

# Introduction to Communicable Disease Surveillance and Investigation in North Carolina



# North Carolina Nursing Law

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# Learning Objectives

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- List the 2 legal references that compose the N.C. Nursing Practice Act
- Name the 4 most common nursing responsibilities of community health nurses
- List 2 uses of standing orders in public health nursing practice

# Nursing Practice Act

- N.C. Law
  - Article 9A
  - N.C. General Statutes
  - Nursing Practice Act
- N.C. Rules
  - N.C. Administrative Code
  - Title 21 Chapter 36
  - Board of Nursing
- N.C. Board of Nursing
  - <http://www.ncbon.com/>

# Nursing in the Community Health Setting

- Licensed Personnel
  - Registered Nurses
  - Licensed Practical Nurses
  - Nurse Practitioners
- Unlicensed Personnel
  - Nurse Aides
  - Medical Office Assistants
  - Other Health Dept. Staff
  - Volunteers

# Safe Nursing Practice

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## **N.C. Administrative Code (21 N.C. AC 36 .0224)**

- Nurse's own qualifications
- Complexity and frequency of care
- Proximity of clients to personnel
- Qualifications and number of staff
- Accessible resources
- Established policies, procedures, practices, and channels of communication

# Responsibilities of the Registered Nurse

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- **Assessment**
- Planning
- Implementation
- Evaluation
- **Reporting** and Recording
- **Collaborating**
- **Teaching and Counseling**
- Managing
- Administering
- Accepting Responsibility

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## **Behaviors and Activities That May Result in Disciplinary Action**

Failure to make available to another health care professional any client information crucial to the safety of the client's health care;



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## **Behaviors and Activities That May Result in Disciplinary Action**

Revealing identifiable data, or information obtained in a professional capacity, without prior consent of the client, except as authorized by law;

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## **Behaviors and Activities that may Result in Disciplinary Action**

Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified by training, by experience, or by licensure;

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## **Behaviors and Activities that may Result in Disciplinary Action**

Nurse accountable for treatment & pharmaceutical regimen (recognizing side effects, toxic effects, allergic reactions, immediate desired effects, unusual & unexpected; contraindications, etc.)

21 NCAC 36 .0221

# Implications for Communicable Disease Nurses

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Most CD Nurses will need continuous, special training in the program area to perform their professional duties safely and legally



*Piece of cake, just have some way to take cover if you're informing a client they have an STD, especially if they are in an exclusive relationship.*

# Implications for Communicable Disease Nurses

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- It is the nurse's responsibility to accept or reject assignments
- It is the agency's responsibility to provide support and training to the nurse

*You want me to do what?*

# Standing Orders

- Remove barriers to care
- Signed instructions of a provider
- Describe the parameters under which a nurse may act
- Outline the assessment & interventions that a nurse( RN or LPN) may perform
- Must be in written, signed & dated by a provider with that authority under N.C. statutes

# Standing Orders

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Must be reviewed and **signed** annually for necessary updates

Should be in N.C. Board of Nursing format

“Assures the use of a legal framework to allow nurses to take actions that would normally be outside their legal scope of practice. “

– *Policies, Procedures and Standing Orders/N.C. Communicable Disease Legal Conference/ Dr. Joy Reed/March 2012.*

# **Standing Orders can be used when**

- Diagnosis is made via a standing order
- Actions are based on objective data
- No decision making is required in determining what action to take



# Standing Orders cannot be used when...

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- Diagnosis is not determined by following a standing order
- Discrimination by the nurse beyond normal vs. abnormal is required
- Decision making by nurse is required

# **Standing Orders may be frequently used with**

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- Administration of Immunizations
- Treatment of common health problems
- Health screening activities
- Occupational health services
- Public health clinical services
- Telephone triage & advice services

# Continuation...

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- Nurse on-call services
- Orders for lab test or treatments for certain categories of patients
- Frequently occurring orders implemented when indicated for specific patient populations, diagnoses, and symptoms.

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## References

- Nursing Practice Act, G.S. 90-171.20 (7)(f) & (8)(c)
- Standing Orders/Position Statement for RN and LPN Practice/N.C. Board of Nursing/ 2-2013/  
<http://www.ncbon.com/>

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# Ordinances and Rules

- County or city ordinances i.e. Emergency Response or All-Hazards Plan
- Local Board of Health Rules

# Conclusion

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- N.C. Nursing Practice Act
- N.C. General Statutes
- N.C. Administrative Code
- County Ordinances
- Local Board of Health Rules
- Agency Policies and Procedures
- Standing Orders

# References

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- North Carolina Administrative Code, Board of Nursing.  
<http://www.N.C.bon.com/Forms/N.C.AdminCode.pdf>
- North Carolina General Assembly, General Statutes for Communicable Diseases.  
[http://www.N.C.leg.net/Statutes/GeneralStatutes/PDF/ByArticle/Chapter\\_130A/Article\\_6.pdf](http://www.N.C.leg.net/Statutes/GeneralStatutes/PDF/ByArticle/Chapter_130A/Article_6.pdf)
- North Carolina General Assembly, General Statutes for Nursing Practice Act.  
[http://www.N.C.leg.net/Statutes/GeneralStatutes/PDF/ByArticle/Chapter\\_90/Article\\_9A.pdf](http://www.N.C.leg.net/Statutes/GeneralStatutes/PDF/ByArticle/Chapter_90/Article_9A.pdf)