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DAKOTA NURSES CONNECT



**Frequently Asked Questions
Practice and Continuing Education
(CE) Requirements**

**Full Practice Authority for Certified
Registered Nurse Anesthetists
and Update on Promulgation of Rules**

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DAKOTA NURSE

CONNECTION

FALL 2020
EDITION 72

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A message from the Executive Director

Linda Young, MS, RN, FRE
South Dakota Board of Nursing



Hello South Dakota Nurses, welcome to the Fall edition of the *Dakota Nurse Connection*, the official publication of the South Dakota Board of Nursing (SDBON).

SDBON Rules Promulgation Update

On September 24, 2020 the SDBON held a public hearing to consider the adoption of proposed rules in Chapter 20:48:04 related to the practice of certified registered nurse anesthetists (CRNA). The effect of the proposed rules is to implement the new law enacted in SDCL 36-9-3.1 which became effective July 1, 2020. Originally, five rules were proposed, however one was deleted to meet requirements of the Legislative Research Council (LRC). The LRC reviews proposed rules for form, style, clarity, and legality. Along with minor editorial revisions, the LRC required the Board to delete ARSD 20:48:04:08. This rule was intended to clarify that the new law in SDCL 36-9-3.1 does not change the usual and customary practice of a CRNA and that nothing in the new law authorizes a CRNA to make a primary and differential diagnosis. LRC determined that rule did not implement anything and was a commentary on the scope of the proposed rules, as such, there was no reason to include it. After the hearing the Board adopted the changes recommended by the LRC.

At the hearing the board also considered written and oral comments received on the proposed rules. In response to opposing testimony, the Board adopted amendments to proposed rules ARSD 20:48:04:10 and 20:48:04:11. The amendments require CRNAs, who do not work in a licensed health care institution, to provide the board documentation of completion of board approved education on the use of radiography and the performance of procedures for pain management. The following is a summary of the proposed rules:

- **ARSD 20:48:04:08, Prescriptive Authority:** describes the act of prescribing by a CRNA in accordance with state and federal law and the role of the CRNA; and identifies action that may be taken for inappropriate prescribing practices.
- **ARSD 20:48:04:10, Controlled Substance Prescribing:** contains the guidelines for prescribing controlled substances for the treatment of chronic, non-cancer pain and lists the documentation standards that must be maintained. A CRNA must meet state and federal registration requirements and register with the state prescription drug monitoring program.
- **ARSD 20:48:04:11, Use and Supervision of Radiography:** clarifies that CRNAs may order, interpret, and supervise radiographic procedures, including fluoroscopy, in accordance with ARSD Chapter 44:03. Prior to the use of fluoroscopy, a CRNA must complete required educational content.

- **ARSD 20:48:04:12, Procedures for Pain Management:** specifies pain management procedures that may be performed by CRNAs and requires education.

The full text of the proposed rules is provided in this publication. These rules will be presented to the Interim Legislative Rules Committee on November 10, 2020. Following approval, the rules will become effective late December 2020. Watch for updates on the board's website.

Nurse Licensure Compact Update

South Dakota is fortunate to be a member of the RN and LPN Nurse Licensure Compact (NLC). In 2016, South Dakota was the first state to enact the new NLC compact during the 2016 Legislative Session. Since then, thirty-four states have joined. All NCL states are required to only issue multistate licenses to RNs and LPNs who meet uniform licensure requirements. For more information about requirements to obtain a multistate license or for up-to-date information on which states have joined, visit <https://www.nursys.com/>.

Please remember that not all nurses who reside in a compact state have a multistate license. Nurses and employers need to verify that a nurse holds a multistate license if the nurse intends to practice in SD on a multistate privilege. In some NLC states, nurses are required to apply for a multistate license; in other cases, a nurse may not meet uniform licensure requirements and will not be issued a multistate license. Therefore, **do not assume that licensure in a compact state automatically means that a nurse holds a multistate license, the nurse may only hold a single state license.** Employers and nurses should verify the license status on each nurse, free of charge, at <https://www.nursys.com/>.

The National Council of State Boards of Nursing's (NCSBN) Delegate Assembly met August 12th and adopted new language for an Advanced Practice Registered Nurse Compact (APRN) for nurse midwives, nurse practitioners, nurse anesthetists, and clinical nurse specialists. Policy barriers and lack of support for the first compact lead to the approval of this new APRN compact. NCSBN believes the new language will enable states to join sooner, allowing APRNs and their patients the same benefits of multistate licensure across the country as afforded to RNs and LPNs. With the new APRN compact, after seven states join, a member state can issue a multistate license to an APRN who has a minimum of 2,080 hours or more of practice. For more information visit <https://www.ncsbn.org/aprn-compact.htm>.

Wishing you a safe and healthy fall season.
Linda Young, MS, RN, FRE



A message from the Executive Director

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

Upcoming Licensure Renewals

The NDBON promulgated rules in 2019-2020 to increase select nurse licensure and UAP registration fees. The fee increases became effective July 1, 2020 and includes renewal fees. The LPN/RN/APRN renewal period has started for licenses expiring December 31, 2020. As the NDBON strives to enhance processes to be more economical and efficient, the NDBON will **no longer** send post card reminders to ND licensees physical mailing addresses. To assist with notifying and reminding licensees of upcoming expiration dates, each licensee will receive an email reminder. If you have a ND license, please take a moment to review your expiration date and update your email address, if needed, to avoid a lapse in licensure and a practice without a license concern. To update your demographic information (email address, mailing address, etc.), please visit www.ndbon.org, Nurse Licensure, and Demographic Updates.

COVID 19 Update

Throughout the COVID 19 State of Emergency, the NDBON staff have continuously worked at full capacity to provide timely and efficient regulatory services to ND licensees, registrants, and stakeholders. The NDBON office hours of operation have been maintained at 8 am-5 pm CT Monday through Thursday; and 8 am-3 pm Fridays. To safeguard the health of the NDBON staff during the pandemic, staff work in teams which alternate between remote days and physical office days. The physical office is open to the public from 9 am-12pm Monday through Friday. Appointments can be made with licensing staff and directors upon request. In the event a physical visit or appointment to the NDBON office is required, please wear face masks and practice social distancing.

During the state of emergency, the NDBON office has experienced high volumes of correspondences including specific COVID 19 inquiries and impact on licensure, practice, education, and compliance. In addition, staff are working tirelessly with other state and national entities to ensure public protection and adequate healthcare workforce in response to the pandemic. Due to this workload increase, the recommended, and most efficient, means of communication includes emailing inquiries and concerns to www.contactus.org or selection on one of the specific email addresses available at <https://www.ndbon.org/Contact%20Us/Info.asp>. To

avoid delay in responses, please select only one email to send specific correspondences. The NDBON staff work as a team to ensure email inquiries are directed to the appropriate individuals for timely responses. Most emails are responded to within 1-2 business days. However, to allow prioritization of time sensitive work, such as licensing/registration completion and urgent compliance issues, please allow up to 7 business days for responses. Telephone conferences and virtual meetings can be set up to meet specific needs upon request.

The NDBON continues to adhere to its state of emergency policies and procedures to ensure safe and adaptable licensing, including the 90-day Emergency Limited Nurse License and State of Emergency Licensure Exceptions. These policies and procedures will be active until the Governors repeal of the ND state of emergency and respective executive orders.

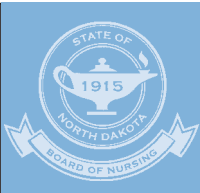
Nurse Licensure Compact Update

To date, 34 states/jurisdictions have enacted the Nurse Licensure Compact and 9 states/jurisdictions have pending legislation. In August 2020, the Delegate Assembly of the National Council of State Boards of Nursing (NCSBN) approved language changes to the APRN Licensure Compact. The language changes occurred as a culmination of 2 years of dialogue, including stakeholders, to produce a compact that could become a reality. In ND, the language changes would need to be enacted and the prior legislation repealed. The NDBON provided presentations to the annual meetings for both the ND Nurses Association and the ND Nurse Practitioner Association which included overview of the language changes to the APRN Licensure Compact.

The NDBON will continue to post updates related to the COVID 19 state of emergency and other news pertaining to licensure, education, practice, and pertinent legislative activities on the website. Watch for the Winter edition of the *Dakota Nurse Connection* as the Board and staff continue to provide regulatory updates and publications.

