



## Arizona State Board of Nursing

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An advisory opinion adopted by AZBN is an interpretation of what the law requires. While an advisory opinion is not law, it is more than a recommendation. In other words, an advisory opinion is an official opinion of AZBN regarding the practice of nursing as it relates to the functions of nursing. Facility policies may restrict practice further in their setting and/or require additional expectations related to competency, validation, training, and supervision to assure the safety of their patient population and or decrease risk.

Opinion: Scope of Practice Decision Tree  
Approved: X  
Date: 5/93  
Revised Date: 5/96, 1/02, 9/05, 8/09  
Originating Committee: Scope of Practice

### ADVISORY OPINION SCOPE OF PRACTICE DECISION TREE

*The mission of the Arizona State Board of Nursing is to protect the public and act as their advocate by effectively regulating the practice of nursing.*

#### Rationale

The profession of nursing is a dynamic discipline. Practice potentials change and develop in response to health care needs of society, technical advancements, and the expansion of scientific knowledge. All licensed nurses share a common base of responsibility and accountability defined as the practice of nursing. However, competency based practice scopes of individual nurses may vary according to the type of basic licensure preparation, practice experiences, and professional development activities. The parameters of the practice scopes are defined by basic licensure preparation and advanced education. Within this scope of practice, all nurses

should remain current and increase their expertise and skill in a variety of ways, e.g., practice experience, in-service education, and continuing education. Practice responsibility, accountability, and relative levels of independence are also expanded in this way. The licensed nurse is responsible and accountable, both professionally and legally, for determining his/her personal scope of nursing practice. Since the role and responsibilities of nurses, and consequently the scope of nursing practice, is ever changing and increasing in complexity, it is important that the nurse makes decisions regarding his/her own scope of practice. Reference: Arkansas Board of Nursing.

### THE PRACTICE OF NURSING

#### **The Practice of Professional (Registered) Nursing includes the following:**

- (a) Diagnosing and treating human responses to actual or potential health problems.
- (b) Assisting individuals and groups to maintain or attain optimal health by implementing a strategy of care to accomplish defined goals and evaluating responses to care and treatment.
- (c) Assessing the health status of individuals and groups.
- (d) Establishing a nursing diagnosis.
- (e) Establishing goals to meet identified health care needs.
- (f) Prescribing nursing interventions to implement a strategy of care.
- (g) Delegating nursing interventions to others who are qualified to do so.

- (h) Providing for the maintenance of safe and effective nursing care that is rendered directly or indirectly.
  - (i) Evaluating responses to interventions.
  - (j) Teaching nursing knowledge and skills.
  - (k) Managing and supervising the practice of nursing.
  - (l) Consulting and coordinating with other health care professionals in the management of health care.
  - (m) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a professional nurse.
- ARS § 32-1601 (13)

#### **The Practice of Practical Nursing:**

**"Practical nursing" includes the following activities that are performed under the**

**supervision of a physician or a registered nurse:**

- (a) Contributing to the assessment of the health status of individuals and groups.
- (b) Participating in the development and modification of the strategy of care.
- (c) Implementing aspects of the strategy of care within the nurse's scope of practice.
- d) Maintaining safe and effective nursing care that is rendered directly or indirectly.
- (e) Participating in the evaluation of responses to interventions.
- (f) Delegating nursing activities within the scope of practice of a practical nurse.
- g) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a practical nurse.

ARS § 32-1601 (12)

**The practice of a Clinical Nurse Specialist means a professional nurse who:**

Has an expanded scope of practice in a specialty that includes:

- (i) Assessing clients, synthesizing and analyzing data and understanding and applying nursing principles at an advanced level.
- (ii) Managing directly and indirectly a client's physical and psychosocial health.
- (iii) Analyzing multiple sources of data, identifying alternative possibilities as to the nature of a health care problem and selecting appropriate nursing interventions.
- (iv) Developing, planning and guiding programs of care for populations of patients.
- (v) Making independent nursing decisions to solve complex client care problems.
- (vi) Using research skills.
- (vii) Prescribing and dispensing durable medical equipment.
- (viii) Facilitating patient care by coordinating care with nursing and other disciplines and consulting with or referring clients to other health care providers when appropriate.

- (ix) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a clinical nurse specialist.

