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Created by Publishing Concepts, Inc.

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The *Dakota Nurse Connection* is published by the South Dakota and North Dakota Boards of Nursing.
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A message from the Executive Director

Gloria Damgaard, RN, MS, FRE
South Dakota Board of Nursing

Happy 2019 to all of our readers of the Dakota Nurse Connection! We wish you a new year of prosperity, productivity, and professionalism.

During 2018, I personally witnessed and experienced the outstanding care and compassion that nurses provide to our South Dakota citizens. Whether it was the care of my 90 year old mother who became septic and fully recovered, the care of my grandson who had surgery and rehab for a torn ACL, or my own cataract surgery, I could not have been prouder or more grateful for the medical and nursing providers that cared for us. We are blessed to live in a state that has such outstanding healthcare providers. I sincerely appreciate all that you do and it makes me proud to be a member of the most trusted profession and to indirectly be a part of your work. The rest of this message is an update on some of the work that the Board of Nursing is involved with on a state and national level.

The enhanced Nurse Licensure Compact continues to gain momentum across the country. Thirty-one states have enacted the compact as of this time. Two states, Kansas and Louisiana will implement in July 2019. Several other states are in the process of enacting the legislation. Many states that would like to join face opposition from the nursing unions which makes it difficult to get the legislation enacted. The goal of the Nurse Licensure Compact Commission is to achieve a compact nation.

Fallout from the Supreme Court decision on the North Carolina Dental Case continues to raise concern about regulatory decisions that have the potential to violate federal anti-trust laws. As a result, nursing boards from across the country are meeting together to understand the implications of anti-trust and nursing regulation.

Nationally, Boards are also working on regulatory issues related to Advanced Practice Nursing, especially as it relates to the APRN Consensus Model and Innovations in APRN

Education and Certification. The APRN Compact is under review at this time. We continue to be involved in this although we are not yet in a position to implement this compact in South Dakota. The current APRN compact has not been implemented in any state.

The Board of Nursing is not involved with any statewide legislation this year. We do continue to monitor any legislation that has an impact on the regulation of nurses in our state. We are anticipating the introduction of legislation this year that impacts our licensure laws. The current draft of the legislation amends SDCL 36-1B, Expedited Licensure Procedures for Spouses of Military Personnel enacted in 2013. It calls for free licensure for active duty military nurses and their spouses. While we are not against this, it does have a fiscal impact. Active duty military nurses and nurses employed in federal facilities have a federal exemption to licensure in SD. They only need to hold one license in any state which allows them to work anywhere in the country. We have twenty-nine states where military spouses can practice on a multi-state privilege without having to obtain additional licensure. The Board of Nursing is committed to assisting our military families in their work and the mobility it requires.

We are always eager for feedback from you. Don't hesitate to call us if we can be of assistance. Our goal is to be supportive of your licensure and practice concerns. I will be in touch with you again in the Spring. Happy 2019!

Sincerely,

A handwritten signature in cursive script that reads "Gloria Damgaard".

Gloria Damgaard, RN;MS
Executive Director



A message from the Executive Director

Stacey Pfenning, DNP, APRN, FNP, FAANP
North Dakota Board of Nursing

Greetings and welcome to the Winter edition of the *Dakota Nurse Connection*, the official publication of the North Dakota Board of Nursing (NDBON). On behalf of the NDBON members and staff, we would like to wish you all a healthy and happy new year. As we move into 2019, the NDBON continues to improve technology and services to enhance the licensure and registration processes for the state of ND. In addition, staff are committed to personable and timely responses to those we serve.



NDBON staff

NDBON Update

In December, the NDBON welcomed Maureen Bentz, MSN RN CNML, as new staff in the position of Associate Director for Practice. This edition includes an introduction to Bentz as a new staff member. The NDBON also celebrated the retirement of Patricia Hill, who has been in the position of Assistant Director for Practice and Compliance since 1989. Patricia's retirement is effective February 1, 2019.

December 31, 2018 marked the last day the NDBON activity as third-party administrator for National Nurse Aide Assessment Program (NNAAP®) testing with Pearson Vue. For any questions related to NNAAP® testing, please refer to the ND Department of Health.

Nurse Licensure Compact

The NDBON compact commissioner was appointed to the APRN Licensure Compact Taskforce, initiated by National Council of State Boards of Nursing, and attended the first meeting in November. The taskforce goal is to explore ideas

to facilitate enactment of the APRN Licensure Compact. Currently, ND is one of 3 states with the compact enacted, and the compact takes effect once 10 states enact into law.

The NDBON participated in the Nurse Licensure Compact (NLC) strategic planning and Executive Committee. The NLC Rules Committee is working on tier 3 of rules for the compact. To review adopted rules and follow the rule making process, visit <https://www.ncsbn.org/enlcrules.htm>. As we move into 2019, NLC legislation will be brought forward



December 2018 NLC Executive Committee Meeting

in about 9 states for consideration. Currently, the NLC has 31 member states, including Kentucky and Louisiana implementing in 2019.

Committees and Meetings

The NDBON actively participates on the ND Center for Nursing Rapid Response and Legislative Monitoring teams. During the 66th Legislative Assembly, the NDBON closely monitors regulation related to nursing and healthcare issues and provides legislators and stakeholders with education related to the Nurse Practices Act and ND Administrative Code.

The NDBON will continue to post news on licensure, education, practice, and pertinent legislative activities on the website. Watch for the Spring edition of the *Dakota Nurse Connection* as the Board and staff continue to provide regulatory updates and publications.

Sincerely,
 Dr. Stacey Pfenning DNP APRN FNP FAANP



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Open Position for Public Member

MISSION

The mission of the North Dakota Board of Nursing is to assure North Dakota citizens quality nursing care through the regulation of standards for nursing education, licensure and practice.

NDBON Contact Information

ND Board of Nursing

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Suite 504

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NORTH DAKOTA BOARD OF NURSING 2018-2019 BOARD MEETING DATES

July 18th, 2018 Board Retreat

July 19, 2018 Annual Meeting

October 25, 2018

January 17, 2019

April 25th, 2019

July 18, 2019 Annual Meeting

Please note:

All meetings will be held in the Board office conference room, 919 South Seventh Street, Suite 504, Bismarck, ND and are open to the public. Observers are welcome to attend.

Agendas will be listed on the Board website, www.ndbon.org, and will include the time. The agenda will be available 5 business days prior to each meeting.

As a service to the citizens of North Dakota, the Board provides a PUBLIC FORUM during each Board meeting (refer to agenda of each meeting for time). This is a time when anyone may address the Board about any issue regarding nursing. Prior notification is not necessary. Individuals will be recognized in the order of their signature on a roster available at the meeting.

ND Board of Nursing Office Security Announcement

The NDBON implemented new office security including entrance control. If you plan to visit the Board office, please consider the following:

1. A visit to a Director requires an appointment. To schedule an appointment, call 701-328-9777
2. If you do plan to visit the Board office, you will need to push the buzzer at the door, state your name and the reason for the visit prior to admittance.
3. If you have any questions, please call 701-328-9777

NORTH DAKOTA BOARD OF NURSING

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License by Examination
License by Endorsement
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www.ndbon.org

ND Board of Nursing invites nursing and non-nursing public members to participate on the Advisory Panel. Visit www.ndbon.org for information and application.

NURSES Have you moved recently?

UPDATE YOUR ADDRESS ON THE ND BOARD OF NURSING WEBSITE

Change of Address and Contact Information

To ensure receipt of correspondences from the ND Board of Nursing, all licensees, registrants, and applicants are responsible for providing accurate, current address and other contact information may result in the inability to receive official notices or requests, which can lead to default or adverse action against the licensee or registrant. To change your address and other contact information visit www.ndbon.org. Choose Demographic Updates under Nurse Licensure.

LICENSURE VERIFICATION

North Dakota License Verification Options

The North Dakota Board of Nursing provides the following options for individuals attempting to verify a ND nursing license:

- North Dakota Board of Nursing Website – go to www.ndbon.org
Choose "Verify"
- Nursys® QuickConfirm at www.nursys.com
 - Look up a license from any QuickConfirm participating board of nursing and print/download a report with the licensure and discipline status information for that nurse.
- Nursys® E-Notify at www.nursys.com
 - **Institutions:** Enroll your entire nurse list and e-Notify will send regular updates of changes to licenses from e-Notify participating boards of nursing.
 - **Nurses:** Sign up to receive license expiration reminders and status updates via email or SMS for all your licenses from e-Notify participating boards of nursing.

