



Surgical Site Marking

POSITION STATEMENT

The Mississippi Board of nursing is a consumer protection agency with the authority to regulate the practice of nursing provided for by Mississippi Code of 1972, Annotated, Title 73, Chapter 15.

A position statement is a scope of practice determination made by the Board, as to whether performance of an action by a licensed nurse is within acceptable standards. Position statements are administrative and educational tools that can be used to assist providers, licensed nurses, and other interested parties in scope of practice determinations. Position statements of the Mississippi Board of Nursing are formulated in response to the Board's legally mandated charge to protect the public through safe nursing practice.

BACKGROUND

The issue of marking the surgical site has been reviewed by the Board of Nursing several times. It is the Board's decision that the marking of the surgical site is not within the scope of practice of the registered nurse. Marking of the surgical site is within the scope of practice of the following Advanced Practice Registered Nurses (APRN): FNP, PNP, ANP, NNP, CNM, FPNP, OBGYNP, WHCNP and ACNP provided certain stipulations are met.) On August 8, 2003, the Board reviewed a request to expand the scope of practice of the registered nurse certified in Wound, Ostomy, and Continence Nursing/Enterostomal Therapy to include marking the surgical site for new stoma placement. After careful consideration, the Board denied the request to approve an exception to the Board's determination that the marking of the surgical site is not within the scope of practice of the registered nurse.

SCOPE OF PRACTICE

On August 13, 2004, the Board again reviewed requests for reconsideration and clarification of the role of the licensed nurse in marking the surgical site. The Board affirmed its previous determination that the initial marking of the surgical site **is not within the scope of practice of the registered nurse**. The Board further determined that it is within the scope of practice of the appropriately prepared registered nurse or licensed practical nurse to confirm/verify the correct surgical site **after the physician/surgeon has performed the initial marking of the operative/ surgical site**.

It should further be noted that JCAHO's Guidelines for Implementing the Universal Protocol for Preventing Wrong Site, Wrong Procedure and Wrong Person Surgery™ state, "The person performing the procedure should do the site marking."

Additionally, JCAHO's Frequently Asked Questions about the Universal Protocol for Preventing Wrong Site, Wrong Procedure, Wrong Person Surgery state, "...that while the Protocol requires that the patient be involved in the process, it is not

expected, or even recommended, that the patient mark his/her own surgical site.” As you will note, these statements are consistent with the Board’s previous and current determinations and responses to inquiries regarding marking of the surgical site.

Information regarding the Universal Protocol For Preventing Wrong Site, Wrong Procedure, Wrong Person Surgery™ published by JCAHO was considered by the Board of Nursing’s Nurse Practice Committee prior to their August 2003 and August 2004 determinations that it is not within the scope of practice of the registered nurse or licensed practical nurse to perform the initial marking of a surgical site.

HISTORY

1. Converted from a frequently asked question to a position statement:
04/03/2009

Although the determination of medical procedures and the patient’s medical status is a medical decision, the Registered Nurse has the right and the obligation to question orders and decisions which are contrary to acceptable standards and to refuse to participate in procedures which may result in harm to the patient.

