Introduction to Communicable Disease Surveillance and Investigation in North Carolina
North Carolina Nursing Law

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Learning Objectives

• 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 Statues
  – 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

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

- Assessment
- Planning
- Implementation
- Evaluation
- **Reporting** and Recording

- Collaborating
- Teaching and Counseling
- Managing
- Administering
- Accepting Responsibility
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;
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;
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;
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

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 someway 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

- 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

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. “

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...

- 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

- Administration of Immunizations
- Treatment of common health problems
- Health screening activities
- Occupational health services
- Public health clinical services
- Telephone triage & advice services
• 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.
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/
Ordinances and Rules

• County or city ordinances i.e. Emergency Response or All-Hazards Plan

• Local Board of Health Rules
Conclusion

- 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