NORTH DAKOTA BOARD HIGHLIGHTS

July 2018

- Accepted the 2018-2019 budget revision as distributed related to staff retirement dates and 12/31/2018 end date of NNAAP testing administration.
- Moved that the board and the compliance advisory council of the board, for purposes of disciplinary investigations and actions, may accept, use and rely upon a facility's internal investigation findings concerning breach of privacy, if (i) the facility followed the guidelines for office of civil rights reporting, (ii) the facility used a legal or compliance specialist to conduct the investigation, and (iii) the person being investigated participated in or had an opportunity to participate in the investigation.
- Approved the proposed revisions to the "Compliance Advisory Council Policy and Procedure".
- Approved the proposed revisions to the "Refresher Course Requirements for Reinstatement of Licensure Following Discipline Policy and Procedure".
- Approved the proposed revisions to the "Potential Violation Report Process Policy and Procedure".
- Approved the proposed revisions to the "Guidelines for Violations/Recommended Disciplinary/Non-Disciplinary Action".
- Approved the proposed revisions to the "Termination from Probation Policy and Procedure".
- Ratified the decision of the Compliance Advisory Council to contract with FS Solutions Drug Testing company for drug testing encumbered licensees during their probationary period with the board or as otherwise ordered.
- Accepted the Nursing Education Committee recommendations to find United Tribes Technical College, Associate Degree Practical Nurse Education Program in substantial compliance with ND Administrative Code 54-03.2. Standards for Nursing Education Programs; and granted full approval through October 2023; and required an onsite survey fall 2023.
- Accepted the Nursing Education Committee recommendation to approve the request of change in

overall credit hours for program completion and overall curricular design revisions for Rasmussen College, School of Nursing, Baccalaureate Degree Program as the program has continued initial approval and the changes comply with NDAC 54-03.2-06-02. Programmatic Changes.

- Accepted the Nursing Education Committee recommendation to approve the request for the addition of a certificate practical nurse program site in Hettinger, ND from Dakota Nursing Program Consortium, Bismarck State College (BSC), as the program has full approval and the change complies with NDAC 54-03.2-06-02. Programmatic Changes.
- Accepted the Nursing Education Committee recommendation to approve the request for a change in delivery format of part of the course for Northland Community and Technical College, Center for Outreach and Innovation, LPN Intravenous Therapy course as the course has full approval and the changes comply with NDAC 54-03.2-06-02. Programmatic Changes.
- Reaffirmed the Board's position, as adopted and then reaffirmed in 1987 and 1998, that orientation to a position that requires a nursing license, permit, or work authorization is considered nursing practice and therefore requires that the individual be properly licensed or authorized to practice for the position to which they are being oriented. In order to clarify and supplement that position, the Board further moved that an individual who is applying for nurse licensure in North Dakota or who is licensed as a nurse in another jurisdiction must be authorized to practice nursing, with a permit or work authorization, when hired to a position in a nursing unit, regardless of title, which may utilize nursing knowledge, unless the individual is licensed, registered or otherwise authorized to perform the work required in that position. (for example, a nurse who is registered as a certified nursing assistant may

serve in that role without having a license, permit or work authorization to practice nursing).

- Supported the appointment of Stacey Pfenning to the NCSBN APRN Licensure Compact Taskforce.
- Supported the election of Stacey Pfenning to serve as Vice-Chair of the NLC Executive Committee.

December 2018 Special Meeting

- Approved the notification and plan from United Tribes Technical College for Voluntary Closure of the Associate Degree Practical Nurse program according to NDAC 54-03.2-09-02. Voluntary Closing, effective May 10, 2019 upon graduation of the last class enrolled. The program will continue to meet the standards for nursing education programs until closed, and United Tribes Technical College will maintain all academic transcripts as required in NDAC 54-03.2-09-04. Storage of Academic Records; and approve the use of baccalaureate prepared nurse faculty to complete teach-out plan if needed in accordance with NDAC 54-03.2-04-08 Employment of Academically Unqualified Faculty; and if a qualified nurse administrator and sufficient qualified faculty are unable to be secured to ensure the last class enrolled is able to complete degree requirements for graduation, United Tribes Technical College will provide the NDBON with the plan to transfer those students to other board-approved nursing education programs according to NDAC 54-03.2-09-02. Voluntary Closing no later than January 17, 2019.
- Directed NDBON staff and SAAG to collaborate with stakeholders during legislative assembly and provide input and education related to the NPA and NDAC as needed; and to call special meetings at the discretion of the Executive Director and SAAG or when a position (opposition or support) on a bill is necessary.

Maureen Bentz Hired as Associate Director for Practice



Maureen Bentz, RN has been hired as the Associate Director for Practice for the North Dakota Board of Nursing. Maureen succeeds Patricia Hill, who has served in this role since 1989.

Maureen received an Associate Degree in Nursing from North Dakota State University, Fargo, ND, a Bachelor of Science and a Master of Science Degrees from Western Governors University, Salt Lake City, UT.

Maureen was previously employed at Sanford Health in Bismarck, ND as the inpatient Director of Maternal Child Services. She has 34 years of nursing experience in various roles.

Maureen has earned the designation of Certified Nurse Manager and Leader through the American Nurses' Association. She holds memberships in NDNA, ANA, AWHONN, and recently on project workgroups for the NDCFN.

Open Position for Public Member to Serve on the ND Board of Nursing

The ND Board of Nursing currently has an open position for a public member to serve on the Board. To serve as the public member for the Board, one must be an eligible voting resident of ND and have no employment, professional license, or financial interest with any health care entity. Members of the ND Board of Nursing are appointed by the governor for a 4-year term. Members have the option to apply for an additional 4-year term, not to exceed 2 consecutive terms. Members attend 1 full-day meeting quarterly (January, April, July, and October) in Bismarck, ND.

The public member is an important member of the NDBON because they represent the North Dakota consumer's point of view. Although public members are not expected to be experienced in the nursing profession, they are expected to participate fully in NDBON activities.

Please refer anyone interested in serving as the ND Board of Nursing public member to the North Dakota Office of the Governor to complete the application form (available at <https://www.governor.nd.gov/boards/AppForm.aspx>).

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EOE

Nursing Education Loan Program

Below are highlights of the Nursing Education Loan program.

- To the extent funds are available the education loans will be made in the following amounts:
 - \$1000 for the non-degree licensed practical nurse student.
 - \$2000 for the associate degree practical nurse student and the associate degree registered nurse student.
 - \$3000 for the baccalaureate registered nurse student.
 - \$4000 for the master's degree in nursing including the post-master's certificate.
 - \$5500 for the doctoral graduate student.
- Refresher course students may receive a loan of not more than the cost of the course.
- The funding for the program is \$10.00 per renewal fee which typically amounts to approximately \$70,000 - \$80,000 annually.
- Applications are accepted annually beginning March 1st with a deadline of July 1st.
- The awards are made annually and reapplication may occur annually if the applicant has not received the total loan amount.
- The awards for undergraduates are disbursed from the Board of Nursing to the financial aid office in one payment each fall (or upon acceptance into the nursing program), for distribution to the recipient as determined by the financial aid office.
- The awards for the graduate students are made directly to the recipient.
- No changes have been made to the repayment portion of the program.
- A recipient receives \$1.00 credit toward repayment of the loan for every hour they are employed in nursing in the state of ND after program completion.
- Our records indicate a vast majority of nursing education loan recipients take advantage of this option and do remain in the state of ND for employment after graduation.
- Application forms are available on the North Dakota Board of Nursing website at <https://www.ndbon.org/Education/NursingEdLoan/Overview.asp>.

NURSING EDUCATION LOAN DISBURSEMENTS PER FISCAL YEAR

The following table identifies the nursing education loan disbursements by program type and monetary awards for the last five years.

Nursing Education Loans awarded for:	2013-2014		2014-2015		2015-2016		2016-2017		2017-2018	
LPN Certificate Program	1	\$800	1	\$800	1	\$800	1	\$850	2	\$1400
LPN Associate Degree Program	3	\$3200	3	\$3360	3	\$4280	0	\$0	0	\$0
RN Associate Degree Program	9	\$13,600	4	\$5760	1	\$650	4	\$5750	7	\$8960
RN Baccalaureate Degree Program	19	\$28,640	27	\$45,456	21	\$31,090	24	\$37,725	16	\$25,106
Master's Degree Program	16	\$32,950	12	\$25,386	16	\$28,943	18	\$29,476	19	35,895
Doctoral Program	8	\$21,000	6	\$11,748	7	\$15,779	12	\$17,945	12	17,510
Refresher Course	0	0	0	0	0	0	0	0	1	\$500
Total	56	\$100,190	53	\$92,510	49	\$81,542	59	\$91,746	57	\$89,371

Frequently Asked Questions License by Endorsement

Q. How do I endorse into North Dakota?

- A.** You may endorse into North Dakota by completing the online application process for Initial License by Endorsement and submitting all the necessary documents listed under "To Apply". The License by Endorsement application is available on the website under Nurse Licensure.

