

**Proposed Changes in Administrative Code
November 18, 2011**

The Board of Nursing is proposing amendments to the *Mississippi Administrative Code*, Title 30: Professions and Occupations, Part 2830, Chapter 1: Functions of the Registered Nurse, and Chapter 2: Functions of the Licensed Practical Nurse. These proposed revisions have been filed with the Office of Secretary of State.

An open hearing will be held at 11:00 a.m. on Friday, December 9, 2011, at the Board of Nursing, 1080 River Oaks Drive, Suite A100, Flowood, Mississippi, to afford the public an opportunity to express their views. The board is also seeking written comments that may be submitted to the Board of Nursing by Wednesday, December 7, 2011. Comments may be emailed to nherrin@msbn.state.ms.us or submitted in writing to 1080 River Oaks Drive, Suite A100, Flowood, MS 39232-9779. After a review of public and written comments, the board will consider adoption of the proposed regulations during their business meeting on December 9, 2011, following the public hearing. The proposed amendments include additions which are underlined and deletions with a ~~strikethrough~~ listed below:

**Part 2830 Practice of Nursing
Chapter 1: Functions of the Registered Nurse**

Rule 1.1 Accountability. The RN shall be responsible and accountable for:

- A. Making decisions that are based upon knowledge, competency, experience and the use of the nursing process;
- B. Knowledge of and compliance with the laws and regulations governing the practice of nursing in Mississippi;
- C. Practicing within the scope of practice as established by the board and according to generally accepted standards of practice.

Rule 1.2 Accountability for Quality of Nursing Care. The RN shall be held accountable for the quality of nursing care given to patients. This includes:

- A. Providing for nursing leadership in the planning for and provision of nursing care to patients for whom responsibility has been accepted;
- B. Giving individualized nursing care and respecting the rights of the patient according to the needs or assigning these functions to others in accordance with the educational preparedness, experience, credentials, competence, physical and emotional ability to complete the task of the staff. Respecting the rights of the patient includes but is not limited to:
 - 1) Conducting practice without discrimination on the basis of age, race, religion, sex, sexual preference, national origin, disability or disease;
 - 2) Respecting the dignity and rights of patients regardless of social or economic status, personal attributes or nature of health problems;
 - 3) Respecting the patient's right to privacy by protecting confidential information unless obligated by law to disclose the information;
 - 4) Respecting the rights of patients by protecting the patient from abuse, inflicted by self or others, neglect or exploitation; and
 - 5) Respecting the property of patients, family, significant others, and the employer.
- C. Directing, supervising and evaluating nursing practice; applying nursing knowledge, administrative techniques and teaching principles toward the ultimate goal, excellence in patient care and promotion of good health practices;
- D. Recognizing the abilities and potentialities of all nursing personnel and providing supervision, management and training to each individual in the attainment of optimum performance;
- E. Obtaining instruction and supervision as necessary when implementing nursing techniques or practices;
- F. Conducting a comprehensive nursing assessment by ~~A~~ssessing the patient's needs, initially and ongoing formulating a nursing diagnosis, planning for, implementing and evaluating the nursing care in the promotion and the maintenance of health of each patient for whom responsibility has been accepted;

- G. Organizing, administering and supervising the implementation and evaluation of a written nursing care plan for each patient for whom responsibility has been accepted.

Rule 1.3 Supervision and Delegation. The RN shall be held accountable for the quality of nursing care given by self or others being supervised. The registered nurse:

- A. May:
 - 1) Assign specific nursing duties and/or patient treatments to other qualified personnel based on educational preparation, experience, knowledge credentials, competency, and physical and emotional ability to perform the duties.
 - 2) Assign duties of administration of patient medications to other licensed nurses only (either a RN or LPN, or one authorized by a temporary permit to practice) except as set out in *Mississippi Board of Nursing Rules and Regulations Administrative Code, Part 2860.*
- B. Shall:
 - 1) Appraise the care given by the licensed nursing staff and auxiliary workers under the licensee's direction and shall give guidance and assistance as needed;
 - 2) Be responsible for the clinical nursing record which reflects the patient's nursing care and progress. The nurse may delegate any or all of the recording of care given and the observations made to assistants who rendered the service.

Rule 1.4 Communication. The RN shall be responsible and accountable for communicating patient response to nursing interventions to other members of the health team.

Part 2830 Chapter 2: Functions of the Licensed Practical Nurse

Rule 2.1 LPN Supervision The LPN gives nursing care under the direction of the RN, advanced practice registered nurse (APRN), licensed physician or licensed dentist which does not require the specialized skill, judgment and knowledge required of a RN.

Rule 2.2 Responsibility. The LPN shall be responsible and accountable for:

- A. Knowledge of and compliance with the laws and regulations governing the practice of nursing in the State of Mississippi;
- B. Practicing within the scope of practice as established by the board and according to generally accepted standards of practice.
- C. Accepting responsibility for individual nursing actions, competence, decisions and behavior in the course of nursing practice.

Rule 2.3 Supervision. The LPN shall not be supervised by unlicensed personnel.

Rule 2.4 Provision of Care. The LPN performs the following functions in any area of the health care setting ~~facility~~: Assist the RN in the planning, implementation and evaluation of nursing care by:

- A. Respecting the rights of the patient which includes but is not limited to:
 - 1) Conducting practice without discrimination on the basis of age, race, religion, sex, sexual preference, national origin, disability or disease;
 - 2) Respecting the dignity and rights of patients regardless of social or economic status, personal attributes or nature of health problems;
 - 3) Respecting the patient's right to privacy by protecting confidential information unless obligated by law to disclose the information;
 - 4) Respecting the rights of patients by not intentionally or negligently causing or allowing others to physically, sexually, emotionally or verbally abuse a patient; and
 - 5) Respecting the property of patients, family, significant others and the employer.
- B. Providing for the emotional and physical comfort of patients;
- C. Observing, recording and reporting to the appropriate person the signs and symptoms which may be indicative of change in the patient's condition and/or responses to nursing interventions. ~~The LPN shall not perform nursing assessments on patients.~~
- D. Conducting focused nursing assessments, which is an appraisal of the patient's status and situation at hand that contributes to ongoing data collection and the comprehensive assessment by the RN.
- E. ~~D.~~ Performing nursing procedures and activities for which the LPN has the necessary degree of knowledge, skill and judgment;
- F. Assisting with the rehabilitation of patients according to the patient's care plan.

Rule 2.5 Charge Nurse. LPNs may assume "charge nurse" responsibilities:

- A. In nursing situations where rapid change is not anticipated and supervision is provided by a RN who is physically on the premises where the patient is having nursing care provided.
- B. In long-term units if RN supervision is available at all times for consultation.

Rule 2.6 Shall Not Function as ~~Director of Nursing~~ in a Supervisory Capacity. The LPN shall not function ~~as a director of nursing~~ or in a supervisory capacity over other licensed nurses.