Stay safe and healthy and please feel free to reach out with your questions or concerns to contactus@ndbon.org

Sincerely,
Dr. Stacey Pfenning DNP APRN FNP FAANP



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NORTH DAKOTA BOARD OF NURSING 2020 BOARD MEETING DATES

July 16, 2020 Annual Meeting

October 21, 2020 Board Retreat
October 22, 2020

January 21, 2021

April 22, 2021

July 22, 2021

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.

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

919 S 7th St

Suite 504

Bismarck, ND 58504-5881

Phone: 701-328-9777

Fax: 701-328-9785

Email: contactus@ndbon.org

ND BOARD OF NURSING OFFICE SECURITY AND OPERATIONS

The NDBON implemented 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. Email items to contactus@ndbon.org or fax to 701-328-9785.
3. 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.
4. If you have any questions, please call 701-328-9777

During the ND State of Emergency, state agencies, including the NDBON, are taking precautions to prevent the spread of COVID 19 within the workplace. Precautions include virtual interactions and emails when feasible and visits to the office by appointment. The office is currently operating at full capacity with a combination of in office and remote staff.

NORTH DAKOTA BOARD OF NURSING

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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 <https://www.ndbon.org/Practice/AdvisoryPanel/ParticipationIndex.asp> for information and application.

NURSES

Have you moved recently?

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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 2020

Compliance Division investigations and list of all disciplinary actions taken by the Board are published in the April 2020 Public Notice available at <https://www.ndbon.org/Publications/PublicNotice.asp>

The Board:

- Approved the minutes of the April 23, 2020 meeting as distributed.
- Ratified the 2020-2021 fee schedule.
- Discussed the ND Center for Nursing. ND Center for Nursing representatives were present to provide information and answer questions (see full minutes for details).
- Held an Executive Session to consider the following according to the NDCC 44-04-18.1: Agenda item 5.1.1 Jessica Ness, and Agenda item 5.1.2 Rudra Komaraju.
- Approved the draft "Open Record Request Policy and Procedure".
- Approved the draft "Required Evaluation Policy and Procedure".
- Approved the draft "Evaluation Criteria and Board Requirements' Table" as revised.
- Approved revisions to the Practice FAQ related to LPN scope of practice.
- Directed staff to public notice the draft, "RN and LPN Scope of Practice: Components of Nursing Comparison Chart" for 30 days. If no substantial comments received, the practice guidance will be adopted and become effective on September 1, 2020.
- Discussed the ND Professional Health Program alternative to discipline. NDPHP representatives were present to provide information and answer questions (see full minutes for details).

- Found the progress report submitted by the University of North Dakota, DON, PB-DNP NA program nurse administrator regarding the exception to NDAC 54-03.2-04-08 Employment of Academically Unqualified Faculty Meets the NDBON reporting requirements; and continued to require master's prepared PB-DNP NA faculty to be enrolled in a doctorate program within one year of employment and the program to submit requirements under NDAC 54-03.2-04-08.1 Faculty Developmental Program quarterly for each academically unqualified faculty member as evidence of compliance; and required the UND, PB-DNP NA program nurse administrator to submit a progress report regarding the NDAC exception by July 1, 2021.
- Found the progress report submitted by the Concordia College Baccalaureate Degree Nursing Program nurse administrator meets the NDBON reporting requirements and provides evidence of substantial efforts made toward program compliance with 54-03.2-04-04. Baccalaureate or master's degree nurse education program faculty qualifications and 54-03.2-04-08. Employment of academically unqualified faculty; and required the Concordia College

Baccalaureate Degree Nursing Program nurse administrator to submit a progress report providing evidence of program compliance with 54-03.2-04-04. Baccalaureate or master's degree nurse education program faculty qualifications and 54-03.2-04-08. Employment of academically unqualified faculty by July 1, 2021.

- Approved the request for an exception to NDAC 54-03.2-04-08 Employment of Academically Unqualified Faculty, Subsection 3. Other Circumstances as Approved by the Board for the 2020 Fall semester that allows the University of Jamestown, DON, BSN Program to use a baccalaureate-prepared registered nurse not enrolled in a graduate program for clinical practice instruction, September 27-28, 2020 for Course Nrsrg 424 Child/Adult Health III.
- Approved the request for a change in student learning outcomes for the North Dakota State College of Science (NDSCS), Associate of Applied Science Practical Nurse Program as the program has full approval and the change complies with NDAC 54-03.2-06-02. Programmatic Changes.

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continued from page 7

- Found the Prairie Educational Services, LPN Intravenous Therapy Course in full compliance with requirements according to NDBON Guidelines for Licensed Practical Nurse Intravenous Therapy Courses, ND Administrative Code 54-05-01 Standards of Practice for Licensed Practical Nurses and 54-03.2 Standards for Nursing Education Programs; and granted continued full approval of the Prairie Educational Services, LPN Intravenous Therapy Course until July 2024; and required a paper survey in May 2024 for continued approval.
- Found the Minnesota State Community and Technical College, Workforce Development Solutions, RN Refresher Course in full compliance with Board Guideline Requirements for Nurse Refresher Courses as set forth by ND Administrative Code 54-02-05-05 Non-practicing Nurses; and granted continued full approval of the Minnesota State Community and Technical College, Workforce Development Solutions, RN Refresher Course until July 2024; and required a paper survey in May 2024 for continued approval.
- Approved that the 19 applicants who are ineligible to reapply for the NEL receive 62.76% of the total NEL amount they are eligible for according to NDAC 54-04.1 Nursing Education Loans; and approved that the 19 applicants who are eligible to reapply for the NEL will have their application fee of \$25 refunded and be

encouraged through correspondence to reapply for the NEL next year.

- Ratified the revisions to the "State of Emergency Licensure Exceptions Policy and Procedure".
- Discussed fluoroscopy and the APRN scope of practice. ND Medical Imaging and Radiation Therapy Board representatives were present to provide information and answer questions (see full minutes for details).
- Approved the revisions to the Governance Manual as distributed.
- Approved the 2020-2021 meeting dates and annual retreat.
- Approved Jane Christianson, RN member as President for a two-year term ending July 2022.
- Approved Kevin Buettner, APRN member as Vice-President for a two-year term ending July 2022.
- Approved Jammie Hammer, RN member as Treasurer for a two-year term ending July 2022.
- Approved the proposed 2020-2021 committee charges as distributed.
- Approved the following committee appointments:

Executive Committee: President-Jane Christianson, RN member; Vice President-Kevin Buettner, APRN member; Treasurer-Jamie Hammer,

RN member. Executive Director-Stacey Pfenning

Nursing Education Committee: Chair-Mary Beth Johnson, RN member; Janelle Holth, RN member; Cheryl Froehlich, Public member. Staff: Tammy Buchholz, Associate Director for Education; Stacey Pfenning, Executive Director or Maureen Bentz Associate Director for Practice; Karen Hahn, Administrative and Licensing Specialist

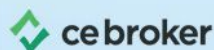
Finance Committee: Chair-Jamie Hammer, Treasurer; Wendi Johnston, LPN member; Kevin Buettner APRN member. Staff: Stacey Pfenning, Executive Director; Michael Frovarp, Accounting & Licensing Specialist.

Risk Management Committee (1/year in June): Julie Dragseth, LPN member. Staff: Directors and Administrative Staff.

Center for Nursing- three-year appointments (2019-2022): Stacey Pfenning, Executive Director; Alternate: Wendy Johnston, LPN member and Maureen Bentz, Associate Director for Practice (added 2020)

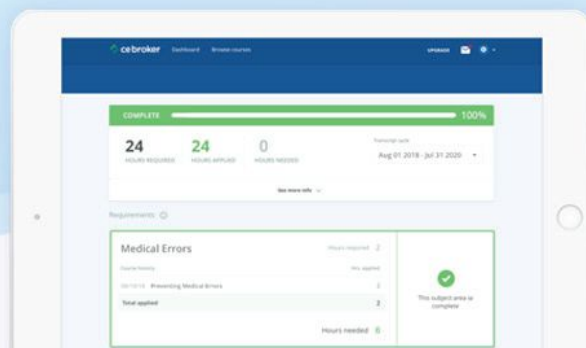
Prescription Drug Monitoring Program (BON/Alternate): Jane Christianson, RN member, President; Stacey Pfenning Executive Director.