ARS § 32-1601 (5) (d)

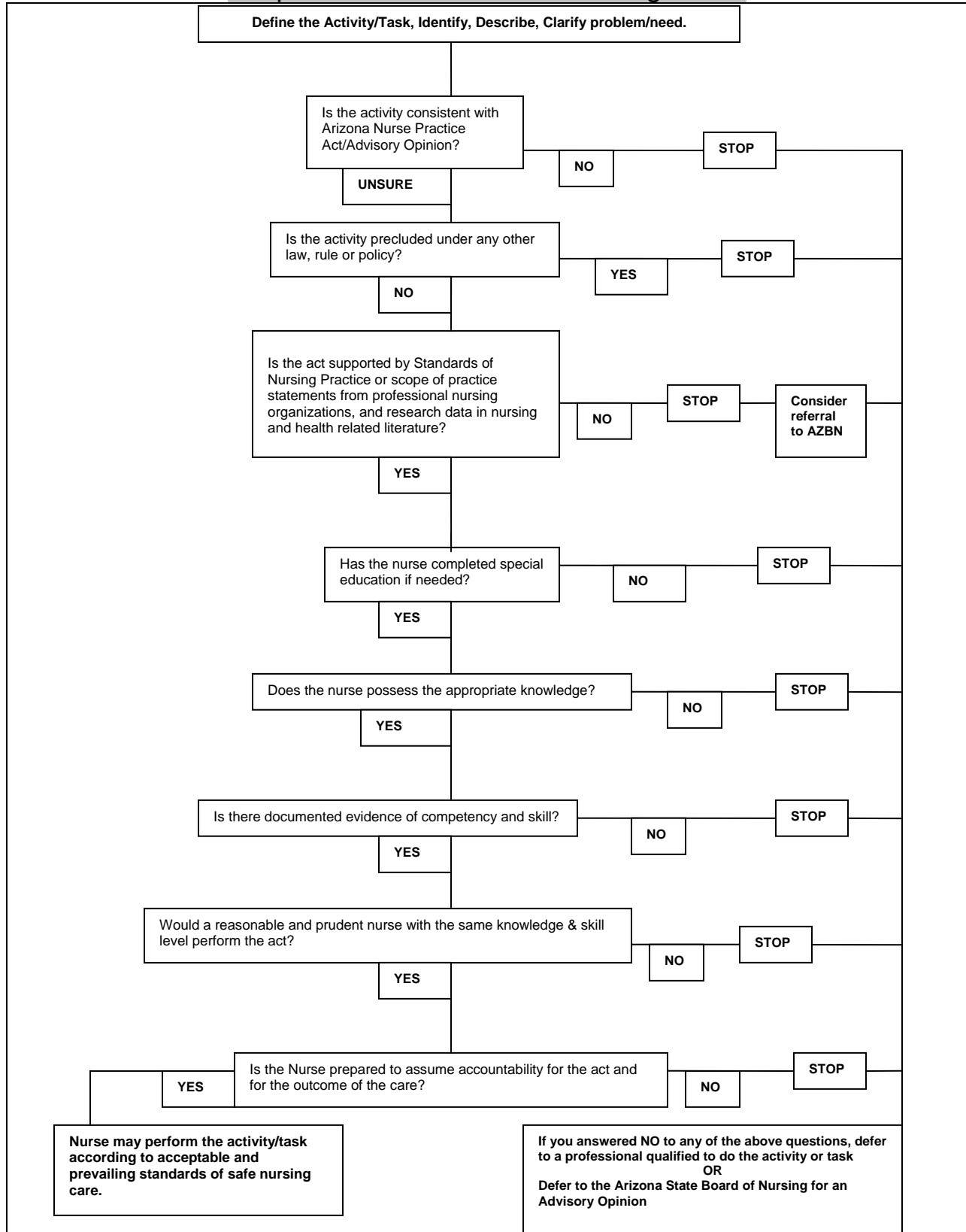
**The Practice of Registered Nurse Practitioner Nursing:**

The Registered Nurse Practitioner has an expanded scope of practice within a specialty area that includes:

- i) Assessing clients, synthesizing and analyzing data and understanding and applying principles of health care at an advanced level.
- (ii) Managing the physical and psychosocial health status of clients.
- (iii) Analyzing multiple sources of data, identifying alternative possibilities as to the nature of a health care problem and selecting, implementing and evaluating appropriate treatment.
- (iv) Making independent decisions in solving complex client care problems.
- (v) Diagnosing, performing diagnostic and therapeutic procedures, prescribing, administering and dispensing therapeutic measures, including legend drugs, medical devices and controlled substances within the scope of registered nurse practitioner practice on meeting the requirements established by the board.
- (vi) Recognizing the limits of the nurse's knowledge and experience, planning for situations beyond the nurse's knowledge and expertise and consulting with or referring clients to other health care providers when appropriate.
- (vii) Delegating to a medical assistant pursuant to section 32-1456.
- (viii) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a nurse practitioner.

