

T H E E X A M I N E R

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In This Issue

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From the Executive Director.....	1
APRN Corner.....	2
Disciplinary Matters.....	2
Required Approval of Programs Offering Clinical Experiences.....	3
FAQ – Graduate Level Programs with Louisiana Clinical Practice.....	3
Major Motions of the October 10, 2012 Board Meeting.....	6
Nursyse-Notify.....	7
Accountability in Nursing Practice.....	7
NCLEX Examination Volunteer Opportunities.....	8
2012 Meeting Dates.....	8



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FROM THE EXECUTIVE DIRECTOR

Tri-regulator Symposium: A Momentous Event



It was my pleasure to participate recently in the very first Tri-Regulator Symposium held in Washington, DC, October 17th & 18, 2012. This momentous event brought together members of medical boards, nursing boards and pharmacy boards from across the nation to discuss public protection issues of mutual interest and concern.

It provided the opportunity for the members of boards of medicine, nursing and pharmacy to interact and network within a collegial atmosphere of cooperation and shared purpose.

The stage was set through the cooperative efforts of the Federation of State Medical Boards, the National Council of State Boards of Nursing (NCSBN), and the National Association of Boards of Pharmacy. The topics determined by those of mutual interest and concern:

Combating Opioid Prescription Abuse
Supporting State-based Regulation of Healthcare Professionals
Healthcare Workforce Needs in the US
Assessment of Professional Competency

I know no one was sure how convening all of the groups together would work. Would it be beneficial? Could we come together and discuss these topics without controversy? Would we ever want to do this again! I can tell you that from my account and the discussion in the hallways, this was indeed a momentous event that should be continued and evolve into a regular convocation of health care provider regulatory boards.

I will share that I found the forum informative and motivating from a very intrinsic point of view. First, having been invited to participate as a panelist for the session on "Combating Opioid Prescription Abuse", I had a real opportunity to examine just what an issue this is for the Louisiana State Board of Nursing. I was challenged to ask just what are we doing or should be doing to assure the proper prescribing of opioids by Advanced Practice Registered Nurses (APRNs), and just what this societal issue looks like to us when we consider RNs/APRNs

being prescribed controlled medications and whether or not they should be released to work. Just what does this mean in relation to the licensees who have begun a journey to substance use disorder, many of whom begin their journey on prescribed medications.

Secondly, I left with some satisfaction regarding the working relationship of the three Boards in our state, while believing we could do so much more. The Prescription Monitoring Program developed under the auspices of the Louisiana State Board of Pharmacy is a prime example of what can be accomplished with collaboration, cooperation and a defined purpose of the public interest. While the Executive Directors and staff of the respective Louisiana boards communicate regularly on public trust issues or legislative issues of mutual concern, I left with a sense that we could accomplish much by a structured format for dialogue on the common issues that include respective board members in the discussion. I envisioned that such a format could facilitate our broadening the discussion to the 'really tough' issues, or those that we do not agree.

Lastly, I would share that the role of regulation of a profession is not an easy one. It is tough to put aside one's professional and personal interest and put the public and the consumer interest first. It is not always easy to determine if you are not only doing things right, but are we doing the right thing. Boards of medicine, nursing and pharmacy have a lot to share with and learn from each other. We need to make this a regular event! We need to build on the collaborative efforts we have established at the state level!

For The Public Trust

Barbara L. Morvant





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APRN Corner

Do I need Prescriptive Authority?

The APRN who engages in medical diagnosis and medical management must have prescriptive authority.*

You may provide services such as gathering a history and performing a physical examination as a licensed APRN but *you are not authorized to medically diagnose or manage patients until you have been granted prescriptive authority by the Louisiana State Board of Nursing.*

* Note: There are some exceptions for CRNA's for selection of anesthetic agents and administering anesthesia care.

Should my charts or prescriptions have a Co-signature?

The Louisiana State Board of Nursing does not have a specific regulation requiring that an APRN's prescriptions or documentation must have a co-signature. However, the employer, facility, institution, or other federal or state statute may require a co-signature. It is most important to realize that a co-signature does not expand an APRN's scope of practice to that of the person co-signing. If an APRN is not authorized to provide a certain procedure or service, then a co-signature or order written as a verbal order does not provide immunity from liability and responsibility for an act or service provided by the APRN.