Full minutes available at <https://www.ndbon.org/publications/minutes.asp>



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Issue

Modern health care delivery requires that safe and quality care provided by advanced practice registered nurses (APRNs) be dynamic and fluid across state boundaries. The 100-year-old model of nursing licensure is not flexible, enough to best meet this need.

Solution

The Advanced Practice Registered Nurse Compact (APRN Compact) increases access to care, protects patient safety and reduces costs while supporting state-of-the-art health care delivery. The APRN Compact allows for APRNs with 2,080 hours or more of practice to have one multistate license in their home state, with the privilege to practice in other APRN Compact party states without obtaining additional licenses. To join the APRN Compact, states need to enact the APRN Compact model legislation and implement a federal criminal background check for APRN licensure.

Safe and Efficient

- Facilitates the protection of public health and safety by:
 - Codifying uniform licensure requirements mirroring the national APRN Consensus Model to ensure applicants meet licensure standards for participation.
 - Facilitating the exchange of information between party states in the areas of APRN regulation and investigation whenever an issue arises.
 - Ensuring that party states have the authority to hold an APRN accountable in meeting state practice laws.
- Encourages efficiency by:
 - Decreasing redundancies in applying for and maintaining multiple APRN licenses.
 - Promoting and encouraging interstate practice by APRNs.

Benefits of the APRN Compact

- **Access to Care:** Increases access to APRN services across the country quickly and efficiently, which is essential for the health of many rural and underserved communities.
- **Telehealth:** Enables APRNs to practice in person or provide telehealth services to patients located across the country seamlessly and efficiently
- **Disaster/Pandemic Relief:** Allows APRNs to immediately cross state borders and provide vital services in the event of an emergency, without the need to wait for executive declaration.
- **Military Families:** Allows military spouse APRNs to seamlessly continue working upon relocation and change of employment.
- **Online Education:** Facilitates online nursing education.
- **Cost Effective:**
 - **For APRNs:** APRNs do not have to obtain additional nursing licenses, making practicing across state borders affordable and convenient.
 - **For Employers:** The APRN Compact also removes a burdensome expense for organizations that employ APRNs and may share the expenditure of obtaining and maintaining multiple licenses.
- **Flexible Licensure:** Allows APRNs to obtain or maintain a single state license if preferred.



Unlocking Access to Advanced Practice Nursing Care Across the Nation

Frequently Asked Questions

Practice and Continuing Education (CE) Requirements

Please note: Renewal reminders will be sent via email. Paper/postcard reminder will no longer be mailed. If you have had a change of email address, please visit www.ndbon.org and choose demographic updates under nurse licensure to update email address to receive renewal and other notices.

The North Dakota Board of Nursing frequently receives questions regarding the renewal process. Following are some of the common questions received.

Practice Requirements**Are there practice requirements for license renewal in North Dakota?**

Yes, all individuals renewing a nursing license must meet or exceed 400 hours of nursing practice in the preceding four (4) years. Hours practiced in another regulated profession cannot be used for nursing practice hours.

- Nurses who have completed a refresher course within the preceding year or graduated

from a nursing undergraduate or nursing graduate program in the last four years with less than 400 hours of nursing practice will be able to renew their license without meeting this requirement.

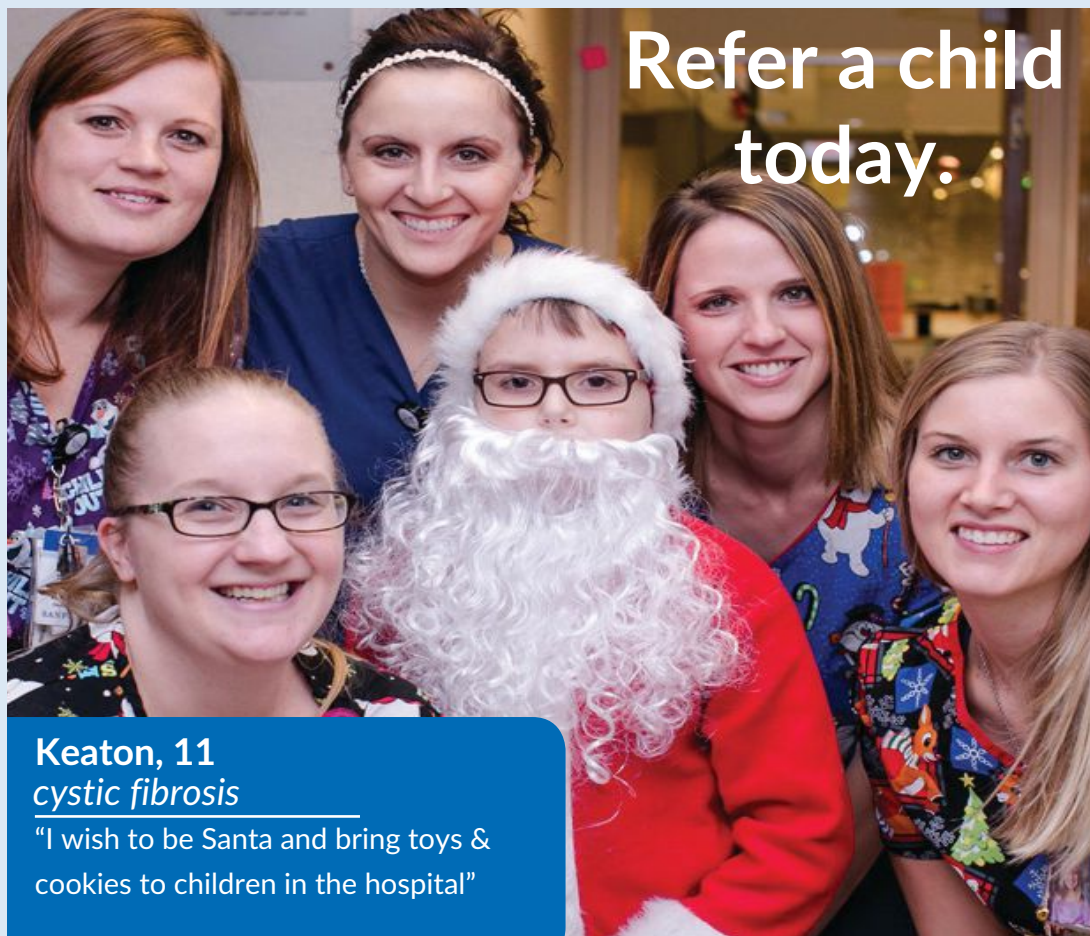
CE Requirements**Is CE required for license renewal in North Dakota?**

Yes, all individuals renewing a nursing license must complete 12 contact hours of CE obtained within the preceding two (2) years.

- An applicant that obtained initial licensure through examination will not need to complete additional contact hours of approved CE

before first renewal of a nursing license. The requirements have been met through academic coursework.

- An applicant for reactivation of a license can use refresher course contact hours for the first renewal cycle after reactivation of a license.
- An APRN with Prescriptive Authority must complete 15 contact hours of education during the previous two (2) years in pharmacotherapy related to the scope of practice. The pharmacotherapy CE must be itemized on the certificate of completion. These contact hours fulfill the registered nurse renewal CE requirement.



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Am I required to obtain CE in specific areas? No

What is the time frame for getting my CE?

The CE is to be completed within the 2 years prior to the expiration date on the license.

I completed 40 contact hours last licensure period and only needed 12. Does that mean that I can use the other 28 hours for this licensure period?

No. Contact hours do not carry over from one license renewal period to another. You must complete at least 12 contact hours of approved CE in each two (2) year license renewal period to renew a license to practice nursing in North Dakota.

What if I am unable to complete the required contact hours needed for renewal. Can I get an extension?

No, the Board does not issue extensions – the CE requirement must be met before renewal. Failure to meet the CE requirement may result in disciplinary action and penalty fees.

- CE completed after December 31 in the year of renewal will be assessed a fee of \$50 per contact hour earned after that date (i.e. - \$600 for 12 contact hours done after December 31).
- If audited, failure to provide proof of CE may result in sanctions against your nursing license (i.e. - \$500 for LPN Reprimand or \$600 for RN Reprimand).

I am currently maintaining my certification in another health care profession. Can I use the CE to fulfill my license renewal requirements for contact hours?

