

**PROPOSED REGULATION OF THE
STATE BOARD OF NURSING**

LCB FILE NO. R019-22I

**The following document is the initial draft regulation proposed
by the agency submitted on 02/14/2022**

REGULATION OF THE
NEVADA STATE BOARD OF NURSING

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: NRS 632.120.

A REGULATION relating to nursing; providing definitions and amendments to delegation authority

Proposed amendments to NAC chapter 632

NAC 632.230 Limitations on performance of tasks; supervision of others.

A licensed practical nurse:

1. May not independently carry out those duties which require the substantial judgment, knowledge and skill of a registered nurse.
2. Shall determine before the performance of any task that he or she has the knowledge, skill and experience to perform the task competently.
3. May supervise other personnel in the provision of care.
4. *May delegate appropriate duties to other persons.*

Proposed definitions that should be added to NAC chapter 632

NAC 632. Assignment defined.

“Assignment” means the routine care, activities and procedures that are within the authorized scope of practice of the Registered Nurse or Licensed Practical Nurse or part of the routine functions of the Assistive Personnel.

NAC 632. Delegator defined.

“Delegator” means one who delegates a nursing responsibility. A delegator may be an Advanced Practice Registered Nurse, Registered Nurse, or Licensed Practical Nurse.

NAC 632. Delegatee defined.

“Delegatee” means one who is delegated a nursing responsibility by either an Advanced Practice Registered Nurse, Registered Nurse or Licensed Practical Nurse, is competent to perform it and verbally accepts the responsibility. A delegatee may be a Registered Nurse, Licensed Practical Nurse, or Assistive Personnel.

NAC 632. Assistive Personnel defined.

“Assistive Personnel” means any individual trained to function in a supportive role, regardless of title, and regardless of licensure, to whom a nursing responsibility may be delegated. Assistive Personnel includes, but is not limited to Certified Nursing Assistants, patient care technicians, Certified Medication Aides, Home Health Aides, and unlicensed assistants.

NAC 632. Delegated Responsibility defined.

“Delegated Responsibility” is a nursing activity, skill or procedure that is transferred from a licensed nurse to the delegatee.

NAC 632.222 Delegation and supervision of nursing care. (NRS 632.120)

1. A *licensed* ~~[registered]~~ nurse may delegate nursing care to other personnel and supervise other personnel in the provision of that care if those persons are *competent* ~~[qualified]~~ to provide that care.
2. A *licensed* ~~[registered]~~ nurse shall perform or supervise any act necessary to ensure the quality and sufficiency of delegated nursing care provided to a patient.
3. *Nursing responsibilities are only delegatable by someone who has the authority to delegate.*
4. *The delegated responsibility must be within the delegator’s scope of practice.*
5. *A delegatee is allowed to perform a specific nursing activity, skill or procedure that is outside the traditional role and basic responsibilities of the delegatee’s current job.*
6. *The licensed nurse cannot delegate nursing judgment or any activity that will involve nursing judgment or critical decision making.*
7. *When delegating to a licensed nurse, the delegated responsibility must be within the parameters of the delegatee’s authorized scope of practice.*
8. ~~[3.]~~ Before delegating the care of a patient, a *licensed* ~~[registered]~~ nurse shall consider the following:
 - (a) The amount of direction required by the person to whom the care is being delegated;
 - (b) The complexity of the nursing care needed by the patient, recognizing that simple care may be performed by following an established policy while more complex care requires greater knowledge and a higher level of judgment, direction and supervision;
 - (c) *The delegatee has obtained the additional education and training, and validated competence to perform the care/delegated responsibility. The context and processes associated with competency validation will be different for each activity, skill or procedure being delegated. Competency validation should be specific to the knowledge and skill needed to safely perform the delegated responsibility as well as to the level of practitioner to whom the activity, skill or procedure has been delegated.* ~~[The educational preparation and demonstrated competency of the person to whom the care is delegated];~~ and
 - (d) The established policies and procedures relating to the care of the patient and the procedures used to communicate to other providers of health care the patient’s symptoms, reactions and progress.
9. ~~[4.]~~ A *licensed* ~~[registered]~~ nurse who delegates nursing care or duties relating to that care to other personnel *maintains overall accountability for the patient. However, the delegatee bears the responsibility for the delegated activity, skill or procedure.* ~~[is responsible for the actions taken by those persons in carrying out the duties delegated or assigned].~~