Controlled Substance Privileges

Per current regulations, the Board may authorize an APRN with prescriptive authority to prescribe and distribute controlled substances on an individual basis. The APRN must provide evidence of 500 hours of practice (after having been granted initial prescriptive authority for legend drugs). Once initially approved by LSBN, the APRN must then apply to the Louisiana Board of Pharmacy for a CDS license then register with the DEA. *The CDS license and DEA registration must be provided to LSBN and final written approval must be received by the APRN prior to writing any prescriptions for controlled substances.* If you have not submitted your DEA and LCDS licenses to the Board in the past, mail or fax a copy in order to receive final approval to provide prescriptions for controlled substances to your patients.

Disciplinary Matters

LSBN took a total of 26 actions at the September 11, 2012 hearing panel. For a complete listing click the link below:

[September 11, 2012](#)

LSBN took a total of 38 actions at the October 9, 2012 hearing panel. For a complete listing click the link below:

[October 9, 2012](#)





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Required Approval of Programs Offering Clinical Experiences in Louisiana for RN and APRN Students

In accordance with La Revised Statutes 17:1808, an out-of-state institution of higher learning may not offer courses/clinical experience in Louisiana unless registered with the Louisiana Board of Regents.

Further, La Revised Statutes 37:918 authorized the Louisiana State Board of Nursing to approve nursing programs preparing graduates to seek licensure as an RN or an APRN. The administrative rules of the LSBN, Chapter 35 sets the requirements for out of state schools preparing individuals for RN licensure and Chapter 45 sets the requirements for out-of state schools preparing individuals for APRN licensure.

Individual students may be engaging in the unlawful practice of registered nursing or advanced practice registered nursing if engaging in clinical experiences in Louisiana while in a program not approved by the LSBN to do so. If you are an RN enrolled in a program to become an APRN and engaged in clinical experiences or a Clinical Facility engaged in contracts with out of state programs, you need to verify that the program is approved. A list of approved programs can be found <http://www.lsbn.state.la.us/documents/schools/schools.pdf>.

FAQ – Graduate Level Programs with Louisiana Clinical Practice

Can I attend a distance learning program and perform clinicals in Louisiana?

Yes, if the school of nursing has been approved by LSBN.

Louisiana has jurisdiction over programs offering courses/clinical experiences in Louisiana that lead to licensure. Schools of nursing offering degrees that lead to licensure are required to be approved by the State Board of Nursing.

Are all graduate level education programs required to have approval by LSBN to offer clinical experiences in Louisiana?

Yes.

Louisiana Revised Statutes 37:918 authorizes the Louisiana State Board of Nursing to approve nursing programs preparing graduates to seek licensure as an APRN. In the administrative rules of the LSBN, Chapter 45 specifies the requirements for out-of-state schools preparing individuals for APRN licensure which includes, in addition to other requirements, current Louisiana Board of Regents license, compliance with faculty and preceptor qualifications, and clinical affiliation clearance. If a school intends to enroll registered nurses in a program to become an APRN and engage in clinical experiences in Louisiana, the school must seek approval from the Louisiana State Board of Nursing by submitting an application and appearing before the Board at a regularly scheduled meeting.

LAC 46XLVII.4509.R Approval for Nursing Education Programs Whose Administrative Control is located in another State offering programs, Courses and /or clinical experiences in Louisiana

Are the Board of Regents and Louisiana State Board of Nursing approvals the same?

No.

These are two separate Boards. A school of nursing and the specific programs involved must have approval by both Boards in order for the school to hold clinical courses in Louisiana. LSBN will not approve without a BOR approval.





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How do I know if the school I desire to attend is approved by the LSBN?

The approved Schools of Nursing list on the LSBN website contains all schools which have come before the Board at a regularly scheduled meeting to be approved to offer courses/clinicals in Louisiana.

The program I desire to attend is listed on the approved program list; however, the specialty I am seeking is not. Am I allowed to enroll in any specialty at an approved school?

No.

Schools are approved for only those roles and populations they request when submitting their proposal for Board approval. Each specialty must be presented for approval.