The North Dakota Board of Nursing will accept, at face value, the number of hours awarded for an educational activity that has been approved for CE, provided it was approved by one of the following:

- The North Dakota Board of Nursing

- A health care regulatory board or professional organization of any state that is nationally/internationally accredited to approve CE.
- Accredited college or university credit may be used to meet the CE requirement.

Contact hours obtained for renewal of license or certification in another regulated profession cannot be used for maintaining nursing licensure.

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NURSING

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Essentia Health

continued from page 11

Do I send my CE records to the Board?

No. You will ONLY need to provide proof of CE if you received a notice of continuing education audit. You are required to submit your CE documents through CE Broker if you are audited.

Who keeps track of my CE?

You do. As a professional, you are responsible for keeping track of your own CE records. You must keep your CE documents for at least four (4) years. The Board may audit your CE records for up to four (4) years.

How does the Board know I met the CE Requirement?

Each time you renew your license you verify by attesting to the statement on the renewal form that you have completed the 12 contact hours. It is important that you have **completed** the

CE when you attest to this.

I was just licensed in North Dakota for the first time.

License by Exam - If you recently received your first license in North Dakota and took an examination to receive it, and this is your first renewal of that nursing license, you are NOT REQUIRED to have completed CE courses. You have met the requirement through your academic coursework and MUST verify by attesting to the statement on the renewal form.

License by Endorsement - If you recently received your first license in North Dakota and have moved from another state, you are considered to have received your license or certificate by "ENDORSEMENT". Even though this may be your first renewal you MUST verify by attesting to the statement on the renewal form that you have completed the required 12 contact

hours. Credit received for successful completion of a course taken through an accredited college or university may be used to meet the CE requirement.

I'm not working right now.

Whether you are working or not has no bearing on your CE requirement. The CE requirement is directly related to renewal of your license in ND.

I don't plan to renew my license. What do I need to do?

Inactive Status - If you do not renew your license it will become "Inactive". You may not work as a nurse if your license is inactive. There is an additional fee to reactivate a license from inactive status.

Board approved: 3/04

Reviewed/Revised: 05/17, 7/19, 9/2020

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Frequently Asked Questions Continuing Education (CE) Audit

The Board monitors compliance with the CE requirement through an audit system. If a licensee receives a notice of continuing education audit after online renewal they are required to provide proof of CE completion.

- If audited, you will receive a link to CEBroker to input proof of CE. Board staff will verify completion of required CE through CEBroker. Do not print or send anything to the Board office.

How long should CE records be kept?

Records must be kept for at least four (4) years.

What records should be kept?

Documentation of completion of CE activities should be supplied

by the provider of the activity. Documentation should contain the following information:

- Licensee's name
- Title of the education activity or course
- Approval code or course number
- Date of program completion
- Name of the provider/instructor
- Name of the organization which approved the program for CE
- Contact hours

For academic credit, an unofficial college transcript or grade report showing licensee's name, the name of the school, the number of credit hours completed and the dates attended:

Board approved: 3/04

Reviewed/Revised: 06/14, 9/2020



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Frequently Asked Questions Approved Continuing Education (CE)

How do I know if an educational activity is acceptable?

The NDBON accepts, at face value, the number of hours awarded for an educational activity that has been approved for CE. The CE must be approved by one of the following:

- The North Dakota Board of Nursing
- A health care regulatory board
- A professional organization of any state that is nationally accredited to approve CE
- An accredited college or university

The statement on my certificate states that the course meets the requirements for CE of another

board of nursing. Does this mean it is approved CE for my North Dakota nursing license renewal?

No. Approval is a formal process that involves review of the program components *prior* to offering the CE. A statement that the CE meets a requirement alone is not approval and therefore is not acceptable for CE required by the NDBON.

I am taking college courses. Can I use these courses to meet my CE requirement?

Yes. Credit received for successful completion of a course taken through an accredited college or university may be used to meet the CE requirement. This is called "Academic Credit" and translates into contact hours as follows:

- 10 contact hours = One academic quarter hour
- 15 contact hours = One academic semester hour

I can't always get to the classes when they are offered. Can I get my CE at home?

Yes you may obtain CE through independent study activities taken through mail order courses or the internet. There is no limit to the number of contact hours you may obtain through independent study.

CAUTION! It is up to you to make sure that the educational activities you choose are acceptable to meet the CE requirement to renew your license. Look at the advertising for the course/function - approval should be mentioned.

I took a course that met the requirements for CE of another board of nursing. Does that mean it is approved CE?

No. Approval is a formal process that involves review of the

program components. Meeting a requirement alone is not approval.

I taught a course that was approved for contact hours; can I use the contact hours to meet the CE requirement for renewal?

Yes, you may use the approved CE, up to six (6) contact hours, for teaching a course one time during a renewal period. The presentation or lecture must be outside of the normal duties of the job and approved for contact hours.

I had a nursing article published in a refereed journal, can I use contact hours to meet the CE requirement for renewal?

Yes, Evidence of publication of one article related to nursing practice in a refereed journal, one book chapter, or research project published in the license renewal time frame may be submitted for verification of the 12 contact hours.

The educational activity I took was not approved for CE.

The Board does not retroactively approve courses for CE. It is the responsibility of the course provider to get the activity approved for CE before you take it. If the educational activity was not approved for CE or you did not receive academic credit, you will not receive credit toward the CE required to renew your license.

I'm required by my employer to take CPR or Advanced Life Support Courses. Do these count?

No, not all educational activities completed are acceptable as CE. The following DO NOT MEET the CE requirement in ND:

- Basic Life Support classes;
- CPR classes;
- Recertification Courses

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(shortened version) for Advanced Life Support Skills (ACLS, PALS, and NRP). Please note, the comprehensive Advanced Life Support Skills courses completed in their entirety may be used to meet CE requirements once each two-year licensure renewal cycle.

- Repetition of any educational activity with identical content and objectives within a single reporting period;
- Agency specific orientation or in-service programs;
- Self-directed independent study activities that have not been approved for CE;
- A personal development activity;
- Community service or volunteer practice;
- Board-ordered CE;
- Membership in a professional nursing organization;
- Professional meetings or conventions except for those portions approved for CE;
- UpToDate activity certificates do not meet the requirement for Pharmacology specific CE for Prescriptive Authority.

What happens if I did not complete my 12 credits of CE?

CE completed after December 31 in the year of renewal will be assessed a fee of \$50 per contact hour earned after that date (i.e. - \$600 for 12 contact hours done after December 31).

If audited, failure to provide proof of CE may result in sanctions against your nursing license (i.e. - \$500 for LPN Reprimand or \$600 for RN Reprimand).

Advanced Practice Prescriptive Authority CE

How many pharmacology specific CE contact hours are required for renewal of prescriptive authority?

Renewal requires 15

pharmacology CE contact hours in the past 2 years (24 months).

Must the pharmacology CE contact hours be indicated or itemized on the CE certificates for Prescriptive Authority?

Yes. Only certificates which itemize pharmacology CE will be accepted.

Does the NDBON accept UpToDate Certificates for the pharmacology CE requirement?

No. UpToDate activity certificates do NOT meet the requirement for pharmacology specific CE for prescriptive authority.

Board approved: 3/04

Reviewed/Revised: 08/19, 9/2020

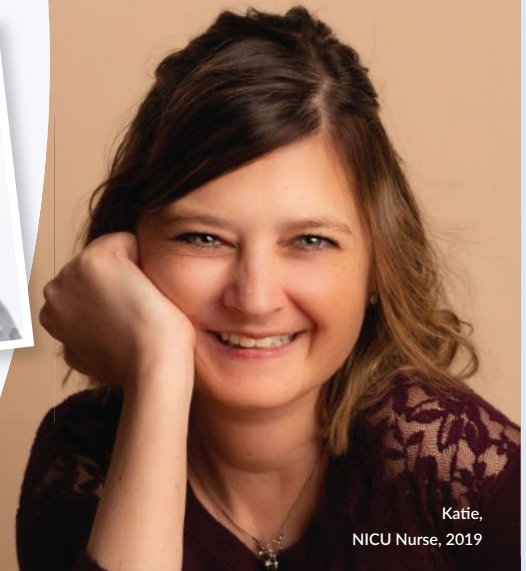
A critical illness can be life-changing.



Katie
wish granted, 1994

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A wish can be life-changing.



