

NM COLLEGE OF NURSING


Navigating Your Scope of Practice: Keeping Your Patients Safe and Your License Intact

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Acknowledgement

We acknowledge the people who are the Traditional Custodians of the Land on which we meet. We pay respect to the Elders past, present and emerging of the Taos Pueblo, Tiwa Tribe, who have inhabited this land for over 1000 years.



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Objectives

Conflict of Interest Statement

OBJECTIVES

- Differentiate between national, state, and organizational definitions that impact scope of practice for nurse practitioners.
- Interpret the New Mexico Board of Nursing Scope of Practice for Nurse Practitioners as it applies to actual practice.
- Apply a systematic method to evaluate the addition of new procedures/treatments to the Nurse Practitioner's practice.

Conflict of Interest

The author has no conflict of interest to declare regarding the content presented.

The author is not a lawyer and the content presented is not to be construed as legal advice.

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Abbreviations

- **AACN**: American Association of Colleges of Nursing
- **AANP**: American Association of Nurse Practitioners
- **ACNP**: Adult-Gerontology Acute Care Nurse Practitioner
- **ANCC**: American Nurses Credentialing Center
- **AMA**: American Medical Association
- **AONE**: American Organization of Nurse Executives
- **APRN**: Advanced Practice Registered Nurse
- **BON**: Board of Nursing
- **CCNE**: Commission on Collegiate Nursing Education
- **FNP**: Family Nurse Practitioner
- **LACE**: Licensure, accreditation, certification, education
- **NCSBN**: National Council State Board of Nursing
- **CNEA**: Commission for Nursing Education Accreditation
- **NLN**: National League for Nursing
- **NONPF**: National Organization of Nurse Practitioner Faculties
- **NP**: Nurse Practitioner
- **PNP**: Pediatric Nurse Practitioner

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SCOPE OF PRACTICE (SOP)

"SOP is a set of rules, regulations, and boundaries within which a fully qualified NP can Practice"
(Kleinpell, 2012, p. 12)

- Necessary for public protection.
- Legal term used by states – defines what activities an individual profession can perform.
- SOP, while regulated by states, is dependent on:
 - NP programs adhering to a set of **uniformed** educational standards.
 - National certification exams to test entry level practice competency.

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Consensus Model for APRN regulation: Licensure Accreditation Certification Education

LACE

APRN REGULATORY MODEL

The diagram illustrates the APRN Regulatory Model. At the top is 'APRN SPECIALTIES' (Focus of practice, licensure role, and population focus). Below it are 'POPULATION FOCI' (Family/Individual Across Lifespan, Adult-Gerontology, Neonatal, Pediatric, Women's Health/Gynecology/Reproductive, Psychiatric/Mental Health). At the bottom are 'APRN ROLES' (Nurse Anesthetist, Nurse-Midwife, Clinical Nurse Specialist, Nurse Practitioner). Arrows indicate that APRN Roles are defined by Population Foci, and Population Foci are defined by APRN Specialties. A vertical bar on the left indicates 'Licensure occurs at Levels of Role & Population Foci'.

• The certified nurse practitioner (CNP) is prepared with the acute care CNP competencies and/or the primary care CNP competencies. At this point in time the acute care and primary care CNP delineation applies only to the pediatric and adult-gerontology CNP population foci. Scope of practice of the primary care or acute care CNP is **not** setting specific but is based on patient care needs. Programs may prepare individuals across both the primary care and acute care CNP competencies. If programs prepare graduates across both sets of roles, the graduate must be prepared with the consensus-based competencies for both roles and must successfully obtain certification in both the acute and the primary care CNP roles. CNP certification in the acute care or primary care roles must match the educational preparation for CNPs in these roles.

APRN Consensus Work Group & NCSB, 2008

Licensure
(NCSB: LACE model)

Granting of the authority to practice.

State Scope of Practice

FULL PRACTICE

- NPs allowed to evaluate and diagnose patients; order and interpret tests; initiate and manage treatments (including prescribing medications and controlled substances), under **exclusive licensure authority of the state board of nursing**.
- 22 states plus Washington, D.C.