What are the consequences of enrolling in a nursing program and participating in a clinical experience in Louisiana without approval?

RNs enrolling in clinical courses in Louisiana, from a school that has not gone through the appropriate approval process by the LSBN, could be subject to disciplinary action for violation of LAC 46:XVLII.3405.

Graduates from an out-of-state school not approved for meeting the standards by LSBN are subject to ineligibility from credentialing and licensure in Louisiana.

Schools of nursing allowing clinical experiences in Louisiana without approval will be required to cease and desist until approval is requested and granted.

Who is responsible for knowing the approval status of a school of nursing to offer clinical experiences in Louisiana?

It is the responsibility of both the school and the student. Although a school has an obligation to notify you of its approval status to hold clinical in Louisiana, it is every nurse's role to be familiar with the rules and regulations of the LSBN which outline Education, Licensure, and Practice regulations.

How often is a school required to seek approval?

Approvals are granted for 2 year periods. Schools are required to contact LSBN to submit a proposal for review at a Board Meeting for initial approval and reapproval. Schools are further obligated to notify Louisiana students of the school's inability to offer clinical experiences in Louisiana until granted approval.

What do I do if I am currently enrolled in a school that has not been approved by LSBN?

You need to be aware that you are in violation of the Nurse Practice Act and may be subject to disciplinary action, including denial of APRN license in Louisiana.

I want to attend a program which is not approved, how do I get them approved?

It is the school's responsibility to come forth for an approval prior to offering clinical courses in Louisiana. Requests from students are not part of the approval process. You can direct the School of Nursing Administrator to contact LSBN to determine ability to apply for approval.

What is the Approval Process for Out-of-State-Schools requesting permission to offer clinical experiences in Louisiana?

Proposals for approval to offer clinical experiences in Louisiana must be provided for review at least four months prior to the scheduled initiation of the offering (LAC 46:XLVII.4509.R.2.a.iv)

Schools of Nursing need to contact the Education Department of the LSBN. They will be sent a packet to develop a proposal. The proposals are reviewed by Staff and presented to the Board at a regularly scheduled Board Meeting. Dates and agenda submission deadlines can be found on our website.

LAC 46:XLVII.4509 contains Education requirements for the program, faculty, preceptors and students that will be part of the approval process. NONPF and Certifying Agency standards are also considered for interpretation of the rules.





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The proposal includes requirements outlined in LAC 46:XLVII.4509.R Approval for Nursing Education Programs Whose Administrative Control is Located in Another State Offering Programs, Courses and /or Clinical Experiences in Louisiana.

What information is required post approval?

LAC 46:XLVII.4509.I. reflects the information required to be sent for each student. Once approved by the Board, the staff will supply the necessary reporting documents.

What is required of APRN students to be approved for clinical experiences in Louisiana?

All students must hold an unencumbered active RN license in Louisiana. Students must be free of criminal activity that would cause a delay or denial of licensure.

Is APRN faculty from the School of Nursing required to have Louisiana Licensure?

Yes.

The faculty that is involved in the grading and overseeing the learning experience must: hold an unencumbered active RN and APRN license in Louisiana. Faculty must be licensed in that advanced practice or related specialty they are teaching. (LAC 46:XLVII.4509.G.2.a-i)

Is the faculty for the schools required to perform site visits?

Yes.

The faculty is expected to be actively involved in the selection of sites and preceptors. Additionally the faculty is expected to perform site visits which may be supplemented by other forms of communications.

Do I need to be approved as a preceptor by LSBN to precept students enrolled in an out-of-state school clinical course at a site in Louisiana?

Yes.

Part of the post program approval is submission of a packet on each student reflecting what is required in LAC 46:XLVII.4509.I.4.

A contract between the school and the preceptor and a contract between the school and the clinical agency is required.

To precept, you must have an unencumbered active Louisiana RN and APRN license in the same specialty and role as the student.





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Major Motions and Other Actions Taken at the October 10, 2012

ADMINISTRATIVE ACTIONS:

Directed the Executive Director to explore the possibility of finding a professional consultant for implementation of strategic plan.