Katie,
NICU Nurse, 2019

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The North Dakota Board of Nursing Partners with CE Broker

CE Broker is now the official CE tracking system of the North Dakota Board of Nursing. Your board has provided you with a free Basic Account, so you have our most helpful CE tracking tools right at your fingertips.



Free access

With the free Basic account, you will have access to your Course History. This lists all of the courses you have completed so far so you can easily find and report any CE that might be missing. You will never have to pay to access all the necessary tools to renew your license.



Comprehensive course search

One of the best tools we offer licensees is our Course Search. You can find every course you need to complete your license renewal. After you are finished with each course, many educational providers will report to CE Broker for you.



Helpful support center

Our support center is staffed with experts who have been trained on the rules and regulations of the North Dakota Board of Nursing. You can reach them by phone, live chat, or email 8AM-8PM ET Monday through Friday.

Upgraded account options

You can also subscribe to Professional or Concierge Accounts, which offer above-and-beyond CE tracking tools to further simplify your renewal process. With our Professional account you can access a personal CE Transcript which outlines exactly what requirements you have left to complete. The Concierge account includes your own CE Broker account manager who can guide you through the CE process, step by step.



How to activate your free CE Broker account

- 1 | Visit www.cebroke.com/nd/plans
- 2 | Select the Sign Up button under the Basic Account option.
- 3 | Enter your license number and get started!



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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
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LPN Member, BurkeNancy Nelson
RN Member, SturgisRobin Peterson-Lund
CNP, APRN Member, KadokaLois Tschetter
RN Educator Member, Brookings**South Dakota Board of Nursing Scheduled Meetings****2020**

November 19-20

2021

February 10-11

May 12-13

August 11-12

November 9-10

Agenda, which will include time and location will be posted 3
business days prior to the meeting on Board's website.

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

Access

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

Verify

Nurse Licensure and
UAP Registration:
[http://doh.sd.gov/boards/nursing/
verificationlink.aspx](http://doh.sd.gov/boards/nursing/verificationlink.aspx)

Board Staff Directory

Linda Young, MS, RN, FRE, Executive Director
Program Director, SD Center for Nursing Workforce
Concerning Nursing Practice: LPN, RN, APRN; Nursing
Workforce Information

Linda.Young@state.sd.us
(605) 362-2772

Abbey Bruner, Senior Secretary
Concerning Name Change; Licensure Requests: Renewal, Inactivation,
Reactivation, Reinstatement

Abbey.Bruner@state.sd.us
(605) 362-2760

Glenna Burg, MS, RN, CNE, Nursing Education Specialist
Concerning Nursing Education Programs; Nursing Education
Scholarship

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(605) 362-2766

Erin Matthies, Operations Manager
Concerning Licensure Verification; Mailing List Requests

Erin.Matthies@state.sd.us
(605) 362-3546

Francie Miller, BSN, RN, MBA, Compliance Director
Concerning Complaints and Investigations: LPN, RN, APRN;
Monitoring and Compliance Issues

Francie.Miller@state.sd.us
(605) 362-3545

Tessa Stob, BSN, RN, Nursing Program Specialist
Concerning Unlicensed Assistive Personnel Training Program
Approval: Medication Aide (UMA), Dialysis Technician (UDT),
Diabetes Aide (UDA), Certified Nurse Aide (CNA); Complaints and
Investigations: Unlicensed Registrants (UMA, UDA, UDT)

Tessa.Stob@state.sd.us
(605) 362-2770

Jill Vanderbush, Program Assistant
Concerning LPN, RN Licensure by Endorsement; APRN Initial
Licensure; LPN, RN Refresher Program, Limited Licenses

Jill.Vanderbush@state.sd.us
(605) 362-2769

Ashley Vis, Program Assistant
Concerning Unlicensed Assistive Personnel Registration & Renewal:
CNA, UDA, UDT, UMA; Proctor Agreements for UAP Testing; LPN,
RN - Licensure by Examination

Ashley.Vis@state.sd.us
(605) 362-3525**DISCIPLINARY ACTIONS TAKEN BY THE SOUTH DAKOTA BOARD OF NURSING**

Name	License Number	March Board Action
Boadwine, Michelle	R039014	Letter of Reprimand
Brech, Misty	P011590	Suspension
Carmody, Sean	R050956	Letter of Reprimand
Chapman, Megan	R037649	Grant Reinstatement with Mandated HPAP
Davis, Steven	CP001040 & R031299	Letter of Reprimand with Mandated HPAP
Elvik, Anna	R048962	Voluntary Surrender
Erickson, Brian	R036783	Letter of Reprimand
Fisher, Freddy	R050363	Voluntary Surrender
Frane, Tara	R033970	Letter of Reprimand
Hansen, Mindi	R037140	Stayed Suspension with Mandated HPAP
Hight, Joelle	R043749	Letter of Reprimand
Hulstein, Pamela	CM000059	Letter of Reprimand
Jennings, Angela	R029356	Stayed Suspension with Mandated HPAP
Keeter, Christine	R020552	Letter of Reprimand
Kracht, Cherie	P010082	Stayed Suspension with Mandated HPAP
Larkin, Chelsea	R034548	Stayed Suspension with Mandated HPAP
Luxem, Emily	R052096	Summary Suspension
Neilan, Micky	R027875	Stayed Suspension with Mandated HPAP
Pierson, Julie	R031160	Stayed Suspension with Mandated HPAP
Rasmussen, Mary	R046624	Voluntary Surrender
Smith, Nicholas	R047999	Stayed Suspension with Mandated HPAP
Triebwasser, Kalcy	R036250	Letter of Reprimand
Wehr, Corey	R050466	Summary Suspension
Wehr, Corey	R050466	Voluntary Surrender
Wermers, Krissa	R043014	Stayed Suspension with Mandated HPAP

DISCIPLINARY ACTIONS TAKEN BY THE SOUTH DAKOTA BOARD OF NURSING

Name	Registrant Number	April Board Action
Devlin, Sara	M006452	Suspension
Gade, Michael	M003852	Letter of Reprimand
Ross, Nichole	M008062	Suspension
Ruiter, Steve	M003891	Letter of Reprimand
Van Wyhe, Steven	M003847	Letter of Reprimand

South Dakota Board of Nursing Meeting Highlights September 2020

Board Meetings:

Pursuant to SDCL 36-9-17, the South Dakota Board of Nursing is required to meet annually and as often as necessary to transact its business. 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 state's website for specific information, <https://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=68>, and to read the meeting minutes.

Scheduled 2020 Board Meetings **November 19-20, 2020**

Scheduled 2021 Board Meetings **February 10-11, 2021** **May 12-13, 2021** **August 11-12, 2021** **November 9-10, 2021**

Practice:

LPN, RN, and APRN practice laws, Board position statements, advisory opinions and other practice related resources are located on the Board's website at: https://doh.sd.gov/boards/nursing/APRN_Practice.aspx and https://doh.sd.gov/boards/nursing/APRN_Practice.aspx.

September 24, 2020

- The Board moved to reappoint Jo Gibson, CNP, FNP and Alexia Klinkhammer, CRNA for a third term to the Board's APRN Advisory Committee. The purpose of the committee is to assist the Board of Nursing in evaluating standards of advanced practice nursing care and the regulation of APRNs pursuant to SDCL 36-9 and 36-9A. The committee meets face-to-face at least annually or more often to conduct business.

Nursing Education:

September 24, 2020

- The Board granted prerequisite status for a practical nursing program at Presentation College.
- The Board granted interim status for the LPN to AD RN program at Mitchell Technical College.

- The Board granted approval for Western Dakota Technical College's request for relocation of the practical nursing program with an additional site located in Whitewood, SD.
- The Board approved a request from the Avera Heart Hospital of South Dakota for a Clinical Enrichment Program.
- The Board approved a request from the Minnesota State Community and Technical College Workforce Development Solutions to begin offering a South Dakota RN Refresher Course.
- The Board accepted Sisseton Wahpeton College's request to place the practical nursing program on voluntary hold.
- The Board accepted Southeast Technical College's notification that Jaclyn Kramer, MSN, RN was named the new nursing program administrator.
- The Board accepted Mount Marty University's notification that Andrea Roberts, DNAP, CRNA was named the new CRNA program director.