Q. How long is my initial license valid?

- A.** Effective 4/1/2014, applicants for initial licensure by endorsement or examination shall receive a license expiring on 12/31 of the following year as part of the application fee.

Q. Does North Dakota require an FBI background check or criminal history record check for nurses?

- A.** YES. All individuals seeking reinstatement, reactivation, or initial licensure as a nurse in the state of North Dakota must submit, along with the other requirements for licensure/registration, the required documents and fee to BCI for the purpose of obtaining a Criminal History Record Check (CHRC) from the Bureau of Criminal Investigations (BCI) and the Federal Bureau of Investigations (FBI).

Q. How do I obtain verification of licensure status from ND if I am moving to another state?

- A.** Go to the Nursys website at www.nursys.com. From this site you may complete the process online with a credit card. Follow the instructions on the website or form. The

online process will allow the state to which you are moving to obtain the required ND verification information from the Nursys system after you apply.

Q. Are records from other nursing boards required?

- A.** Yes. We require license verification from your original state of licensure. Most Boards of Nursing use the Nursys system for license verification. To see which Boards of Nursing participate in Nursys please go to www.nursys.com and choose «Nurse License Verification for endorsement participating board of nursing».

If your original state of licensure does not participate in Nursys, you will need to complete the "Verification of Licensure" form and forward the form to your original state of licensure. Most states charge a fee for completing a verification form. Please contact the appropriate state for proper fee information. If you do not hold an active license in your original state of licensure, you are required to submit a second verification of licensure form from the state in which you hold an active license and were most recently employed.

Q. How long is the process?

- A.** Once all of the paperwork and fee are received in our office, allow 7 to 10 business days to complete the process. A temporary permit will be issued once the board office has received the application, fee, and either an official transcript from your school of nursing or Verification of licensure.

Q. How do I check the status of my endorsement application?

- A.** To track the progress of your application, choose "Application Status" under "Nurse Licensure" at www.ndbon.org - those items listed without dates next to them have not been received in our office yet. You may also check the Board's website at www.ndbon.org and choose "Verify" to see if your license has been issued. If it has not been issued, you may email the Board office by choosing "Contact Us" at the top of the website.

Q. How long does an incomplete endorsement application stay active in the NDBON files?

- A.** Incomplete endorsement applications remain active for one year from the date they are initially received in the NDBON office.

Q. What is the average length of time for a nurse who is licensed in another jurisdiction, and who meets ND's criteria for licensure, to receive a temporary permit to practice nursing in ND?

- A.** Once the application for licensure by endorsement, endorsement fee, and the official transcript from the school of nursing or verification of licensure is received in the board office, a temporary permit is usually issued within 3-5 days.

Q. Can I be granted a temporary permit for license by endorsement while waiting for the results of the CHRC?

- A.** Yes. The board may grant

a 90-day non-renewable temporary permit to an applicant for initial licensure by endorsement who has applied for a CHRC provided the applicant has met all other requirements for the temporary permit.

Q. How long does a temporary permit remain active?

A. Temporary permits are issued for 90 days.

Q. Can I complete any orientation (including classroom instruction and reading policy and procedures) prior to receiving a nursing license, permit, or work authorization?

A. No. The NDBON reaffirmed the position in 2018, as adopted and reaffirmed in 1987 and 1998, that orientation to a position that requires a nursing license, permit, or work authorization is considered nursing practice and therefore requires that the individual be properly licensed or authorized to practice for the position to which they are being oriented.

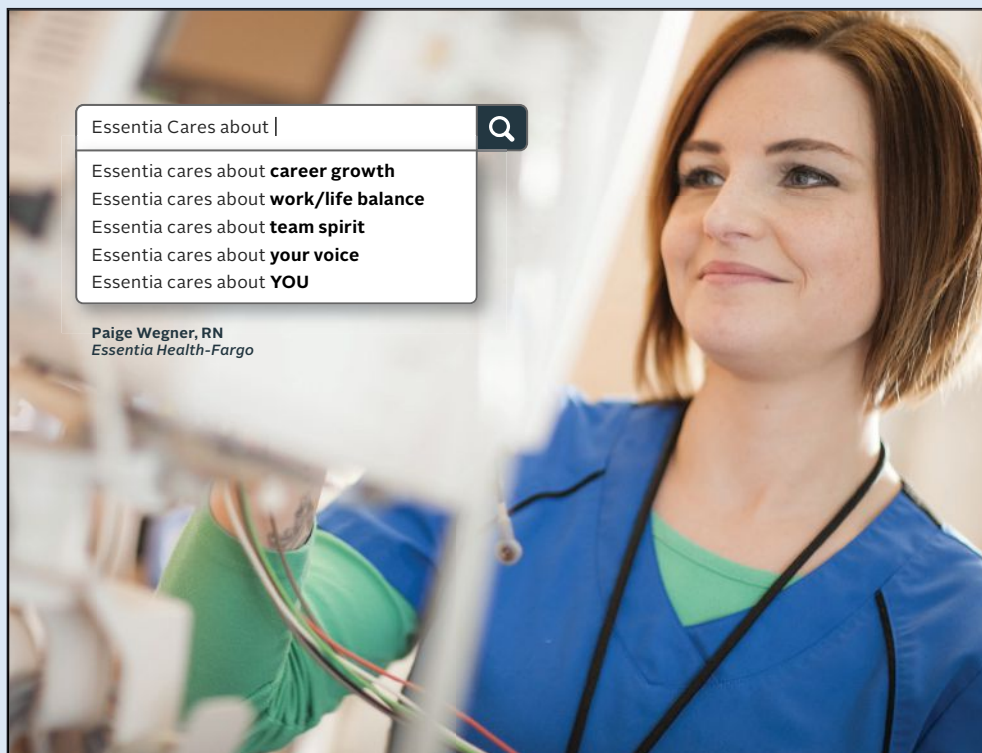
Q. Can I work on a nursing unit in a position other than as a licensed nurse?

A. If a nurse holds licensure in ND and chooses to work in a position other than nursing, and the job description does not include use of nursing knowledge, skills, and abilities, the individual is free to do so. However, the individual could not claim those hours for nursing practice hours for purposes of maintaining eligibility for licensure.

An individual who is applying for nurse licensure in ND or who is licensed as a nurse in another jurisdiction

must be authorized to practice nursing, with a permit or work authorization, when hired to a position in a nursing unit, regardless of title, which may utilize nursing knowledge, unless the individual is licensed, registered or otherwise authorized to

perform the work required in that position. For example, a nurse who is registered as a certified nursing assistant may serve in that role without having a license, permit or work authorization to practice nursing (October 25, 2018 motion). 11/18



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Frequently Asked Questions

Requirements for Licensure by Examination

APPLICATION PROCESSING

Q. When am I made "Eligible for Licensure by Examination"?

A. In order to be made eligible to test **AND** be issued a work authorization to practice as a graduate nurse, the following must be received in the board office:

- ♦ On-line application for license by examination and \$130.00 nonrefundable fee (\$110.00 application fee and \$20.00 CHRC Fee) payable by credit or debit card.
- ♦ Official transcripts from nursing program with the degree posted; and
- ♦ Registration from NCLEX Candidates Services for testing (\$200.00 fee required)

Q. What do I do if I have a name or address change?

A. Address and name changes can be made on this website under NURSE LICENSURE, DEMOGRAPHIC UPDATES.

Q. What are the payment options and what do I do if I do not have a credit card or debit card?

A. You may use a Visa, MasterCard or Discover credit or debit cards. If you do not have a credit card or debit card, you can purchase a Visa, MasterCard or Discover gift card at many banks or credit unions or at discount stores such as Walmart and CVS Pharmacy for the purpose of paying for the on-line application.

Q. What if I am claiming another compact state as my primary state of residence?

A. If you claim another compact state as your primary state of residence, you will need to apply for license by examination in your primary state of residence. If you change

your primary state of residence at a later date, you can apply for license by endorsement in ND. See www.ncsbn.org for a current list of compact states.

SCHEDULING TO TEST

Q. When can I schedule my appointment?

A. An Authorization to Test (ATT) is required to schedule your appointment. Once you have been made eligible for licensure by examination by the Board of Nursing, your ATT will be e-mailed to you by Pearson Vue.

Q. How long is the ATT valid?

A. The authorization to test is valid for ninety (90) days.

Q. How soon will I be able to test?

A. You are guaranteed to be offered a testing date within thirty (30) days of the time you call the Pearson Test Center. If the test center offers a date within the 30 days and you decline that date, the test center has met their contractual obligation. Please contact the board office if you have any problems scheduling your test.

Q. What happens if I need to reschedule?

A. If you need to change your appointment, you must contact NCLEX Candidate Services one full business day (24 hours) prior to your scheduled appointment.