Approved to proceed with Grant Cooper, a national search firm, for the succession of the Executive Director

Approved to formalize a task force that will revise Educational Standards

Authorized the Executive Director to reengage the Public Relations Firm for this fiscal year and next fiscal year

EDUCATION ACTIONS:

Approved the request of the Troy State University to offer graduate clinical experiences in Louisiana for the following Specialty/ Concentrations:

MSN/Family Nurse Practitioner

Post BSN-DNP (FNP)

Post Master's DNP (FNP)

Post Master's FNP Certificate

Approval effective Fall 2012- Fall 2014 contingent on:

- 1) becoming compliant with Faculty licensure in Louisiana and submission of clinical affiliation and preceptor agreement, and reporting impact on LA approved schools utilizing the agency; and,
- 2) continued adherence to and submission of required documentation regarding faculty qualifications, preceptor qualifications, clinical site appropriateness and approval and student criteria as outlined in LAC46: XVII.4509

Accepted the Letter of Request for Full Approval from Fletcher Technical Community College School of Nursing Associate of Science in Nursing Degree and grant Full Approval status to be reviewed following Spring 2013 Site Visit and annually with annual reports.

Granted full approval to the Intercollegiate Consortium for a

Master of Science in Nursing (ICMSN) for a major curriculum change to offer the Post master's Certificate programs for Family Psychiatric /Mental Health Nurse Practitioner and for Family Nurse Practitioner in an accelerated format.

NURSE PRACTICE ACTIONS:

Deferred a decision on whether or not it is within the scope of practice of a Registered Nurse to perform Central Dexa Bone Density Testing until petitioners have received an official opinion from the Louisiana State Board of Medical Examiners and the Louisiana State Radiologic Technology Board of Examiners.

Instructed board staff to remove the prior opinion Npop86.02 (regarding nurses performing XRAY procedures in the office setting) from the LSBN website.

Approved draft of Bulletin 741 – Louisiana Handbook for School Administrators, §1130. Diabetes Management and Treatment, prepared by the Louisiana Department of Education and LSBN staff as required by Louisiana R.S. 17:436.3.

Approved changes to Bulletin 741 – Louisiana Handbook for School Administrators, §1129: Administration of Medication as follows:

- A. Written Orders, Appropriate Containers, Labels and Information
1. Medication shall not be administered to any student without an order from a Louisiana, or adjacent state, licensed physician or dentist or other authorized health care prescriber licensed in Louisiana, and it shall include the following information:

Approved changes to Bulletin 741 – Louisiana Handbook for School Administrators, §1129: Administration of Medication:

- C. Administration of Medication—General Provisions
2. ~~Except in life-threatening situations~~, Except in the case of a trained unlicensed diabetes care assistant administering diabetes medications or in life threatening situations, trained unlicensed school employees may not administer injectable medications.

Accepted proposed revisions of LAC 46: XLVII:3707.B.5 in accordance with the Administrative Procedure Act, LA. R.S. 49:951-968 to include that Advanced Practice Registered Nurses under specified provisos may determine PICC





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catheter placement prior to initiation of therapy provided that final placement verification is provided by a physician, for initiation of rule making.

Approved submission of public comments to AORN regarding the draft of the Advanced Practice Registered Nurse Practicing in the Perioperative Setting.

Directed Board staff to begin developing revisions to the current Declaratory Statement for Registered Nurse First Assistants adopting AORN's revisions regarding RNFAs. Further, to develop additional revisions to address APRNs practicing in the perioperative setting that are in alignment with AORN's position once the final revision is published.

MONITORING ACTIONS:

Approved the revisions to Advanced Practice Registered Nurses in the Recovering Nurse Program Policy.

Louisiana Center for Nursing Actions:

Approved LSBN entering into an Interagency Agreement with the Board of Regents for the Louisiana Nursing Workforce Forecasting Study

Approved LSBN entering into a Contract with The Center for Health Affairs for the Development of the Nursing Supply and Demand Forecasting Model for Louisiana

OTHER ACTIONS:

Directed the Executive Director and Board's Attorney to contact DHH's legal counsel regarding promulgation of rules

Nursys e-Notify



NEW Service! Launching Dec. 3, 2012,

e-Notify is an innovative nurse licensure notification system that delivers real-time notifications to employers about nurses in their employ. The system provides licensure and publicly available discipline data directly as the information is entered into the Nursys database by boards of nursing.