Center for Nursing Workforce (CNW):

Visit the CNW's website, <https://doh.sd.gov/boards/nursing/sdcenter.aspx>, for information on nursing supply, education, and links to nursing healthcare resources.

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 <http://www.doh.sd.gov/boards/nursing> Select "License Verification."
 - The Board's unlicensed registry *only* provides assurance that individuals listed on the registry have met

continued on page 20



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SOUTH DAKOTA
DEPARTMENT OF
HEALTH

dp SOUTH DAKOTA
DIABETES
PROGRAM

continued from page 19

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.
- **Nurse Licensure Compact (NLC):** South Dakota is a member of the NLC. LPNs and RNs who hold a multi-state

compact license can provide care to patients in other NLC 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/compacts.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.

Prevent a Lapsed License:

- A lapsed nursing license is a serious violation of the Nurse Practice Act. A nurse who has a lapsed license must pay an additional fee to reinstate the license and may also incur discipline. Nurses who 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 courtesy 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.ncebn.com/e-notify>

South Dakota Health Professionals Program:

- The Board contracts with Midwest Health Management Services to offer the South Dakota Health Professionals Assistance Program (HPAP), 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>

South Dakota Board Members Honor Gloria Damgaard with Star Quilt



Board members presented a beautiful Lakota star quilt, representing honor and generosity, to Gloria Damgaard, past Executive Director of the South Dakota Board of Nursing. The star quilt is one of the most valued gifts of the Lakota Sioux people according to Dr. Robin PetersenLund, SDBON APRN member and member of the Lakota Sioux. Following the Lakota tradition, the Board members draped the quilt over Gloria's shoulders, symbolizing her journey through life and honoring her generosity to the nursing profession. Board members gave Gloria a Lakota blessing, "*Chante waste nape ciyuzapo, Wopilla tanka, Wacantoognaka*", phonetically pronounced, "*Chan tay washday nay pay chee you za poe, Whoa pea la tawn kah, Wah chan too nah kay*". Translated in English as "*I greet you from my heart, with thanksgiving we thank you for your life of generosity you have given for all, generosity you have given.*"



Registered Nurse Scholarship Recipients Announced

The South Dakota Board of Nursing offers the Nurse Education Assistance Scholarships 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 the scholarships, go to <https://doh.sd.gov/boards/nursing/loan.aspx>.

Congratulations to the scholarship recipients who were approved by the Board of Nursing at the June 2020 meeting. A total of \$77,450 was awarded.

Name	Degree Sought
Augustana University	
Sarah Frederick	BSN
Julia Gonzales	BSN
Kaitlyn Hanna	BSN
Rachel Rosenbaum	BSN
Chantelle Stucky	BSN
Capella University	
Terri Clark	DNP
Dakota Wesleyan University	
JoAnn Ginalias	LPN-BSN
Jordan Goens	LPN-BSN
Jocelyn Goodman	LPN-BSN
Kaitlyn Greenhoff	BSN
Isis Insua	BSN
Emily Kitterman	LPN-BSN
Tasha Mortenson	LPN-BSN
Kayla Picht	BSN
Sage Pulse	BSN
Mary Reider	BSN
Talisa Smith	BSN
Miranda Voelker	BSN
Rebecca Wahlen	BSN
Rachel Wahlen	BSN
Chris Wahlen	BSN
Kaylie Zens	BSN
Frontier Nursing University	
Abigail Marek	MSN
Indiana Wesleyan University	
Colette Schwartz	MSN
Maryville University	
Hilary Buryanek	MSN
Mount Marty College	
Anthony Bergstrom	DNAP
Shelby VonOvershelde	DNAP
Presentation College	
MiKayla Forsting	BSN
Patrick Koistinen	MSN
Lisa Martin	MSN
Norma Torres Ortiz	MSN

South Dakota State University	
Marinda Archer	BSN
Katlyn Bartz	BSN
Courtney Becker	BSN
Jessica Berndt	BSN
RoseMarie Blote	BSN
Julie Bolding	BSN
Megan Brown	BSN
Jessica Buhr	BSN
Ally Carpenter	BSN
Jessica Christensen	BSN
Acadia Clark	BSN
Christel Dodd	BSN
Brooklyn Donald	BSN
Molly Dowling	BSN
Michael Dumdei	BSN
Danielle Emmett	BSN
Kara Feistner	BSN
Keeley Fischbach	BSN
Ashley Fischbach	BSN
Kiara Glanzer	BSN
McKenzie Gloege	BSN
Marcus Goodfellow	DNP
Brooke Hankel	BSN
Andrea Hearting	BSN
April Hoffman	BSN
Jessica Houser	BSN
Justice Howard	BSN
Kylie Huygens	BSN
Baylee Ideker	BSN
Anna Jealous of Him	BSN
Tori Jensen	BSN
Allie Kingsbury	BSN
Wendy Kurtz	BSN
Kaci Madsen	BSN
Jazmin Maxey	BSN
Collee McNamara	BSN
Cori McNamara	BSN
Ashley Mehlhop	BSN
Randa Mikkelsen	BSN
Amanda Miles	BSN

South Dakota State University (Cont)	
Tasha Mueller	BSN
Bailey Niemann	BSN
Kaitlyn Norfolk	BSN
Brooke Phillips	BSN
Madelyn Ponto	MSN
Macy Reynolds	BSN
Miah Schallenkamp	BSN
Stacia Snoozy	BSN
Kristan Soukup	BSN
Alaina Struwe	BSN
Samantha Suek	BSN
Laura Thomas	DNP
Mallory Trapp	BSN
Kessa Tribby	PhD
Molly Tschetter	DNP
Damaris Waldner	BSN
Todd Wilen	BSN
Tia Zutter	BSN
Southeast Technical College	
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Kelsey Horvorka	AD RN
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Full Practice Authority for Certified Registered Nurse Anesthetists and Update on Promulgation of Rules

By Linda Young, Executive Director, South Dakota Board of Nursing

During the 2020 South Dakota Legislative Session, Senator Deb Soholt and Representative Jean Hunhoff sponsored Senate Bill 50 (SB50), a bill to modernize the scope of practice in SDCL 36-9 for certified registered nurse anesthetists (CRNA). The bill, enacted by the legislature and signed by Governor Noem went into effect on July 1, 2020. The Board of Nursing acknowledges the work of the SD APRN Coalition consisting of representatives from

nursing education, regulation, and practice, along with the APRN Coalition lobbyist, Kitty Kinsman and Jen Stalley, who made this effort successful.

CRNA's practice laws in SDCL 36-9-3.1 and 36-9-3.2 were initially enacted into law in 1979 with no major updates since that time. The new changes as a result of SB50 brought South Dakota in better alignment with national standards for the education, practice and regulation of CRNAs. One major

change was the repeal of the mandate for physician collaboration and practice setting requirements that limited CRNAs to only practice in a licensed health care institution or a physician's office. Extensive research demonstrated the safety of CRNA practice and provided the basis for removing these restrictions. SDCL 36-9 continues to define collaboration, however, and requires CRNAs to collaborate with healthcare providers while performing anesthesia and providing pain management services. They are required to refer and transfer patients as appropriate. The legislation was not meant to discourage collaboration, and therefore, it remains a requirement in the revised practice act.

The new law also expanded CRNA practice to include performing advanced comprehensive nursing assessments and evaluations, prescribing treatments and medications, including Schedule II controlled substances within the role of a nurse anesthetist for anesthesia and pain management, ordering diagnostic tests, and signing official documents. In addition, the law authorizes the Board to promulgate rules for the implementation of prescriptive authority within the role of a CRNA, the use of radiography, and the specific procedures for pain management.

Promulgating rules requires the Board to follow a formal process, including holding a public hearing to consider the adoption of the proposed rules and provide the public the opportunity for

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comments on the proposed rules. The Board held the hearing on September 24, 2020. Originally, five new rules were proposed, however one was deleted due to requirements of the Legislative Research Council (LRC) for form, style, clarity, and legality. Along with minor editorial revisions, the LRC required the Board to delete ARSD 20:48:04:08 which was on the usual and customary practice of a CRNA. The LRC determined the proposed rule did not implement anything and was a commentary on the scope of the proposed rules; and since a rule cannot change statute and since the proposed rule was not amending any previously granted regulatory authority, there was no reason to include it. Therefore, the proposed rule was deleted. *The deleted rule was intended to clarify that the new law in SDCL 36-9-3.1 did not change the usual and customary practice of a*

CRNA and that nothing in the new law authorizes a CRNA to make a primary and differential diagnosis.