Q. Is there a practice test?

A. Yes, there is a tutorial available on the test vendor website at www.pearsonvue.com/nclex.

WORK AUTHORIZATION AND PRACTICE AS A GRADUATE NURSE

Q. When do I get my Work**authorization to practice as a graduate nurse?**

A. When the ND Board of Nursing has made you eligible for licensure by examination, your work authorization will be issued. A paper work authorization will not be mailed. Your work authorization number, issue date and expiration date will be posted on our website. You can check our website at www.ndbon.org – click on the Verify Tab.

Q. When can I start working as a graduate nurse?

A. Your work authorization must be issued before you start practicing as a graduate nurse or attend any orientation sessions.

Q. How long is a work authorization valid?

A. The work authorization is valid for 90 days, or until you are notified of the test results, whichever occurs first.

Q. Can anyone get a work authorization?

A. You must complete the application for licensure process within sixty (60) days of graduation in order to be eligible to receive a graduate nurse work authorization.

Q. Will I receive a work authorization by mail?

A. No. Work authorizations will be posted on our website for applicants and employers to access.

Q. Can a graduate from a nursing education program who receives a work authorization for license by examination continue to work as a UAP or LPN if they have a current registration/license for a UAP or LPN?

A. If the employer decides to retain

the employee in a UAP or graduate nurse role they may do so. The employer needs to verify permits, license, and registrations on the board website under Verify.

Q. Can I complete any orientation (including classroom instruction and reading policy and procedures) prior to receiving a nursing license, permit, or work authorization?

A. No. The NDBON reaffirmed the position in 2018, as adopted and reaffirmed in 1987 and 1998, that orientation to a position that requires a nursing license, permit, or work authorization is considered nursing practice and therefore requires that the individual be properly licensed or authorized to practice for the position to which they are being oriented.

Q. Can I work on a nursing unit in a position other than as a licensed nurse?

A. If a nurse holds licensure in ND and chooses to work in a position other than nursing, and the job description does not include use of nursing knowledge, skills, and abilities, the individual is free to do so. However, the individual could not claim those hours for nursing practice hours for purposes of maintaining eligibility for licensure.

A. An individual who is applying for nurse licensure in ND or who is licensed as a nurse in another jurisdiction must be authorized to practice nursing, with a permit or work authorization, when hired to a position in a nursing unit, regardless of title, which may utilize nursing knowledge, unless the individual is licensed, registered or otherwise authorized to perform the work required in that position. For example, a nurse who is registered as a certified nursing assistant may serve in that role without having a license, permit or work authorization to practice nursing (October 25, 2018 motion).

CRIMINAL HISTORY RECORD CHECK

Q. How do I apply for a criminal history record check (CHRC)?

A. After you complete your application for licensure by examination, click on the Criminal History Record Check link. Print and complete the CHRC Form provided on the link and CAREFULLY follow the instructions for fingerprinting.

Q. How long does the fingerprinting process take?

A. Both federal and state checks will be performed. If fingerprints are not adequate for identification purposes for BCI, new cards will be required for a second set of prints. If the second set of prints are not adequate for identification purposes, a name search will be requested. Processing time averages ten days if first set of fingerprints are adequate.

OBTAINING RESULTS AND LICENSURE

Q. How soon will my results be available?

A. Your unofficial examination results are available through NCLEX Quick Results Service offered by the test service. You can access your unofficial results via the internet at www.pearsonvue.com/nclex and sign in with a user name and password. Choose "Current Activity", then "Recent Appointments", and then "Status". After entering a credit card number the unofficial results will be displayed. The fee for this service will be listed on the website. Your credit card will only be charged if your results are available.

The examination results are mailed to you from the board office within 7 days of your testing. The board office makes every effort to mail the results within 48

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hours of your testing. **DO NOT CALL** the board office for your test results, as we are unable to release them over the phone or to your employer. If you pass, you will receive a license to practice as a nurse.

Your Criminal History Record Check must be completed prior to your license being issued.

Q. Can I find out if I passed or failed using the board's website?

- A.** You can access the board's website to see if a license has been issued. If a license is not showing for you, it does not necessarily mean that you've failed. It is possible that a license has not yet been issued for you. After the results have been processed, the license verification will show a license number if you passed, or the work authorization will be expired if you failed. **DO**

NOT CALL the board office for confirmation, we cannot release pass/fail results by phone.

Q. Can I start practicing as a nurse once I received my unofficial results that I passed?

- A.** No. You cannot start practicing as a nurse until you have been issued a license by the board of nursing. Licenses can be viewed in the "Verify" Section of the Board website.

Q. When will my license expire?

- A.** Effective 4/1/2014, applicants for initial license by examination shall receive a license expiring on 12/31 of the following year as part of the application fee.

Q. What if I fail?

- A.** If you fail, you will receive a diagnostic profile of your areas of weakness, and the required documents to submit for retesting.

You are able to retest 45 days after your original test date. The retesting application can be submitted on-line prior to that date for processing.

Q. Can I continue to work as a graduate nurse if I fail the NCLEX?

- A.** No. Your Graduate Work Authorization becomes invalid when you receive the examination results. A candidate who fails the licensing examination may not be employed in a position with functions that are usually assigned to licensed nurses. You are **NOT** able to continue to practice as a graduate nurse.

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Support the North Dakota Center for Nursing's Recruitment and Scholarship Efforts on Giving Hearts Day

The North Dakota Center for Nursing is excited to once again participate in Giving Hearts Day, held February 14th, 2019. Giving Hearts Day is a 24-hour fundraising effort hosted by the Impact Foundation and the Alex Stern Family Foundation for organizations in North Dakota and Western Minnesota. Each year the campaign raises millions of dollars for non-profits across the region.

All proceeds given to the North Dakota Center for Nursing on Giving Hearts Day will fund scholarship opportunities, as well as recruitment efforts. The North Dakota Center for Nursing's goal, through your Giving Hearts Day Donations, is to provide student nurses with financial resources in addition to marketing the nursing profession to meet the healthcare demands of tomorrow. Your donations

will help support the next generation of nurses.

There are two easy ways to give towards our Giving Hearts Day Campaign:

1. Mail a check to our office – your check must be dated for February 14th, 2019 and made out to the North Dakota Center for Nursing. Please put "Giving Hearts Day" in the memo line. You may mail your check to the following address:
North Dakota Center for Nursing
3523 45th St S, Suite 152
Fargo, ND 58104
2. Make a donation online on Giving Hearts Day, February 14th, 2019 at www.givingheartsday.org

The Dakota Medical Foundation is partnering with the center to provide matching dollars. If the North Dakota Center for Nursing is able to raise \$3,500, the Dakota Medical Foundation will provide an additional \$3,500 in matching dollars.

In addition, the North Dakota Center for Nursing will be participating in the Giving Hearts Day/Vision Bank video contest. As Giving Hearts Day approaches, the North Dakota Center for Nursing will email out a link allowing nurses to vote for its video. This year's video winner will receive \$500. Everyone is encouraged to vote and share the voting link with their friends, family and co-workers. More details about this contest will be announced in early 2019.

Help support our future nurses by making a donation on Giving Hearts Day!



SUPPORT OUR NURSE SCHOLARSHIPS & RECRUITMENT EFFORTS!

North Dakota Center for Nursing

The Professional Nurse: Regulatory Standards of Practice

Prepared by ND Board of Nursing Practice Division

Nursing is a dynamic profession that continues to evolve. Changes to the healthcare industry impact nursing practice, thus it is important for nurses to respond to those changes being ever-mindful of practice standards and scope as outlined in the North Dakota Nurse Practices Act (NPA) and Administrative Code (NDAC). Each professional nurse is responsible and accountable to practice according to the standards described by the board and the profession. It is not the setting or the position title that determines a nursing practice role, but rather the application of nursing knowledge (NDAC 54-05). This article addresses some of the common inquiries submitted to the NDBON, including role of licensed professionals in specific settings or specialties (such as aesthetic and long-term care or basic care settings); the scope of practice for nurses related to dispensing of prescription drugs; and scope of practice related to nurse administrators (Director of Nursing or supervisory positions).

In January 2018, the ND Board of Nursing (NDBON) approved an interpretative statement to emphasize current law and rules pertaining to registered nurse (RN) scope of practice and prescribed/injectable aesthetic agents (available at <https://www.ndbon.org/Practice/InterpretiveStatements/AestheticAgents.asp>). The interpretative statement was developed due to public concerns related to the professional nurse in the aesthetic setting. The NDBON collaborated with the ND Board of Pharmacy and ND Board of Medicine to explore the setting and practices including medical directors and nurses in ND. The interpretative statement did not represent a law or rule change but provided a reminder of long-standing state law and rules related to scope and standards of practice.

