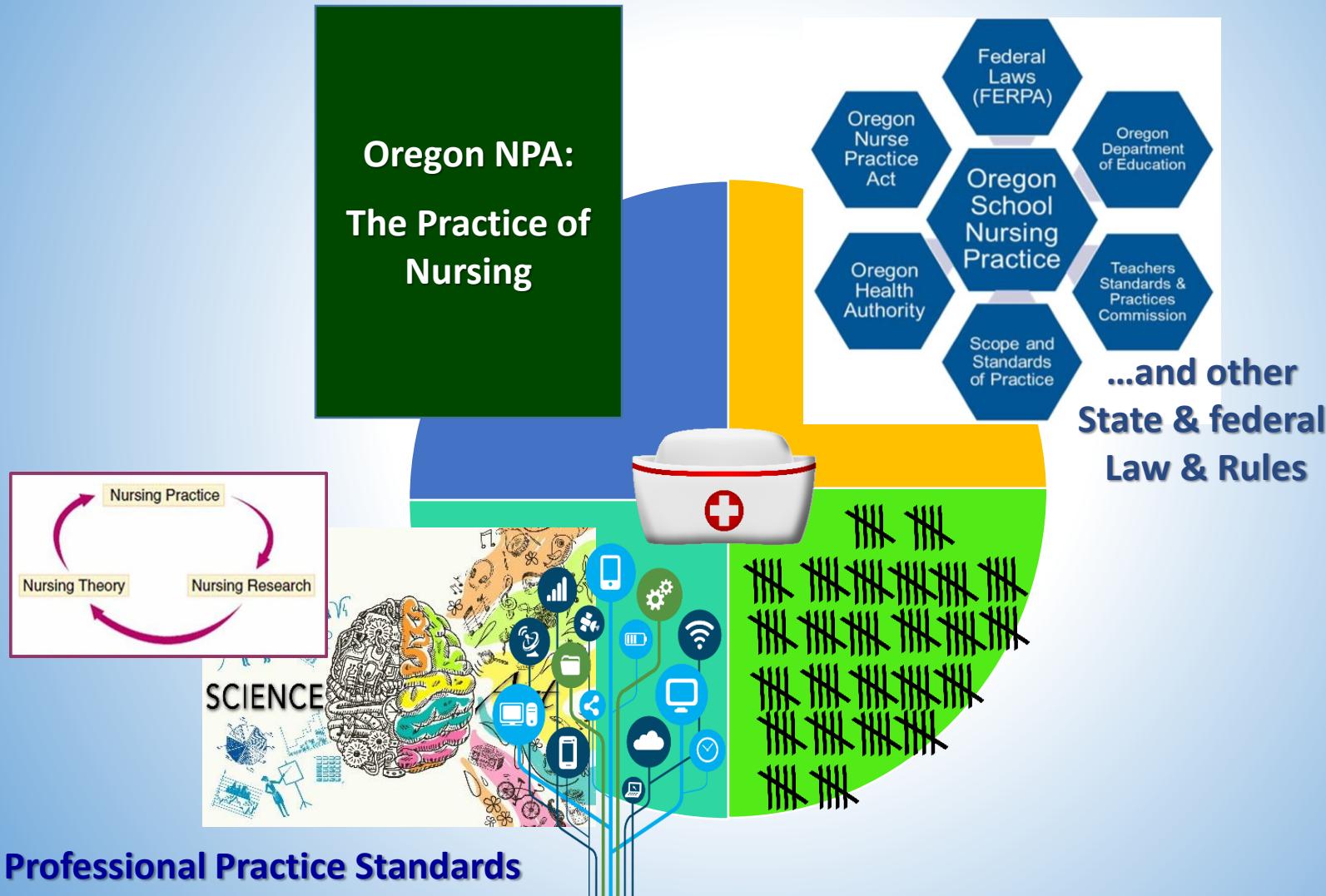
By: Ballard, Sarah L.; Dymond, Stacy K. *Exceptional Children*. Oct2019, Vol. 86 Issue 1, p58-76. 19p. DOI: 10.1177/0014402919865148.

Subjects: DISABILITIES; SCHOOL nursing; STUDENTS with disabilities; MEDICAL care; SPECIAL education teachers; SCHOOL health services; HEALTH self-care

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Self-Regulation for the RN and for the LPN



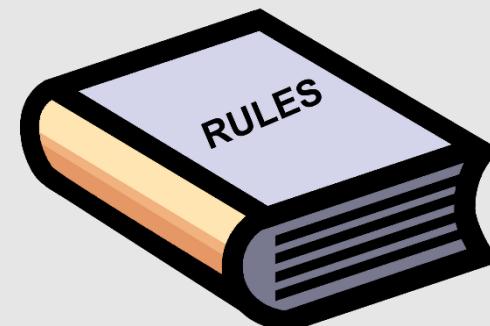
The Practice of Nursing *refresher...* The RN shall:

- **Conduct comprehensive assessment of the client** (...the collection & analysis of client data).
- **Identify client problems/risks** (..identified from the i analysis of client data).
- **Identify expected outcomes for identified problems/risks** (..based on client preference & health goals).
- **Develop a plan of care to assist the client in reaching identified outcomes.**
 - Problems/risks are prioritized.
 - Interventions designed to address, mitigate, or prevent identified problems/risks.
- **Implement the plan of care:**
 - By one's self; through facilitation of client self-care; teaching and health promotion.
 - May assign interventions to health care team members.
 - When in a community-based setting, the RN may utilize *delegation process* to authorize an unregulated assistive person (UAP) to perform a nursing procedure for a specific client when safe for the client.
- **Evaluate the client's responses to interventions & progress toward identified outcomes:**
 - Engage in ongoing comprehensive assessment.
 - Provide clinical supervision and evaluation of those to whom interventions have been assigned.
 - Provide clinical supervision and evaluation of the UAP to whom the performance of a nursing procedure has been authorized through delegation process. Modify the plan of care based on ongoing collection and analysis of client data...