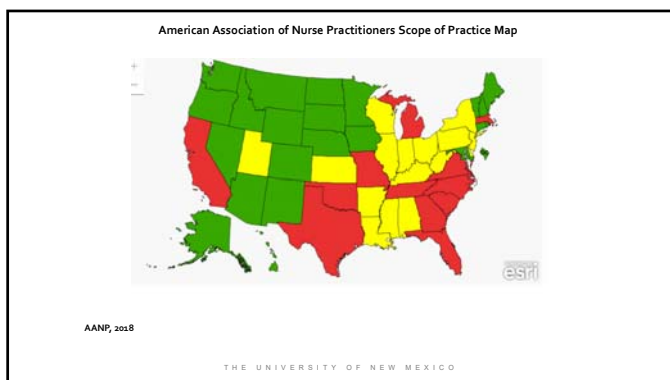
REDUCED PRACTICE

- NPs' ability to engage in at least one element of NP practice **reduced**; setting where NP can practice is limited or NP practice requires a career-long regulated collaborative agreement with another health care provider in for order for the NP to provide patient care.
- 16 states

RESTRICTED PRACTICE

- NPs' ability to engage in at least one element of NP practice is **restricted**; setting where NP can practice is limited or NP practice requires a career-long regulated collaborative agreement with another health care provider in for order for the NP to provide patient care.
- 12 states

† Berthoin, 2016; ANP, 2016 OF NEW MEXICO



Accreditation
(NCSB: LACE model)

Formal review and approval by a recognized agency of educational degree or certification of programs in nursing or nursing-related

Formal education with a **graduate degree** or **post-graduate certificate** awarded by an academic institution and accredited by a nursing or nursing-related accrediting organization recognized by the U.S. Department of Education and/or the Council for Higher Education Accreditation.

- CCNE – Commission on Collegiate Nursing Education; associated with American Association of Colleges of Nursing (AACN).
- CNEA - Commission for Nursing Education Accreditation; associated with National League for Nursing (NLN).

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Accreditation

NCSB
LACE MODEL

National League for Nursing (NLN) Commission for Nursing Education Accreditation(CNEA)
Accredits licensed practical/vocational nursing, diploma, associate, bachelor, master's and clinical doctorate degree programs.
CNEA, 2016 Accreditation Standards

- I. Culture of Excellence - Program Outcomes
- II. Culture of Integrity and Accountability – Mission, Governance, and Resources
- III. Culture of Excellence and Caring - Faculty
- IV. Culture of Excellence and Caring – Students
- V. Culture of learning and Diversity – Curriculum and Evaluation Processes

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Accreditation

NCSB
LACE MODEL

Additional Organizations with standards and/or competencies.

- Accreditation Commission for Midwifery Education (ACME).
- American Association of Critical Care Nurses
- National Association of Pediatric Nurse Practitioners.
- National Organization of Nurse Practitioner Faculties – Statement on acute care and primary care nurse practitioner practice.

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Certification

NCSB
LACE MODEL

- The American midwifery Certification Board (AMCB)
- American Nurses Credentialing Center (ANCC)
 - Adult-Gerontology Acute Care Nurse Practitioner
 - Adult-Gerontology Primary Care Nurse Practitioner
 - Family Nurse Practitioner
 - Psychiatric-Mental health Nurse Practitioner
 - Adult-Gerontology Clinical Nurse Specialist Certification
 - Pediatric Primary Care Nurse Practitioner
- American Academy of Nurse Practitioners Certification Board
 - FNP
 - Adult-Gerontology NP
 - Emergency NP
- American Association of Critical Care Nurses
 - Adult-Gerontology Acute Care NP
- Pediatric Nursing Certification Board
 - CPN – Certified Pediatric Nurse
 - CPNP-PC – Certified Pediatric Nurse Practitioner, Primary Care
 - CPNP-AC – Certified Pediatric Nurse Practitioner, Acute Care
- Women's Health Nurse Practitioner
 - National Certification Corporation

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Education
NCSB
LACE MODEL

AACN - 2004
Position statement on Practice Doctorate in Nursing

- The practice doctorate be the graduate degree for advanced nursing practice preparation.

NONPF - 2018
Position statement on Doctor of Nursing Practice Degree: **Entry to nurse practitioner practice by 2025.**

- Seamless, integrated DNP curriculum without a master's exit point as preparation for entry to the NP role.