ARS § 32-1601 (15) (d)

# Scope of Practice Decision Making Model



# DECISION-MAKING PROCESS INVOLVED IN USING THE DECISION-MAKING MODEL

## **1. Define the Activity/Task:**

**Clarify** what is the problem or need?

**Who** are the people involved in the decision?

**What** is the decision to be made and where (what setting or organization) will it take place?

**Why** is the question being raised now?

Has it been discussed previously?

## **2. Is the activity permitted by Arizona Nurse Practice Act?**

**NO** – Stop. Defer the activity/task to a professional qualified to do the activity/task or to the Arizona State Board of Nursing for a decision.

**Yes** – Go to Question # 5 – Special education needed?

**Unsure** -- Go to Question # 3 – Precluded by other law, rule, or policy?

## **3. Is activity/task precluded under any other law, rule or policy?**

**No** – Go to Question #4 – Consistent with....

**Yes** -- Stop. Defer the activity/task to a professional qualified to do the activity/task or to the Arizona State Board of Nursing for a decision.

## **4. Is the act supported by the Standards of Nursing Practice or scope of practice statements from professional nursing organizations, and research data in nursing and health related literature?**

**No** – Stop. Defer the activity/task to a professional qualified to do the activity/task or to the Arizona State Board of Nursing for a decision.

**Yes** – Go to Question # 5 – Special education needs?

## **5. Has the nurse completed special education if needed?**

**No** – Stop. Defer the activity/task to a professional qualified to do the activity/task or to the Arizona State Board of Nursing for a decision.

**Yes** – Go to Question # 6 – Possess appropriate knowledge?

## **6. Does nurse possess appropriate knowledge?**

**No** – Stop. Defer the activity/task to a professional qualified to do the activity/task or to the Arizona State Board of Nursing for a decision.

**Yes** – Go to Question #7—Documented competency?

## **7. Is there documented evidence of competency & skill?**

**No** – Stop. Defer the activity/task to a professional qualified to do the activity/task or to the Arizona State Board of Nursing for a decision.

**Yes** – Go to Question #8 – Reasonable & prudent nurse?

## **8. Would a reasonable & prudent nurse perform the act?**

**No** – Stop. Defer the activity/task to a professional qualified to do the activity/task or to the Arizona State Board of Nursing for a decision.

**Yes** – Go to Question #9 – Prepared to accept consequences?

## **9. Is nurse prepared to accept the consequences of action?**

**No** – Stop. Defer the activity/task to a professional qualified to do the activity/task or to the Arizona State Board of Nursing for a decision.

**Yes** – Nurse may perform the activity/task according to acceptable and prevailing standards of nursing care.  
Reference: Arkansas State Board of Nursing

## OTHER CONSIDERATIONS IN DECISION-MAKING

The nurse is constantly involved in the decision-making and problem solving process, regardless of the practice setting. The following steps are basic to the process.

### **Clarify:**

What is the problem or need?  
Who are the people involved in the decision?  
What is the decision to be made and where (what setting or organization) will it take place?  
Why is the question being raised now?  
Has it been discussed previously?

### **Assess:**

What are your resources?  
What are your strengths?  
What skills and knowledge are required?  
What or who is available to assist you?

### **Identify:**

What are possible solutions?

### **Options:**

What are the characteristics of an ideal solution?  
Is it feasible?  
What are the risks?  
What are the costs?  
Are they feasible?  
What are the implications of your decision?  
How serious are the consequences?

### **Point of Decision:**

What is the best decision?  
When should it be done?  
By whom?  
What are the implications or consequences of your decision?  
How will you judge the effectiveness of your decision?