With the many settings and specialties served by professional nurses in ND, it is important to remember the NPA and NDAC apply to all licensees. To ensure there is no confusion for professional nurses in North Dakota practicing in various settings and specialties and in various roles and positions, the following rules apply to all licensees:

- NDAC 54-05-01 provides rules related to licensed practical nurses (LPN). Available at <https://www.legis.nd.gov/information/acdata/pdf/54-05-01.pdf>. The LPN practices dependently under the supervision or direction of the registered nurse, advanced practice registered nurse, or licensed practitioner (NPA 43-12.1-02 (3)). The LPN conducts focused assessments and assists in the care of clients whose condition is stable and predictable. The LPN may assign nursing interventions and delegate to the Unlicensed assistive person. Note that supervision is **not** included in assigning nursing interventions (54-05-01-09).
- NDAC 54-05-02 provides rules related to licensed registered nurse (RN). Available at <https://www.legis.nd.gov/information/acdata/pdf/54-05-02.pdf>. The RN practices nursing independently, interdependently, and dependently. The RN conducts focused and comprehensive assessments. The RN scope includes supervising care assigned to RNs and LPNs; and tasks delegated to UAPs (54-05-02-07 (1b)). Note that prescriptive practices, which includes assessing need for drugs and authorizing drugs for a client, are **not** included in the RN standards.

nd.gov/information/acdata/pdf/54-05-02.pdf). The RN practices nursing independently, interdependently, and dependently. The RN conducts focused and comprehensive assessments. The RN scope includes supervising care assigned to RNs and LPNs; and tasks delegated to UAPs (54-05-02-07 (1b)). Note that prescriptive practices, which includes assessing need for drugs and authorizing drugs for a client, are **not** included in the RN standards.

- NDAC 54-05-03.1 provides rules related to licensed APRN with or without prescriptive authority. Available at <https://www.legis.nd.gov/information/acdata/pdf/54-05-03.1.pdf>. The APRN functions in any setting as a member of the interdisciplinary team and provides care to fullest extent of scope of practice, which includes focused and comprehensive assessments. The APRN scope includes prescribing a therapeutic regimen, including diagnosing, prescribing, administering, and dispensing drugs and controlled substances (with prescriptive authority). The APRN manages and supervises practice of nursing.

The mission of the NDBON is to assure ND citizens quality nursing care through the regulation of standards of nursing education, licensure, and practice. Professional nurses in ND provide care in numerous settings and specialties and act in a variety of positions. The nurse licensed in ND is accountable to practice within the law and rules governing the profession, across all settings and specialties and in the various positions. According to NDAC 54-02-07-01.1, engaging in practice inconsistent with standards of nursing may be grounds for discipline (NPA 43-12.1-14 (3)). The NDAC Grounds for discipline are available at <https://www.legis.nd.gov/information/acdata/pdf/54-02-07.pdf>. To further assist with safe nursing practice in ND, please note the following FAQs related to nursing regulation in ND.

Prescribing and Dispensing Drugs

Question: *Is it within ND law/rules for the LPN or RN to: 1) determine prescribed therapeutic regimen; 2) prescribe a drug to a client; or 3) dispense a drug to a client?*

Answer: It is **not** within the LPN or RN scope of practice to: 1) plan or initiate a therapeutic regimen that involves ordering or prescribing drugs, devices, etc.; 2) prescribe drugs; or 3) dispense drugs. According to NPA 43-12.1-02 (6), prescriptive practice means assessing the need for drugs, immunizing agents, or devices and writing a prescription to be filled by a licensed pharmacist. Prescribing is included in the APRN standards with authority to prescribe (NDAC 54-05-03.1); however, is **not** included in the LPN or RN standards. The NDBON refers to the ND Board of Pharmacy statement titled, "Administrative Guidelines for Practitioner Dispensing in ND" and the ND Board of Pharmacy law 43-15-01 and 43-15-02 and NDAC 61-04-02-01. Available at visit <https://www.nodakpharmacy.com/contact.asp>.

Question: *Is it within ND law/rules for the APRN with prescriptive authority to assign or delegate prescribing to an LPN or RN?*

Answer: According to NDAC 54-05-02-07, the nurse professional can assign to another only those nursing interventions that are included within that nurse's scope of practice, education, experience, and competence. Prescribing practice is **not** within the LPN or RN standards or scope. Additionally, NDAC 54-02-07-01.1 includes inappropriate or inconsistent assigning or delegating interventions as potential grounds for discipline.

Question: *Is it within ND law and rules for the APRN to prescribe therapeutic regimen, including prescribing drugs, without assessing the client or establishing a client-provider relationship?*

Answer: In ND, the APRN standard and scope includes performing a comprehensive assessment of client and synthesis and analysis of data, as well as prescribing a therapeutic regimen of health care, including diagnosing, prescribing, administering, and dispensing drugs. In addition, prescriptive practice means assessing the need for drugs and writing a prescription to be filled by a licensed pharmacist. Additionally, the NDBON, ND Board of Pharmacy, and ND Board of Medicine revisited a prior consensus of a "legitimate prescription", which states that a prescription written without a valid patient/practitioner relationship, where there is not an actual physical examination of the patient, is not a valid prescription. The consensus also states that prescribing based on internet mail or telephone questionnaires is not appropriate medical care.

Question: Is it within ND law/rules for an APRN with prescriptive authority prescribe to themselves or their family?

Answer: The NDAC 54-05-03.1-10 states that the APRN with prescriptive authority may not prescribe, sell, administer, distribute, or give to oneself or to one's spouse or child any drug legally classified as a controlled substance or recognized as an addictive or dangerous drug. In addition, the NDBON refers to the ND Board of Pharmacy statement titled, "Dispensing prescriptions for a practitioner or their family" (available at https://www.nodakpharmacy.com/pdfs/DispensingPrescriptions_Physician_or_family.pdf).

Supervising and Director of Nursing Positions

Questions: Is it within ND law/rules for the LPN to act in the role of nurse administrator of nursing services or units (ex. Director of Nursing, Nursing Supervisor)?

Answer: In ND, the LPN is a dependent practitioner. It is within LPN standards and scope to assign interventions to other LPNs and to delegate to UAPs, which includes monitoring and evaluating cares assigned (54-05-01-09). However, it is **not** within the LPN standards to supervise the practice of nursing. Supervising and acting as nurse administrator of nursing services is included in the RN standards (NDAC 54-05-02-07), as well as the APRN standards (NDAC 54-05-03.1-03.2).

For questions, please visit www.ndbon.org and email practice@ndbon.org.

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Linda Young , MS, RN, FRE, Nursing Practice Specialist Concerning APRN Regulation and Practice, RN and LPN Practice, and Center for Nursing Workforce	Linda.Young@state.sd.us (605) 362-2772

DISCIPLINARY ACTIONS TAKEN BY THE SOUTH DAKOTA BOARD OF NURSING

Name	License Number	November Board Action
Hand, James	R024764	• Deny Reinstatement Request
Jabbour, Debra	R023164	• Grant Reinstatement
Simpson, Robert	R049796	• Voluntary Surrender
Sovell, Jon	CR000725 & R031957	• Probation

Name	Registrant Number	November Board Action
Johnson, Taylor	M000789	• Voluntary Surrender
Raper, Carly	M006356	• Revocation of Registration

The **MISSION** of the Board of Nursing is to protect the public through the regulation of nursing licensure, practice and education.

The **Vision** of the Board of Nursing is to inspire public confidence in the profession of nursing through regulatory excellence and honoring human dignity.

South Dakota Board of Nursing Officers and Members

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Lois Tschetter
RN Member, Brookings

South Dakota Board of Nursing Scheduled Meetings

Location: 4305 S. Louise Ave., Suite 201; Sioux Falls, SD
Time: 9:00AM

February 7-8, 2019
April 16-17, 2019
July 11-12, 2019
September 19-20, 2019
November 14-15, 2019

Agenda will be posted 3 business days prior to the meeting on Board's website.

Access

Licensure forms, update contact information, find advisory opinions, nurse practice act, and more online:
www.nursing.sd.gov

Verify

Nurse Licensure and UAP Registration:
<http://doh.sd.gov/boards/nursing/verificationlink.aspx>

SOUTH DAKOTA Center for Nursing Workforce

Find workforce data and trends, future leadership training and summit information online:
<http://doh.sd.gov/boards/nursing/sdcenter.aspx>

South Dakota Board of Nursing Meeting Highlights

November 2018

Board Meetings:

Pursuant to SDCL 36-9-17, the Board is required to meet annually and as often as necessary to transact its business. The South Dakota Board of Nursing generally meets five times a year. Meetings are open to the public; however, SDCL 1-25-2 allows a public body to close a meeting for discussing employee or legal matters. Individuals interested in attending should check the Board's website for more information and agendas. Information is posted 72 hours prior to the meeting at: <http://doh.sd.gov/boards/nursing/>. Minutes following a Board meeting are posted on the Board's website within 10 days of the meeting.