For more information on this service please visit the board website [here](#).

Accountability in Nursing Practice

As a Registered Nurse, you are legally responsible and accountable for your actions or inactions and answer to self, patient, agency, profession and society for the effectiveness and quality of nursing care rendered. Because nursing practice is dynamic, it is not possible for the Board to list all interventions that Registered Nurses may or may not perform. Therefore, it is imperative that you only perform nursing tasks consistent with your preparation, education, experience and demonstrated competency.

Some of the questions you should ask yourself when determining whether or not an assignment is within your scope of practice as a Registered Nurse, are:

- 1) Do I possess the specialized nursing knowledge, skills and abilities needed to provide the required care?
- 2) Was I taught the skill in my basic nursing program? If not, have I since completed a comprehensive training program including clinical





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experiences?

- 3) Has my competency to perform the nursing task been established and is it being maintained on an ongoing basis and documented by my employer?
- 4) Does my employing agency have a policy/procedure in place regarding performance of the skill?
- 5) Does my employing agency require certification or other specialized training?
- 6) Have I considered safety and effectiveness of the intervention?
- 7) Are there any state or federal statutes that may prohibit me from performing the intervention?
- 8) Does evidence based practice research support the nursing intervention?
- 9) What do national standards of practice say about nurses performing the task?

The Board of Nursing has several tools to assist you when trying to determine your scope of practice. The Nurse Practice Act, Rules/Regulations, Delegation Tree and Scope of Practice Guidelines are available at www.lsbn.state.la.us, Practice, Laws/Rules/Scope of Practice.

Additionally, you may seek clarification of the effect of the rules and regulations by submitting a Petition for Declaratory Statement/Advisory Opinion to the Board. Declaratory statements are generally rendered in situations which relate to widespread situations, while advisory opinions are very specific and may not be applicable to all nursing situations. Neither a declaratory statement nor an advisory opinion has the binding force of law, but they represent the board's expert opinion relative to the matter in question.

Should you require additional assistance from the board, you may:

1. Submit a written request to be taken under advisement by board staff. You may submit your request by mail or via email at practice@lsbn.state.la.us. All requests should include the following information:
 - a. Your name, address, email address,

telephone number;

- b. Specific reference to the statutes or rules and regulations;
- c. Reference to any previous nurse practice opinions rendered by the board;
- d. Reference to any existing literature specific to the nursing practice in question;
- e. Reference to policy/procedure at your employing institution;

-OR-

2. Submit a formal petition and present your request directly to the LSBN board members. To access the Petition for Declaratory Statement or Advisory Opinion on Nursing Practice click here:

[Petition for Declaratory Statement or Advisory Opinion](#)

Submitted by Cindi York, MSN, RN, CGRN
Director, Nursing Practice and Credentialing





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LOUISIANA STATE BOARD OF NURSING

NCLEX Examination Volunteer Opportunities

Development of the NCLEX-RN and NCLEX-PN examinations utilizes contributions from hundreds of nurse educators, clinicians and managers who work with entry-level nurses. Volunteers are selected for three types of panels:

- Item Writing: Item writers create the items that are used for the NCLEX examination
- Item Review: Item reviewers examine the items that are created by item writers
- Panel of Judges: The panel of judges recommends potential NCLEX passing standards to the NCSBN Board of Directors

Benefits of Participation

- Earn continuing education contact hours
- Contribute to continued excellence in the nursing profession
- Have an opportunity to network on a national level
- Build new skills that are useful professionally, as well as for personal growth

It's Easy to Participate

Visit the [NCSBN Examinations](#) website to review the nurse qualifications and submit an online application.

2012 State Holiday Schedule

Veterans Day.....	November 12
Thanksgiving Day.....	November 22
Acadian Day.....	November 23
Christmas Eve.....	December 24
Christmas Day.....	December 25
New Year's Eve.....	December 31

Future Meeting Dates

BOARD MEETING DATES

December 12, 2012
 February 20, 2013
 April 17, 2013
 June 12, 2013
 August 14, 2013
 October 9, 2013
 December 11, 2013