## APPLICATION OF GUIDELINES FOR DECISION-MAKING

### **Clarify what it is you are being asked to do:**

#### **ϕ Gather facts that may influence the decision.**

- Are there written policies and procedures available to describe how and under what conditions you will perform this task?
- Does the new responsibility require professional judgment or simply the acquisition of a new skill?
- Is this a *new* expectation for all RNs? LPNs? APNs?
- Has this been done before by others in your unit or health care facility?
- Is it just new to you?
- What about the other facilities in your community or region?
- What are the nurse manager's expectations about you or other RNs, LPNs, APNs, becoming responsible for this procedure?
- When will this become effective?
- Will there be an opportunity to help you attain the needed clinical competency?
- Who will be responsible for the initial supervision and evaluation of this newly performed task?
- Will you be given additional time to learn the skill if you need it?

### **Assess Your Own Abilities:**

- Are you clinically competent to perform this procedure?
- Do you currently have the knowledge and skills to perform the procedure?
- Have you had experience in previous jobs with this procedure?

- Who is available to assist you who has that skill and knowledge?
- Is that person accessible to you?
- Do you believe you will be able to learn the new skill in the allotted time?
- How can you determine that you are practicing within your scope of nursing?
- What is the potential outcome for the patient if you do or do not perform the procedure?

### **Identify options and implications of your decision.** **The options include:**

- The responsibility/task is not prohibited by the Nurse Practice Act.

If you believe that you can provide safe patient care based upon your current knowledge base, or with additional education and skill practice, you are ready to accept this new responsibility. You will then be ethically and legally responsible for performing this new procedure at an acceptable level of competency.

If you believe you will be unable to perform the new task competently, then further discussion with the nurse manager is necessary. At this point you may also ask to consult with the next level of management or nurse executive so that you can talk about the various perspectives of this issue.

It is important that you continue to assess whether this is an isolated situation just affecting you, or whether there are broader implications. In other words, is this procedure new to you, but nurses in

other units or health care facilities with similar patient populations already are performing? To what do you relate your reluctance to accept this new responsibility? Is it a work load issue or is it a competency issue?

At this point, it is important for you to be aware of the legal rights of your employer. Even though you may have legitimate concerns for patient safety and your own legal accountability in providing competent care, your employer has the legal right to initiate employee disciplinary action, including termination, if you refuse to accept an assigned task. Therefore, it is important to continue to explore options in a positive manner, recognizing that both you and your employer share the responsibility for safe patient care.

Be open to alternatives. In addition, consider resources which you can use for additional information and support. These include your professional nursing organization, both state and national, and various publications. The American Nurses Association Code for Nurses, standards on practice, and your employer's policies and procedures manuals are valuable resources. The Nurse Practice Act serves as your guide for the legal definition of nursing and the parameters that indicate deviation from or violation of the law.

### **Point of decision/Implications.**

#### ***Your decision maybe:***

**Accept** the newly assigned task. You have now made an agreement with your employer to incorporate this new responsibility, under the conditions outlined in the agency's procedure manual. You are now legally accountable for its performance.

**Agree to learn** the new procedure according to the plans established by the employer for your education, skills practice and evaluation. You will be responsible for letting your nurse manager know when you feel competent to perform this skill. Make sure that documentation is in your personnel file validating this additional education. If you do not believe you are competent enough to proceed after the initial in-service, then it is your responsibility to let the educator and nurse manager know you need more time. Together you can develop an action plan for gaining competency.

**Refuse** to accept the newly assigned task. You will need to document your concerns for patient safety as well as the process you use to inform your employer of your decisions. Keep a personal copy of this documentation and send a copy to the nurse executive. Courtesy requires you also send a copy to your nurse manager. When you refuse to accept the assigned task, be prepared to offer options such as transfer to another unit (if this new role is just for your unit) or perhaps a change in work assigned tasks with your colleagues. Keep in mind though, when you refuse an assignment you may face disciplinary action, so it is important that you be familiar with your

employer's grievance procedure. Reference: Arkansas State Board of Nursing.

**For additional information on the Nurse Practice Act, Rules and Regulations, and Advisory Opinions see the Arizona State Board of Nursing web page: <http://www.azbn.gov>**

**References** (Advisory Opinion derived from Arkansas and New Jersey State Boards of Nursing.)

Arizona Nurse Practice Act 2/2009

Arkansas State Board of Nursing – Scope of Practice Decision Making Model & Process and Guidelines for Decision Making 1/1999

Arkansas Scopes of Practice Position Statement, 95-1, 5/1998

Kentucky Board of Nursing Scope of Practice Determination, Guidelines & Decision Tree 4/2005

New Jersey Board of Nursing Decision Making Model Algorithm, 6/1999