At the hearing, the board considered all written and oral comments received; a summary of responses was provided to the board on opposing testimony. Based on the testimony, the Board chose to amend proposed rules ARSD 20:48:04:10 and 20:48:04:11 to include additional requirements for CRNAs not practicing in a licensed health care setting to obtain approval from the board for education prior to the use of radiography and performance of pain procedures. After the hearing, the Board adopted the following four rules revised for form and style with amendments. These rules will be presented to the Interim Legislative Rules Committee on November 10, 2020 for approval. It is anticipated the rules will become effective in late December 2020.

Proposed Rules:

20:48:04:08 Scope and standards of nurse anesthetist practice - - Prescriptive Authority.

A nurse anesthetist who holds an active, unencumbered license in this state is authorized to prescribe, procure, administer, and furnish pharmacological agents, including receiving and distributing drug samples to clients, within the role of a nurse anesthetist and in accordance with applicable state and federal laws.

Prescribing includes the act of generating written or oral direction, reduced to writing, to or for an individual for the preparation of, use of, or manner of using a drug or therapeutic device, which is required by the United States Food and Drug Administration to meet the labeling

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requirements for prescription drugs and devices.

A drug sample means a prepackaged unit of a prescription drug supplied by the manufacturer and provided at no charge to the client. A nurse anesthetist may provide labeled drug samples to patients for conditions being treated by the nurse anesthetist. Each drug sample must be accompanied by written administration instructions.

Prescriptive authority may be modified, denied, suspended or terminated pursuant to SDCL 36-9-49 and in compliance with SDCL 1-26 when a licensee has prescribed outside the role of a nurse anesthetist, prescribed for other than therapeutic purposes, or violated any state or federal law or regulation applicable to prescriptions or prescribing.

Source:

General Authority: SDCL 36-9-3.1.

Law Implemented: SDCL 36-9-3.1, 36-9-49(5), (7), and (10).

20:48:04:09 Scope and standards of nurse anesthetist practice - - Controlled substance prescribing.

Prior to prescribing any controlled substances listed in SDCL chapter 34-20B, a nurse anesthetist who meets state and federal controlled substance registration requirements, shall register with the state's prescription drug monitoring program and meet the requirements of SDCL chapter 34-20E.

The standards for documentation of patient care when prescribing controlled substance drugs for the treatment of chronic, non-cancer pain include:

- (1) Documentation of results of medical examinations, diagnostic or laboratory tests;

- (2) Documentation of a patient's medical and psychosocial history;
- (3) Documentation of advanced comprehensive nursing assessment;
- (4) Documentation that appropriate state prescription drug monitoring programs were accessed;
- (5) Documentation of a patient's treatment agreement, if used;
- (6) Documentation of having provided instructions to the patient, or the patient's representative, of the benefits and risks of controlled substances, the proper use and storage of drugs, and the proper disposal of unused drugs;
- (7) If prescribing opioid drugs, documentation of instructions including the risk of addiction, overdose, and death, and the use of naloxone products to reverse an overdose;
- (8) Documentation of progress of pain management and functional improvement; and
- (9) Documentation of collaboration with other health care providers.

Chronic pain means an ongoing, recurrent, or persistent pain that: (a) lasts beyond the usual course of an acute illness or injury; or (b) is at least three months in duration.

Source:

General Authority: SDCL 36-9-3.1.

Law Implemented: SDCL 36-9-49(5), (7), and (10).

20:48:04:10 Scope and standards of nurse anesthetist practice - - Use and supervision of radiography. A nurse anesthetist may order, interpret, and supervise radiographic procedures including fluoroscopy to initiate a patient-specific anesthesia or pain management plan of care. A nurse



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anesthetist shall utilize operators of radiation equipment in accordance with §§ 44:03:01:14.01 through 44:03:01:14.03. All radiographic procedures must be performed in accordance with applicable federal and state laws and the requirements of article 44:03.

Prior to use of fluoroscopy, a nurse anesthetist shall complete education that includes content on radiation physics, radiobiology, radiological safety and radiation management applicable to the use of fluoroscopy. A nurse anesthetist, who uses fluoroscopy in a health care setting licensed under SDCL 34-12 meeting radiological requirements pursuant to Articles 44:75 and 44:76, shall meet the institution's requirements prior to use of fluoroscopy. A nurse anesthetist who uses fluoroscopy in a setting that is not licensed pursuant to SDCL 34-12, shall complete an educational program

approved by the Board and shall provide documentation of completion of required education to the board.

Source:

General Authority: SDCL 36-9-3.1.

Law Implemented: SDCL 36-9-3.1.

20:48:04:11 Scope and standards of nurse anesthetist practice -- Procedures for pain management.

Pain management procedures may include the use of medications, regional anesthetic techniques, therapeutic injections, sympathetic blocks, or other pain relief modalities performed in compliance with accepted standards of practice.

Prior to the performance of pain management procedures, a nurse anesthetist shall complete education that includes content on the physiology of pain, pain

assessment, treatment options, and demonstrated competence to perform a procedure. A nurse anesthetist, who performs pain management procedures in a health care setting licensed under SDCL 34-12, shall meet the institution's requirements prior to performance of the procedures. A nurse anesthetist who performs pain management procedures in a setting that is not licensed pursuant to SDCL 34-12, shall complete an educational program approved by the Board and shall provide documentation of completion of required education to the board.

Source:

General Authority: SDCL 36-9-3.1.

Law Implemented: SDCL 36-9-3.1.

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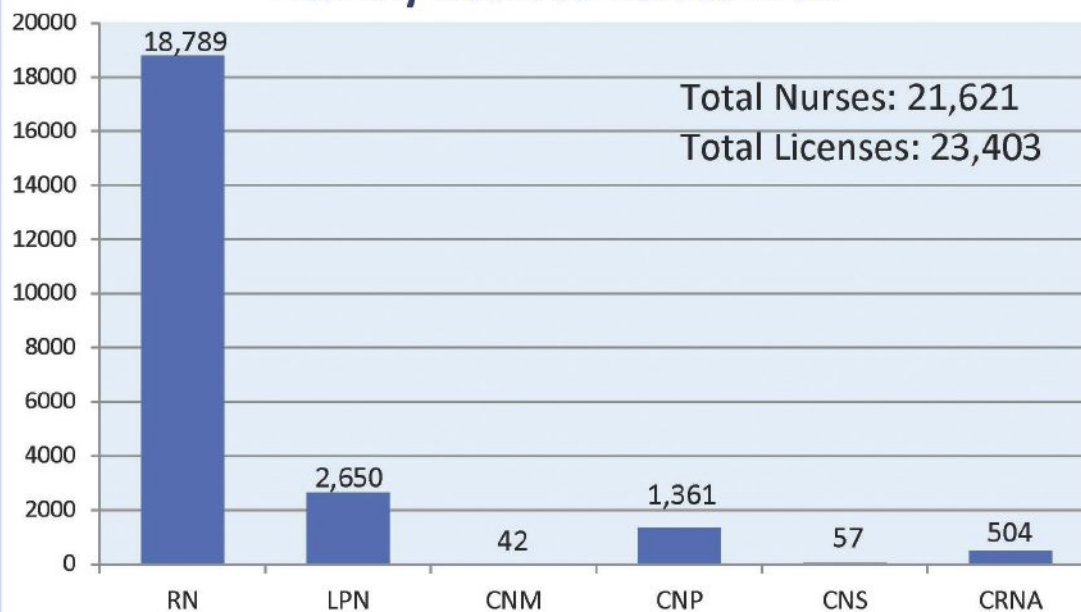
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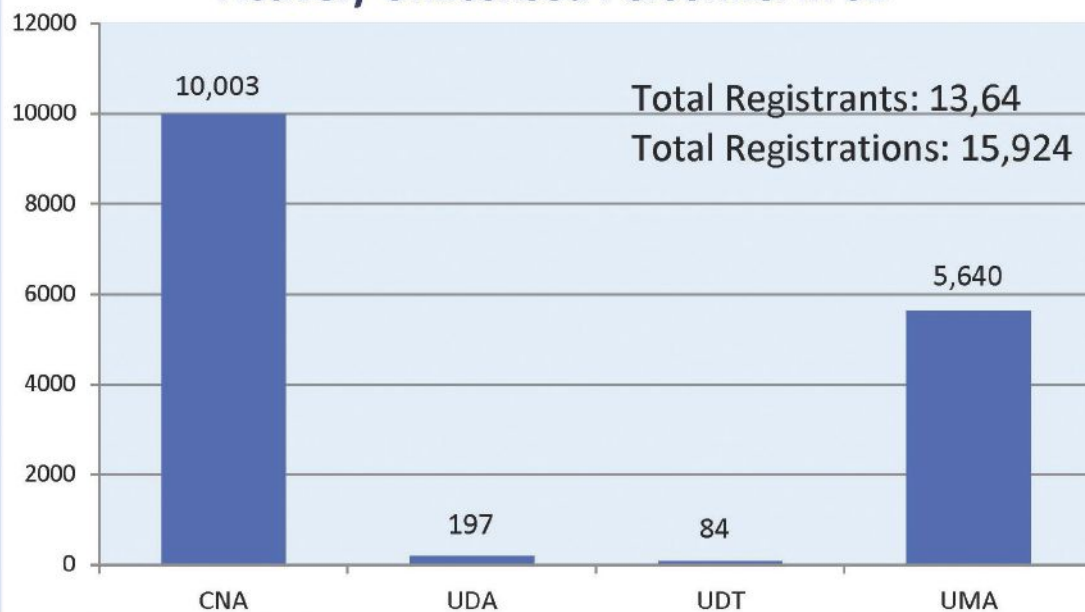
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Be on High Alert for Spear Phishing Scams