The Board selected the following 2019 meeting dates: February 7-8; April 16-17; July 11-12; September 19-20; and November 14-15.

Nursing Education:

- The Board accepted the 2018 reports for the following Clinical Enrichment Programs and granted ongoing approval for 2019:
 - Avera McKennan Hospital
 - Avera Sacred Heart Hospital
 - Huron Regional Medical Center
 - Indian Health Service-Rapid City
 - Regional Health
 - Sanford Health
 - St. Michael's Hospital
 - South Dakota Human Services Center

- The Board approved funding for the LPN scholarships through the Nursing Education Scholarship Program.
- The Board accepted the September 2018 site visit report for the practical nursing program at Mitchell Technical Institute and granted continued interim status for the program.
- The Board accepted the October 2018 site visit report for practical nursing program at Sisseton Wahpeton College and granted full approval status for the program.
- The Board approved National American University's request to remove probationary status for their baccalaureate nursing program and granted full approval contingent upon achieving a 75% pass rate on the NCLEX for the 2018 measuring period.

Nursing Practice:

- The Board moved to adopt revised guidelines on the "Role of the Registered Nurse in the Management of Patients Receiving Moderate Sedation", available on the Board's website at: <https://doh.sd.gov/boards/nursing/title-opinion.aspx>; and to retire the resolution on the administration of Propofol by the Registered Nurse.

Licensure and Registration:

- **Verification of Employment:** RNs and LPNs are required to attest to the hours worked during a renewal period. The Board does conduct random audits of licensees, if you are selected you will be required to submit a completed employment verification form to the Board office.

- **Nurse License and UAP Registration Verification:** Licensure status for all licensees and registrants may be verified online at: www.nursing.sd.gov select Online Verification.

- The Board's unlicensed registry *only* provides assurance that individuals listed on the registry have met minimal criteria including the completion of required training and testing to allow them to accept the delegated task of medication administration from a licensed RN or LPN while under nurse supervision. **Registry status does NOT imply that an individual has met moral, ethical, or legal standards and should not take the place of an employer's hiring screening process or background check.**
- Unlicensed Medication Aides: Licensed nurses in South Dakota may only delegate medication administration to Unlicensed Medication Aides (UMA), insulin administration tasks to Unlicensed Diabetes Aides (UDA), and dialysis tasks to Unlicensed Dialysis Technicians (UDT) who are listed on the South Dakota Board of Nursing's registry. Registry status is valid for a two year time period; registry status may be verified on the Board's website: <https://www.sduap.org/verify/>. If the person is not listed on the registry a nurse may not delegate those tasks to that person.

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- South Dakota is a member of the **Enhanced Nurse Licensure Compact (eNLC)**. LPNs and RNs who hold a multi-state compact license are able to provide care to patients in other eNLC states, without having to obtain additional licenses. An LPN or RN who holds a single-state license can only practice in the state that license was issued. See <https://www.ncsbn.org/11070.htm> for more information.

- South Dakota does not belong to the APRN compact; therefore all South Dakota issued CNM, CNP, CRNA, and CNS licenses are single-state.

• **South Dakota's Active Workforce as of December 26, 2018:**

Licensed Workforce	Number
Licensed Practical Nurses (LPN)	2,633
Registered Nurses (RN)	18,477
Certified Nurse Midwives (CNM)	32
Certified Nurse Practitioners (CNP)	1,111
Certified Registered Nurse Anesthetists (CRNA)	494
Registered/Unlicensed Assistive Personnel Workforce	Number
Certified Nurse Aides (CNA)	10,330
Unlicensed Diabetes Aides (UDA)	121
Unlicensed Dialysis Technicians (UDT)	70
Unlicensed Medication Aides (UMA)	6,149

Prevent a Lapsed License:

- A lapsed nursing license is a serious violation of the Nurse Practice Act. A nurse that has a lapsed license must pay an additional fee to reinstate the license and may also incur discipline. Nurses that practice on a lapsed license may also cause their employers to bear additional burdens. Facilities may lose reimbursement money, be cited for lack of compliance, or receive other sanctions by regulatory bodies.
- As a practicing nurse you are responsible and accountable to maintain an active license! The Board sends a renewal notice to an actively licensed nurse's *last known address* 90 days in advance. **Keep your address current!** You may conveniently change your address online at: <http://doh.sd.gov/boards/nursing/address.aspx>
- **Enroll in Nursys e-Notify.** This is a **free service** open to all licensed nurses. Once enrolled, e-Notify will automatically send license **expiration reminders** and status updates to licensees or employers. <https://www.nursys.com/EN/ENDefault.aspx>

Center for Nursing Workforce (CNW):

- The South Dakota Center for Nursing Workforce is hosting a Symposium on April 30, 2019 featuring keynote speaker Dr. Peter Buerhaus, Ph.D., RN, FAAN, a nationally known expert and economist on workforce. Participants will have the opportunity to learn about South Dakota's nursing workforce, network and share ideas on South Dakota's nursing supply, education, and practice, and will identify strategies to meet the state's current and future nursing workforce needs. Registration information will be posted on the Board's website, in the Dakota Nurse Connection, and sent via email.

South Dakota Health Professionals Program:

- The Board contracts with the South Dakota Health Professionals Assistance Program (HPAP) to offer an alternative program which supports health professionals with substance use or mental health disorders and their recovery efforts. Participating in HPAP enhances public safety by reducing risks associated with potentially impaired health conditions. Early intervention and referrals may, over time, decrease licensing board discipline.
- Entry in the program can be voluntary, and if so, confidentiality is maintained. The Board may also mandate nurses to participate in HPAP to protect the public.
- To be eligible to participate, a nurse must hold, or be eligible to hold licensure with the SD Board of Nursing. More information on HPAP is available at: <http://www.mwhms.com/hpap.html>.



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Nurses Day at the Legislature

February 5-6, 2019

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Register now for the 43rd Annual SDNA Nurses Day at the Legislature (NDL)! Nurses Day at the Legislature provides a valuable opportunity to talk with legislators from your community about the issues important to you. At NDL you will be able to attend committee hearings at the Capitol and network with colleagues and legislators. NDL also offers continuing education sessions. Registration information can be found at www.sdnursesassociation.org. The South Dakota Nurses

Association (SDNA) is the professional association representing the nearly 17,000 Registered Nurses across South Dakota. SDNA is involved in the shaping of public health care policy that is consistent with the goals of nurses, the nursing profession and public health. SDNA is a respected authority on

legislative and political issues that affect nursing and consumer care.

Nurses have a voice at the Capitol because of the work that SDNA does! It is important that nurses continue to have a presence during the legislative process. Please take time to attend this important event and represent your profession!



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- Medical insurance (continues into retirement)
- Vision, dental, long term care insurance
- 3 part retirement-federal, TSP and social security
- Upward mobility
- Stackable shift differentials
- No census send homes

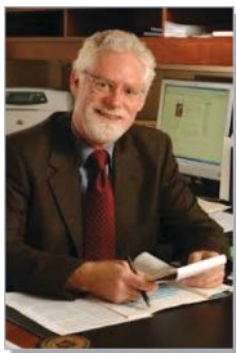
SOUTH DAKOTA 2019 Center for Nursing Workforce Symposium

April 30, 2019

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Plan to join us at the South Dakota Center for Nursing Workforce's Symposium with keynote speaker Dr. Peter Buerhaus, Ph.D., RN, FAAN, a nationally known expert and economist on workforce. You will have a wonderful opportunity to learn about South Dakota's nursing workforce, network and share ideas on South Dakota's nursing supply, education, and practice, and to identify strategies to meet the state's current and future workforce needs.

Keynote Speakers:



Peter Buerhaus, Ph.D., RN, FAAN

A nurse and healthcare economist, Buerhaus is well known for studies and publications on forecasting nurse and physician supply, developing and testing measures of hospital quality of care, determining public and provider opinions on issues involving the delivery of health care, and assessing the quantity and quality of health care provided by nurse practitioners.

He has published over 100 articles with five designated as "Classics" by the Agency for Healthcare Research and Quality (AHRQ); and has co-authored book: *The Future of the Nursing Workforce in the United States: Data, Trends, and Implications* (2008).

Currently Dr. Buerhaus is a Professor in the College of Nursing, and Director of the Center for Interdisciplinary Health Workforce Studies at Montana State University. Previously he served at Vanderbilt University as Professor

of Nursing and Professor of Health Policy; and at Harvard School of Public Health as Assistant Professor of Health Policy and Management.

Dr. Buerhaus was elected into the National Academies Institute of Medicine, is a member of the American Academy of Nursing, and served on numerous national health advisory boards. In 2010, Dr. Buerhaus was appointed to Chair the National Health Workforce Commission that was established under The Patient Protection and Affordable Care Act. He currently serves as an expert advisor for the Bipartisan Policy Center's health care workforce initiative, and as a member of the Institute of Medicine Committee on Graduate Medical Education Governance and Transparency. (Source: <http://healthworkforcestudies.com/about/buerhaus.html>)



Jerry Nagel, Ph.D.

