

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 699

"AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE RELATING TO
THE PRACTICE OF NURSING."

Amendment No. 1 to Senate Bill No. 699.

Amend Senate Bill No. 699 as originally introduced:

Delete Section 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 17-87-102 is amended to add additional subdivisions to read as follows:

(9)(A) "Nursing services assignment" means that a registered nurse authorizes a person having no nursing license to perform one or more basic tasks of client care with knowledge that the unlicensed person has been taught the task and is competent in performing the task.

(B) Assignment may require that a licensed nurse periodically supervise and evaluate the unlicensed person performing the basic task of client care.

(C) The need for and intervals of supervision and evaluation is at the discretion of the registered nurse;

(10)(A) "Nursing services delegation" means that a registered nurse authorizes a person having no nursing license to perform special tasks of client care, nursing care, or both, in selected situations and makes that authorization in writing.

(B) The delegation process includes nursing assessment of a client in a specific situation, evaluation of the ability of the unlicensed person, teaching the task, and ensuring supervision;

(11)(A) "Supervision" means that a registered nurse at periodic intervals, assesses and evaluates the condition of the client, reviews the procedures and directions established for the provision of client care, nursing care, or both, or for the administration of noninjectable medications by a person having no nursing license.

(B) The intervals shall be determined by the registered nurse based on the condition of the client, the nursing care task being performed, and the type and amount of medication administered;

(12) "Client care" means procedures that do not require the education or training of a licensed nurse, but that cannot be performed by the client independently, and procedures that may be directed by the client, including activities of daily living and administration of noninjectable medications;



(13) "Administration of medications" means removal of an individual dose from a previously dispensed, properly labeled container, including a unit dose container, verifying it with the physician's or nurse practitioner's order, giving the individual dose to the proper client at the proper time by the proper route, and promptly recording the time and dose given; and

(14)(A) "Stable condition" means a situation where the client's clinical and behavioral state is known, not characterized by rapid changes, and does not require continuous reassessment and evaluation.

(B) "Stable condition" includes situations where the client's deteriorating condition is predictable.

SECTION 2. Arkansas Code § 17-87-103 is amended to add an additional subdivision to read as follows:

(11) The assignment, delegation, or both, of nursing services in settings where the regularly scheduled presence of a registered nurse is not required by statute or administrative rule.

SECTION 3. Arkansas Code Title 17, Chapter 87, Subchapter 1 is amended to add additional sections to read as follows:

17-87-107. (a) A registered nurse may delegate special tasks of nursing care, including the administration of subcutaneous injectable medications.

(b) A registered nurse may delegate the administration of medications by the intravenous route through a central venous catheter to one unlicensed person, specific to one client, provided the following conditions are met:

(1) The delegation is done by a registered nurse;

(2) The delegation is limited to flushing the line with routine flushing solutions; and

(3) A registered nurse is available on call for consultation, intervention, or both, twenty-four (24) hours each day.

(c)(1) A registered nurse may delegate the administration of a bolus of medication by pushing a button on a preprogrammed pump.

(2) Subdivision (c)(1) applies to any route of administration.

(d) A registered nurse may not delegate the administration of medications by the intramuscular route.

(e) A registered nurse may teach and delegate a task of nursing care to one unlicensed person, specific to one client, under the following conditions:

(1) The client's condition is stable;

(2) The registered nurse considers the nature of the nursing care task to be provided, its complexity, the risks involved, and the necessary skill needed to perform the task;

(3) The registered nurse assesses the client's condition and determines if the person having no nursing license is capable to perform the task in the absence of direct registered nurse supervision;

(4) The registered nurse determines how frequently the client's condition shall be reassessed to determine the appropriateness of the continued delegation of the task to the person having no nursing license;

(5) The registered nurse evaluates the ability of the person having no nursing license to perform the nursing care task;

(6) The registered nurse documents the rationale for deciding

that this task can be delegated to the unlicensed person; and

(7) The delegating registered nurse or another registered nurse designated by the delegating registered nurse may be contacted by the person to whom the delegation was made.

(f) A registered nurse may delegate a client specific task of nursing care to additional persons having no nursing license provided that the registered nurse limits the number of unlicensed persons to the number who will remain proficient in performing the task and can be safely supervised by the registered nurse.

(g) A registered nurse shall use the following process to delegate a special task of nursing care:

(1) Assess the client's condition;

(2) Evaluate the skills and ability of the person having no nursing license;

(3) Teach the task of nursing care including:

(A) The proper procedure and technique;

(B) The risks associated with performing the task;

(C) Anticipated side effects; and

(D) The appropriate response to untoward or side effects;

(4) Observe the person having no nursing license performing the task to ensure that the person performs the task safely and accurately;

(5) Leave written instructions for performance of the task for the unlicensed person to use as a reference;

(6) Instruct the unlicensed person that the task is specific to this client only and is not transferable to other clients or taught to other care providers;

(7) Assess the client and supervise the person having no nursing license at least every sixty (60) days;

(8) Document compliance with subdivisions (1)-(7); and

(A) The rationale used to determine that the skill of the person having no nursing license is appropriate to the client's condition;

(B) The teaching process and outcome;

(C) How frequently the client should be reassessed;

(D) The frequency and method by which the person having no nursing license will be supervised; and

(E) That the registered nurse takes responsibility for teaching and delegating the task to an unlicensed person and will ensure that supervision will occur for as long as the registered nurse is supervising the performance of the delegated task.

(h) A registered nurse may rescind an assignment or delegation at any time for cause or without cause by delivery of written notice to the person to whom the delegation was made.

17-87-108. A registered nurse who assigns or delegates care to another person in compliance with this subchapter shall not be subject to licensure action or to an action for civil damages due to the performance of a person to whom care is assigned or delegated unless the person is acting in conformity with specific instructions from the registered nurse or the registered nurse fails to leave instructions when required to do so."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Gullett

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Secretary