Scammers target specific individuals by connecting the dots of that individual's communication sphere and current circumstances. For example: we have seen that scammers pose themselves as a business function or management to communicate with other employees and/or business colleagues to disclose their personal information, login credentials or trade secrets.



Scammers are targeting nurses by sending them official looking letters from nursing regulatory bodies (NRBs) or other state/federal agencies. These scammers know the business of the NRBs and are connecting with the nurses using messaging like “Your license is suspended or will be revoked unless you connect back with us and transfer funds to fulfill the financial obligation related to this inquiry...”

These scammers also look for nurses who may be vulnerable, such as nurses on probation, sending them fraudulent suspension/revocation notices on forged letterheads (logos swiped on an internet search) and asking the nurse to deposit funds to reverse the sanction or call a phone number in the notice. Scammers are ready for such calls and do their best to get personal information or credit card information. These scammers are not only targeting hospital systems for thousands of dollars, they have also realized that there is a vulnerable population ripe for further exploitation.

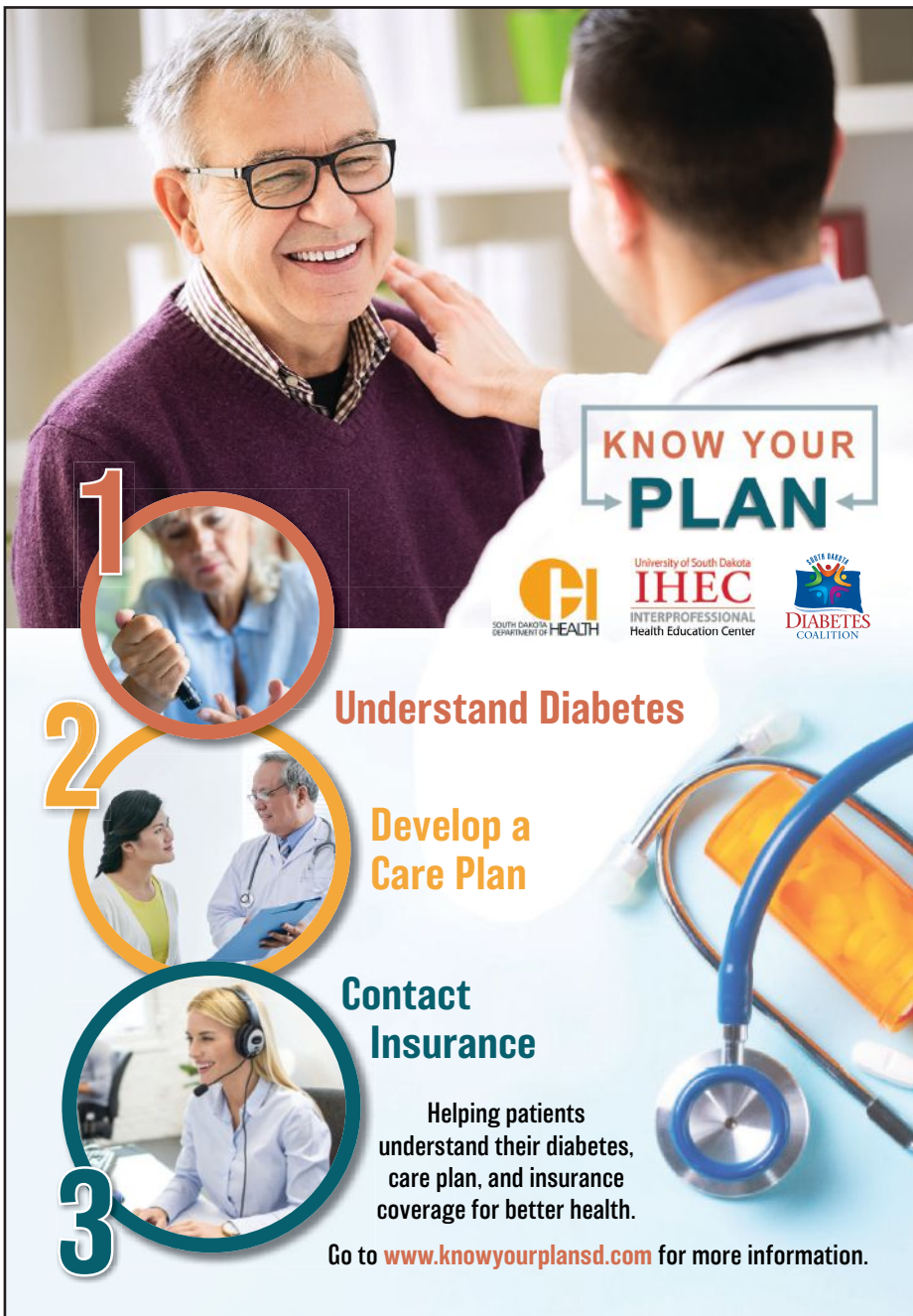
ANYTHING received needs to be scrutinized — emails, phone calls, text messages — in short, anything regarding personal information or private financial information. An individual should pause and first confirm the legitimacy of the sender. **DO NOT** call the number from Caller ID. **DO NOT** reply to the email or text received. **DO NOT** call the number indicated in the notice. **DO** call the number of the organization or entity once you have researched for yourself and know it to be legitimate; only send email or text messages to an email that you know or to a number you are aware of or have determined is legitimate from your own research.

It is imperative to educate our nurse workforce to be vigilant regarding such scams and to let them know some basics:

1. If you receive a phone call, never give out your personal information during the call. Hang up and then only call a number back that you have determined is legitimate through your research.
2. Never reply to a text message asking for you to call the number provided in the text to discuss your imminent “suspension or revocation of your license.”
3. Never reply to an email asking for personal information.
4. Never call a number provided to you in a suspect letter or email.
5. Use your own verified numbers for contacting the NRB.
6. Be vigilant! Do not discard or ignore such communication from scammers, but rather call and/or connect with the NRB to report the scam.

Resources

1. [Hawaii Department of Commerce and Consumer Affairs Warns of New Scam Targeting Licensees](#)
2. [U.S. Drug Enforcement Agency Warns Public of Extortion Scam by DEA Special Agent Impersonators](#)



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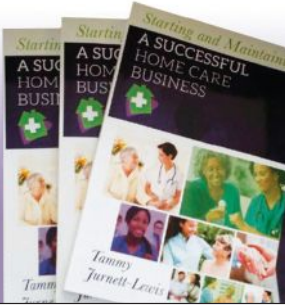
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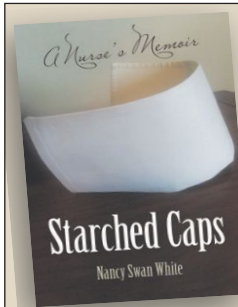
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