Co-founder of the Meadowlark Institute, Nagel provides leadership training, convening, and planning services to organizations and communities using the *Art of Hosting Meaningful Conversations* core practices. These practices expand capacity to bring forth the knowledge, wisdom and leadership within each of us, our organizations, and communities.

His methods include World Café, Open Space Technology, Appreciative Inquiry, Technology of Participation and Scenario Planning. Together we will be better able to manage change, produce social impact, and develop strategies for South Dakota's nursing workforce.

Early registration is encouraged, space is limited!

Brochure and registration form located on the South Dakota Board of Nursing Website:

<https://doh.sd.gov/boards/nursing/>

Registration deadline: April 17, 2019.

Fee: \$35 - Includes conference materials, CEUs, and lunch.

For more information email Abbey.Bruner@state.sd.us or call 605-362-2760

Application will be made for continuing nursing education hours.

Licensed Practical Nurse Scholarship Recipients Announced

The South Dakota Board of Nursing offers a Nursing Education Scholarship Program (NESP) to RN and LPN nursing students who are residents of South Dakota and who have been accepted into a board approved nursing education program that leads to initial licensure or a nursing degree enhancement. Scholarship money distributed through this program is generated

through a \$10 fee charged to each nurse upon renewal of a South Dakota RN or LPN license.

Registered nurse scholarships are awarded in the spring and LPN scholarships are awarded in the fall of each year. The number and amount of each scholarship is determined annually by the South Dakota Board of Nursing, not to exceed \$1000 per academic year per student.

Scholarship money may be used for direct education expenses such as tuition, books, and fees. To learn more about NESP go to <https://doh.sd.gov/boards/nursing/loan.aspx>.

Congratulations to the LPN scholarship recipients who were approved by the Board of Nursing at the November 15, 2018 meeting. A total of \$15,000 was awarded.

Mitchell Technical Institute
Wendy Barse
Elizabeth Blom
Lauren Brame
Jessica DeJong
Justin Frank
Samantha Herrold
Brooke Johnson
Adrianna Mastel
Angela Peterson
Roseanna Sawtell
Robert Voje

Tiara Wagner
Jessica Wingen
Lake Area Technical Institute
Alisa Day-Barney
Paige Gloe
Brittany Halvorson
Nayeli Hamann
Dana Kuelbs
Sydney Tschetter
Southeast Technical Institute
Bailey Anders
Christopher Ragels

Makenzie Revell
Megan Rush
Sinte Gleska University
Amber Heth
Brea Heth
Western Dakota Technical Institute
Destinee Fawbush
Chelse Manwell

Recipients of the Walter N. and Dorothy D. Graham Nursing Scholarship Announced

The Walter N. and Dorothy D. Graham Nursing Scholarship provides scholarships for South Dakota residents attending accredited four year registered nursing programs in public and private South Dakota institutions. Recipients must have previously earned 24 semester credits and maintained a 2.5 or better accumulated GPA. A total of \$7,000 was awarded in 2018.

Augustana University
Heaven Stinger
South Dakota State University
Keoni Bills
Sandra Gruenig
Kaitlyn Schmeichel

Mount Marty College
Paige Cordell
University of Sioux Falls
Mary Christian
University of South Dakota
Marlaina Wendland

Presentation College
Kaitlyn Boesl
Victoria Even

South Dakota Board of Nursing Revises Advisory Opinion on Registered Nurses Managing Patients Receiving Moderate Sedation

The South Dakota Board of Nursing is authorized by the state of South Dakota to safeguard life, health and the public welfare; and to protect citizens from unauthorized, unqualified and improper application of nursing practices. The practice of registered nurses, pursuant to SDCL 36-9-3 (14,) allows registered nurses to perform other acts that require education and training consistent with professional standards as prescribed by the board, by rules promulgated pursuant to chapter 1-26, and commensurate with the registered nurse's education, demonstrated competence, and experience.

The Board issues opinions, position statements, or resolutions as to what constitutes safe nursing practice. As such, these statements are not regulations of the Board and do not have the force and effect of law but are issued as guidelines to licensees who wish to engage in safe nursing practice, and to facilitate the delivery of safe, effective nursing care to the public.

The Board met on November 15, 2018 and considered a request to revise their 2003 position statement on registered nurses managing patients receiving moderate sedation. The Board approved the following revised opinion statement:

Role of the Registered Nurse in the Management of Patients Receiving Moderate Sedation

Practice Statement

It is within the scope of a registered nurse pursuant to SDCL 36-9-3 to administer medications for the purpose of providing moderate sedation/analgesia and to manage the care of patients receiving moderate sedation/analgesia. Declaratory Ruling 89-1 provides the following direction:

Although registered nurses, under the direction of a physician, may administer narcotics, analgesics, sedatives, and tranquilizing medications to patients, registered nurses may not administer any

medication for the purpose of inducing general anesthesia. It is not within the authority of the board to determine how or for what purpose a specific drug with multiple uses is being administered at any given time. Institutional or agency protocol must address this.

Sedation occurs on a continuum, moderate sedation may progress to deep sedation; therefore registered nurses who administer medications for the purpose of moderate sedation/analgesia must be qualified to provide rescue support to patients who proceed to a deeper level of sedation. Rescuing a patient requires the registered nurse to be proficient in assisting with airway management and advanced life support.

Definitions

- **Minimal sedation** (anxiolysis) is a drug-induced state during which patients respond normally to verbal commands. Although cognitive function and physical coordination may be impaired, airway reflexes, and ventilatory and cardiovascular functions are unaffected.
- **Moderate sedation** (formerly conscious sedation) is defined as a drug-induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation; reflex withdrawal from a painful stimulus is *not* considered a purposeful response. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained.
- **Deep sedation** is a drug-induced depression of consciousness during which patients cannot be easily aroused, but respond purposefully following repeated or painful stimulation; reflex withdrawal from a painful stimulus is *not* considered a purposeful response. The ability to independently maintain ventilatory

function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.

- **General anesthesia** is a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory function is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug induced depression of neuromuscular function. Cardiovascular function may be impaired.

Purpose

The following guidelines are intended to promote safe care. Registered nurses and institutions are encouraged to also refer to other national standards of practice and evidence based literature to identify additional guidelines or considerations specific to a practice setting or patient population served.

Guidelines

- A. The healthcare facility should have in place an educational mechanism which includes a process for nursing management to evaluate and document a registered nurse's competence that occurs on a periodic basis and is maintained on file with the employer. Nursing course instruction should include:
 1. Indications for and contraindications to the use of moderate sedation;
 2. Levels of sedation/analgesia;
 3. Sedation monitoring using a valid sedation scale (e.g. Richmond Agitation Sedation Scale);
 4. Anatomy, physiology, pharmacology, cardiac arrhythmia recognition, and

- complications related to sedation and analgesia medications;
 - 5. Patient care requirements before and during the administration of moderate sedation/ analgesia, including the recovery phase;
 - 6. Principles of oxygen delivery, respiratory physiology, use of oxygen delivery devices; and if available, end-tidal CO₂ monitoring (capnography);
 - 7. Complications of moderate sedation/analgesia for each type of agent being administered, and administration of reversal agents;
 - 8. Intervening in the event of complications according to medical orders or facility protocols;
 - 9. Assessment of recovery progress prior to discharge from recovery area;
 - 10. Moderate sedation/analgesia education to patients and families;
- B. The healthcare facility should have in place written policy and procedures on moderate sedation/ analgesia that reflect nationally accepted standards and professional nursing practice, including:
- 1. Protocols on patient monitoring and drug administration for managing potential complications or emergency situations.
 - 2. A qualified professional, as approved and credentialed within the institution, who is capable of managing complications during the post-procedure period is readily available and remains available until the patient is stable.
 - 3. Immediate availability of emergency equipment and supplemental oxygen is accessible in every location where moderate sedation/ analgesia is administered.
 - 4. The registered nurse administering medications and monitoring the patient receiving moderate sedation and analgesia should be certified

- in advanced cardiopulmonary resuscitation specific to the age of population served, such as Advanced Cardiac Life Support (ACLS) or Pediatric Advanced Life Support (PALS).
- 5. A pre-sedation assessment and a collaborative sedation plan completed for each patient by a qualified provider and the administering registered nurse to determine if the patient is an appropriate candidate.
- 6. Selection and ordering by a qualified provider of sedation and analgesia medications, venous access, or supplemental oxygen.
- 7. The registered nurse administering medications and monitoring the patient receiving moderate sedation and analgesia should not have any other responsibilities during the procedure until the patient's level of sedation/analgesia and vital signs are stable; once stable, the registered nurse may assist with minor, interruptible tasks provided adequate monitoring for the patient's level of sedation is maintained.
- 8. Continual monitoring (e.g. every 5 minutes) of ventilatory functions including capnography, unless precluded or invalidated by the nature of the patient, procedure, or equipment; and hemodynamics including blood pressure, heart rate, and rhythm; and level of consciousness/sedation should be completed during the procedure.
- 9. Continuous monitoring (e.g. without interruption at any time) of oxygen saturation/oximetry with appropriate alarms should be completed during the procedure.
- 10. Assessment of hemodynamics, including blood pressure, heart rate, and rhythm, and level of consciousness/sedation should be completed immediately prior to discharge to the next level of care.