Legal Regulation: Applicable to each individual RN

NPA Legal Regulation

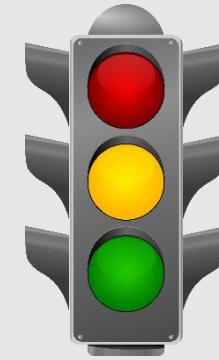
- **Division 45:** The practice of nursing for the RN and actions & behaviors that demonstrate an acceptable level of RN practice in any setting or role.
- **Division 47:** Actions & behaviors of acceptable RN practice when using delegation process.
- **All decisions and actions throughout the delegation process must be based on the safety and well being of the client:**
 - ✓ Procedure
 - ✓ Client
 - ✓ UAP
 - ✓ Environment



Nurse Practice Act Requirements

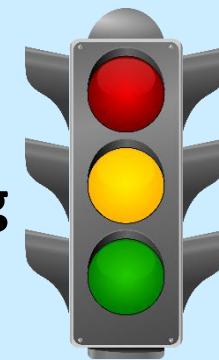
Division 45 & Division 47: All decisions and actions throughout the RN delegation process must be based on the safety and well being of the client:

- Procedure
- Client
- UAP
- Environment

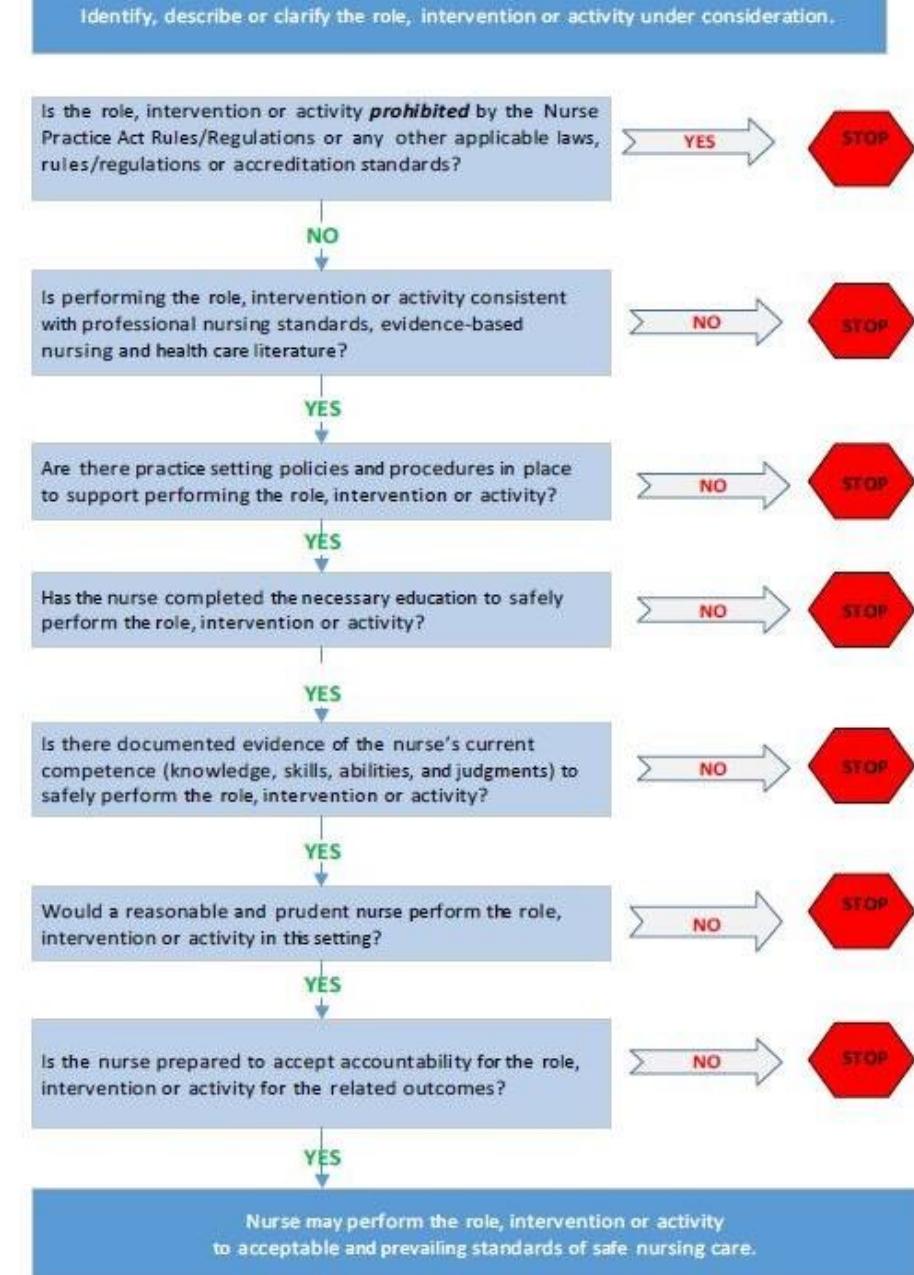


RN Self-Regulation

- Other Laws and Rules; the content of care
- Nursing & other science, professional nursing practice standards, etc.
- Individual RN competencies



Scope of Nursing Practice Decision-Making Framework



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