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New Mexico Board of Nursing Rules for NPs

New Mexico Board of Nursing Rules, Chapter 16.12.2.13 A

- Hold a current RN license from New Mexico or hold a compact multi-state RN license.
- Completion of a graduate level nursing program for preparation of NPs
 - Initial license after January 1, 2001, program must be at master's in nursing level or higher.
 - Educational document must include date and type of certification as well as the number of clinical hours.
- National Certification

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New Mexico Board of Nursing NP Statutes

According to New Mexico Statute Nurse Practitioners may:

- "practice **independently** and make decisions regarding health care needs of the individual, family or community and carry out health regimens, including the prescription of distribution of dangerous drugs and controlled substances included in Schedules II through V of the Controlled Substances Act; and **serve as a primary acute, chronic long-term and end of life health care provider** and as necessary collaborate with licensed medical doctors, osteopathic physicians or podiatrists." (New Mexico Nurse Practice Act, pg. 16, 2014)
- National certification required as of December 2, 1985, national certification required.

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New Mexico RULES for RNs

16.12.2.12 STANDARDS OF NURSING PRACTICE:
 A. The nurse shall maintain individual competence in nursing practice, recognizing and accepting responsibility for individual actions and judgments.
 (1) Competent nursing practice requires that the nurse have the knowledge and skills to **practice nursing safely and properly in accordance with his/her licensure status and to perform specific functions or procedures required in his/her particular area of practice.** Competent nursing practice also requires that the nurse have the knowledge to recognize and respond to any complication(s) which may result from the function or procedure the nurse performs.

(New Mexico, Board of Nursing, 2016, pg. 11)

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New Mexico Nurse Practitioner RULES

16.12.2.13, N 3
 The CNP may assume specific functions or perform specific procedures which are beyond the advanced educational preparation and certification for the CNP provided the knowledge and skills required to perform the function or procedure emanates from a recognized body of knowledge or advanced practice of nursing and the function or procedure is not prohibited by any law or statute. When assuming specific functions and performing specific procedures, which are beyond the CNP's advanced educational preparation and certification, **the CNP is responsible for obtaining the appropriate knowledge, skills and supervision to ensure he/she can perform the function/procedure safely and competently and recognize and respond to any complications that may arise.**

(New Mexico, Board of Nursing, 2016, pg. 16)

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Decision Making for Expanding SOP "Old Model"

See One, Do One, Teach One
 ↓
 See One, Do Many, Teach Many
 ↓
 See One, Do One, Teach One
 ↓
 See One, Do One On a Simulator
 ↓
 Do a REAL ONE???

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Practice Expansion & the NM Board of Nursing



OFFICIAL PUBLICATION of the NEW MEXICO BOARD of NURSING

- Institutions:
 - Credential NPs to determine SOP **within in their institution**
 - **CANNOT expand state SOP**
 - **CAN restrict state SOP**
- Boards of nursing regulate practice not institutions.
- NM BON
 - Approximately 15-20 percent of phone calls relate to SOP (*personal communication, Dr. Sasha Poole, Executive Director, NM, BON, September, 2018*).
 - Cannot authorize an NP to expand scope of practice
 - Advanced Practice Advisory Committee
 - Advises the BON in the review of issues related to the advanced practice of nursing.
 - Composition includes FNP, CRNA, CNS, GNP representatives

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Scope of Practice Decision Models

Commonalities of Decision Making Models

- Legality
 - Within scope of practice.
 - Not prohibited by any other law or rule.
- Competency
 - Documented completion of education and competency for a new role or procedure.
- Safety
 - Activity needs to be appropriate for the situation.
 - Consistent with evidence-based literature.
 - Follows any established protocols or institutional policies.
 - Aware of and prepared for side effects of the intervention.
- Accountability
 - NP accepts accountability for the actual activity or intervention as well as for any related outcomes.

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Tri-Council for Nursing (2016). Scope of Nursing Practice Decision-Making Framework

Collaborative effort including representatives from: AACN, ANA, AONE, NCSBN, NLN

Ballard, et al. (2016)

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SOP - Case Studies



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