- 11. Documentation should be completed according to institutional guidelines.
- 12. A qualified professional should discharge the patient to the next level of care in accordance with established criteria of the institution.

The registered nurse has the right and obligation to refuse to administer or continue to administer medication(s) in amounts or frequency that may induce deep sedation or anesthesia.

References

- 1. American Society of Anesthesiologists (2018). Practice guidelines for moderate procedural sedation and analgesia 2018. *Anesthesiology*, 128(3), 437-479. doi:10.1097/ALN.0000000000002043
- 2. American Association of Moderate Sedation Nurses. Certified sedation registered nurse scope of practice. Accessed October 10, 2018 from: <http://aamsn.org/resources/pdfs/sedation-related-pdfs/registered-nurse-csrn-scope-of-practice>.
- 3. American Association of Nurse Anesthetists (2016, February). Non-anesthesia provider procedural sedation and analgesia. Accessed October 10, 2018 from: <https://www.aana.com/practice/clinical-practice-resources>.
- 4. Arizona Board of Nursing (2016). Advisory opinion moderate sedation/analgesia. Accessed October 10, 2018 from: https://www.azbn.gov/media/2223/ao-moderate-sedation_analgesia-for-diagnostic-therapeutic-procedures.pdf.

Advisory opinions may be accessed on the Board's website: <https://doh.sd.gov/boards/nursing/title-opinion.aspx>. Should you have questions, please contact Linda Young, RN, MS, FRE; South Dakota Board of Nursing at: Linda.Young@state.sd.us or (605) 362-2760.



Dec. 11, 2018

NCSBN Upholds NCLEX-RN Examination Passing Standard

CHICAGO – The NCSBN Board of Directors (BOD) voted on Dec. 4, 2018, to uphold the current passing standard for the NCLEX-RN Examination. The passing standard will remain at the current level of 0.00 logit* that was instituted April 1, 2016, and will remain in effect through March 31, 2022.

After consideration of all available information, the BOD determined the current passing standard was appropriate as a measure of safe and effective entry-level registered nurse (RN) practice. The BOD used multiple sources of information to guide its evaluation and discussion of the passing standard. As part of this process, NCSBN convened an expert panel of 11 nurses representing the four NCSBN geographic areas and Canada that took part in the workshop to perform a criterion-referenced standard-setting procedure. The panel's findings supported retaining the current passing standard. NCSBN also considered the results of national surveys of nursing professionals.

In accordance with a motion adopted by the 1989 NCSBN Delegate Assembly, the NCSBN BOD evaluates the passing standard for the NCLEX-RN Examination every three years to protect the public by ensuring minimal competence for entry-level RNs. NCSBN coordinates the passing standard analysis with the three-year cycle of test plan evaluation. This three-year cycle was developed to keep the test plan and passing standard current.

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Unlicensed Assistive Personnel: Applicants Required to Respond to Disciplinary Questions

Facilities employing Unlicensed Assistive Personnel (UAP), including Unlicensed Medication Aides (UMA), Unlicensed Diabetes Aides (UDA), and Unlicensed Dialysis Technicians (UDT), are encouraged to discuss the Board's disciplinary questions with their Board registered UAP employees and with new hires before the new person begins a UAP training program.

The South Dakota Board of Nursing adopted rules in ARSD 20:48:16 which require UAPs to register with the Board to accept delegated medication administration or dialysis tasks. These rules also allow the Board to deny applications or remove individuals from the registry when necessary for public protection. To qualify for registration a UAP must complete an approved training program, pass an approved examination, and complete the Board's application process. The online application requires new UAPs and those renewing their registration to answer specific disciplinary questions, displayed in Table 1. Registrants are

required to answer these questions for initial registration and upon renewing registration every two years. Renewing applicants are not required to re-disclose information they previously provided to the Board.

Applicants who answer "yes" to one of the disciplinary questions will need to explain the specifics relating to the question and may upload documents in regard to the situation. Additionally, "yes" responses initiate an investigation by the Board; all new applicants or current registrants who are investigated are given due process, meaning they are noticed, provided an opportunity to be heard, and given the right to defend themselves. The Board's disciplinary process is shown in Figure 1. Once a case is opened, and after information is gathered, the applicant or registrant is offered an informal interview. Upon completion of the investigation, information is shared with the Board's Compliance Review Committee. This Committee may recommend dismissal because there was a

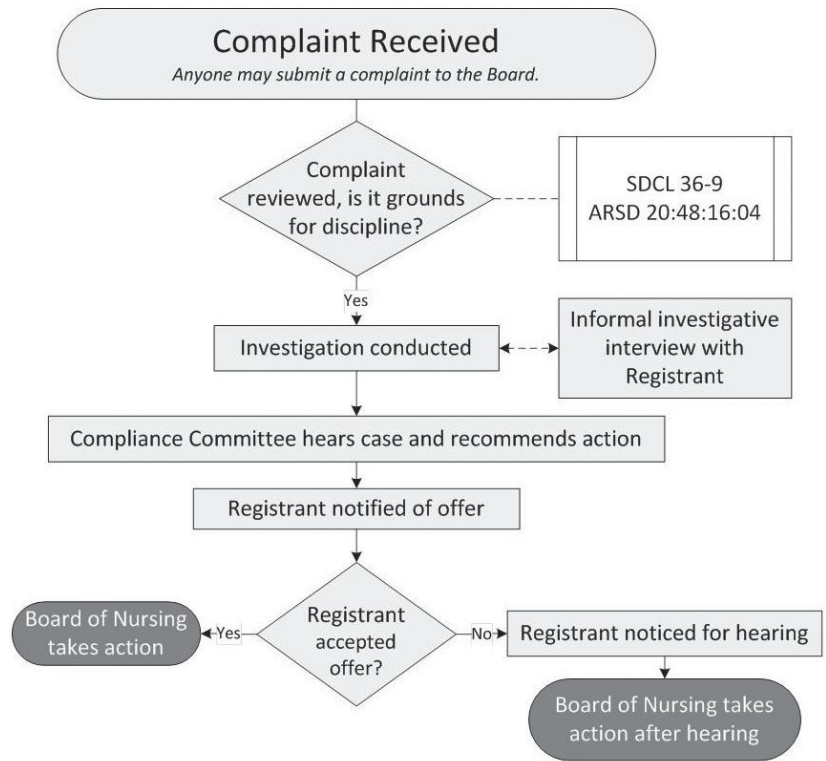
Table 1. UMA, UDA, and UDT Disciplinary Questions.

1. Have you been convicted, pled no contest/nolo contendere, pled guilty to, or been granted a deferred judgement of adjudication, suspended imposition of sentence with respect to a felony, misdemeanor, or petty offense other than minor traffic violations?	Yes	No
2. Is there any pending criminal prosecution against you which would constitute a felony?	Yes	No
3. Have you had action taken against you for abuse, neglect, or misappropriation of property by a state or federal agency?	Yes	No
4. Are you currently being investigated or is disciplinary action pending against any license(s) or certificate(s) held by you?	Yes	No
5. Has any license or certificate held by you in any state or country been denied, revoked, suspended, stipulated, placed on probation, or otherwise subjected to any type of disciplinary action?	Yes	No
6. Have you been treated for abuse or misuse of any alcohol or chemical substance?	Yes	No
7. Do you currently owe child support arrearages in the sum of \$1,000 or more?	Yes	No

Figure 1. Due Process for Unlicensed Personnel

lack of evidence to support disciplinary action or they will make a settlement offer to the applicant. If the applicant or registrant agrees with the settlement offer, the Board imposes that disciplinary action at their next scheduled meeting. If the applicant or registrant does not accept the settlement offer, the UAP is noticed for a formal legal hearing, after which the Board makes a determination on the outcome of the case. According to ARSD 20:48, disciplinary outcomes the Board may impose include denial of registration or removal from the registry. These formal disciplinary actions are reported to the Nurse Practitioner Data Bank (NPDB), printed in the Dakota Nurse Connection, and listed on the Board of Nursing's website.

For questions or more information email Tessa.Stob@state.sd.us or call the South Dakota Board of Nursing (605-362-2760).



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