

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

As Engrossed: S3/17/03

A Bill

SENATE BILL 699

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5 By: Senator Gullett
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For An Act To Be Entitled

8 AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS
9 CODE RELATING TO THE PRACTICE OF NURSING; AND FOR
10 OTHER PURPOSES.
11

Subtitle

12 AN ACT TO AMEND VARIOUS SECTIONS OF THE
13 ARKANSAS CODE RELATING TO THE PRACTICE
14 OF NURSING.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 17-87-102 is amended to add additional*
22 *subdivisions to read as follows:*

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

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

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

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

36 *(B) The delegation process includes nursing assessment of*



1 a client in a specific situation, evaluation of the ability of the unlicensed
2 person, teaching the task, and ensuring supervision;

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

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

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

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

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

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

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

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

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

36 17-87-107. (a) A registered nurse may delegate special tasks of

1 nursing care, including the administration of subcutaneous injectable
2 medications.

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

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

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

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

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

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

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

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

19 (1) The client's condition is stable;

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

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

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

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

31 (6) The registered nurse documents the rationale for deciding
32 that this task can be delegated to the unlicensed person; and

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

36 (f) A registered nurse may delegate a client specific task of nursing

1 care to additional persons having no nursing license provided that the
2 registered nurse limits the number of unlicensed persons to the number who
3 will remain proficient in performing the task and can be safely supervised by
4 the registered nurse.

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

7 (1) Assess the client's condition;

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

10 (3) Teach the task of nursing care including:

11 (A) The proper procedure and technique;

12 (B) The risks associated with performing the task;

13 (C) Anticipated side effects; and

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

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

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

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

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

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

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

27 (B) The teaching process and outcome;

28 (C) How frequently the client should be reassessed;

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

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

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

1 to whom the delegation was made.

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3 17-87-108. A registered nurse who assigns or delegates care to another
4 person in compliance with this subchapter shall not be subject to licensure
5 action or to an action for civil damages due to the performance of a person
6 to whom care is assigned or delegated unless the person is acting in
7 conformity with specific instructions from the registered nurse or the
8 registered nurse fails to leave instructions when required to do so.

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10 /s/ Gullett
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