

NEVADA STATE BOARD OF NURSING

PRACTICE DECISION

Practice Question: Are persons required to be licensed as a nurse by the State of Nevada if those persons are acting in the role of consultant, surveyor, or nurse educator?

History:

The question was formally presented to the NSBN Nursing Practice Advisory Committee at its regularly scheduled meeting on December 17, 2003. There is no prior practice decision regarding this issue.

The question of whether or not persons have to be licensed in the State of Nevada when conducting audits or reviews in Nevada has recently arisen due to the trend from local ownership to multi state corporate ownership of health care facilities. This evolution from local to corporate ownership resulted in out-of-state corporate nurses visiting Nevada for the purpose of ensuring compliance with corporate policies. Additionally, national regulatory oversight of health care facilities has resulted in unlicensed persons conducting surveys of facilities in Nevada. Thus, persons visiting Nevada for purposes of working temporarily in health care facilities have asked the Nevada State Board of Nursing for guidance on whether or not licensure is required.

Recommendation:

The Nevada State Board of Nursing finds that a person who practices nursing or delivers patient care in relation to patients who are located within the State of Nevada must be licensed by the Nevada State Board of Nursing.

The following activities include, but are not limited to, conduct that is considered to be delivering patient care in role of the licensed nurse:

1. Any intent to enter into a therapeutic relationship with the patient.
2. Any notation or documentation in an individual patient's medical records.
3. Designation or acting as Chief Nurse.
4. Accepting an assignment for patient care.
5. Patient education.
6. Any nursing education that involves direct patient contact.
7. Designation as or acting as an RN who supervises care provided by another RN, LPN, or CNA.

The following activities include, but are not limited to, conduct that is NOT considered to be delivering patient care in role of the licensed nurse:

1. Inspection of written corporate policies and procedures to evaluate compliance with same.
2. Instruction of corporate employees on issues of compliance with corporate policies and procedures.
3. Training of persons by product representatives, so long as no patient care is provided.
4. With prior patient permission, observe medication pass or wound care procedures.
5. Auditing patient records.
6. Teaching continuing education courses.
7. Making recommendations regarding the delivery of patient care.

Approved by the Nevada State Board of Nursing on April 1, 2004.