

Excerpt from the May 2010 Nursing regulations

12 AAC 44.950. STANDARDS FOR DELEGATION OF NURSING DUTIES TO OTHER PERSONS. (a)

A nurse licensed under AS 08.68 may delegate the performance of nursing duties to other persons, including unlicensed assistive personnel, if the following conditions are met:

- (1) the nursing duty to be delegated must be within the scope of practice of the delegating nurse;
 - (2) a registered nurse must assess the patient's medical condition and needs to determine if a nursing duty for that patient may be safely delegated to another person;
 - (3) the patient's medical condition must be stable and predictable;
 - (4) the person to whom the nursing duty is to be delegated has received the training needed to safely perform the delegated duty, and this training has been documented;
 - (5) the nurse determines that the person to whom a nursing duty is to be delegated is competent to perform the delegated duty correctly and safely and accepts the delegation of the duty and the accountability for carrying out the duty correctly;
 - (6) performance of the delegated nursing duty would not require the person to whom it was delegated to exercise professional nursing judgment or knowledge or complex nursing skills;
 - (7) the nurse provides to the person, with a copy maintained on record, written instructions that include
 - (A) a clear description of the procedure to follow to perform each task in the delegated duty;
 - (B) the predicted outcomes of the delegated nursing task;
 - (C) how the person is to observe and report side effects, complications, or unexpected outcomes in the patient, and the actions appropriate to respond to any of these; and
 - (D) the procedure to document the performance of the nursing duty in the patient's record.
- (b) A nurse who has delegated a nursing duty to another person shall provide appropriate direction and supervision of the person, including the evaluation of patient outcomes. Another nurse may assume delegating responsibilities from the delegating nurse if the substitute nurse has assessed the patient, the skills of the person to whom the delegation was made, and the plan of care. Either the original delegating nurse or the substitute nurse shall remain readily available for consultation by the person, either in person or by telecommunication.
- (c) The delegation of a nursing duty to another person under this section is specific to that person and for that patient, and does not authorize any other person to perform the delegated duty.
- (d) The nurse who delegated the nursing duty to another person remains responsible for the quality of the nursing care provided to the patient.

Authority: AS 08.68.100 AS 08.68.405 AS 08.68.410
AS 08.68.340

12 AAC 44.955. DELEGATION OF ROUTINE NURSING DUTIES. (a) Routine nursing duties may be delegated to another person under the standards set out in 12 AAC 44.950. Routine nursing duties are those that

- (1) occur frequently in the daily care of a patient or group of patients;
 - (2) do not require the person to whom the duty is delegated to exercise professional nursing knowledge or judgment;
 - (3) do not require the exercise of complex nursing skills;
 - (4) have a standard procedure and predictable results; and
 - (5) present minimal potential risk to the patient.
- (b) Routine nursing duties that may be delegated include
- (1) monitoring bodily functions;
 - (2) taking and recording vital signs;
 - (3) transporting patients;
 - (4) non-invasive collection and testing of physical specimens;
 - (5) measuring and recording fluid and food intake and output; and
 - (6) personal care tasks such as bathing, oral hygiene, dressing, toileting, assisting with eating, hydrating, and skin care.

Authority: AS 08.68.100 AS 08.68.405 AS 08.68.410

12 AAC 44.960. DELEGATION OF SPECIALIZED NURSING DUTIES. (a) Specializing nursing duties are those duties that do not require professional nursing education to correctly perform, but require more training and skill than routine nursing duties. Specialized nursing duties may be delegated to another person under the standards set out in 12 AAC 44.950.

- (b) Specialized nursing tasks that may be delegated include
- (1) changing simple, nonsterile dressings using aseptic technique when no wound debridement or packing is involved;
 - (2) assisting patients with self-medication;

- (3) obtaining blood glucose levels;
- (4) suctioning of the oral pharynx;
- (5) providing tracheostomy care in established, stable patients;
- (6) removal of internal or external urinary catheters;
- (7) adding fluid to established gastrostomy tube feedings and changing established tube feeding bags; and
- (8) placing electrodes and leads for electrocardiogram, cardiac monitoring, and telemetry.

(c) A nurse who delegates a nursing duty to another person under this section shall develop a nursing delegation plan that describes the frequency and methods of evaluation of the performance of the delegated duty by the other person. The delegating nurse shall evaluate a continuing delegation as appropriate, but must perform an evaluation on-site at least once every 90 days after the delegation was made. The delegating nurse shall keep a record of the evaluations conducted.

Authority: AS 08.68.100 AS 08.68.405 AS 08.68.410

12 AAC 44.965. DELEGATION OF THE ADMINISTRATION OF MEDICATION. (a) The administration of medication is a specialized nursing task that may be delegated under the standards set out in 12 AAC 44.950, 12 AAC 44.960, and this section.

(b) Administration of medication may be delegated only to a

- (1) “home and community-based services provider” as defined in 7 AAC 43.1110(8);
- (2) “residential supported living services provider” as defined in 7 AAC 43.1110(15); or
- (3) school setting provider; in this paragraph, “school setting provider” means a person who is employed at a school that provides educational services to students age 21 or younger.

(c) The person to whom the administration of medication is to be delegated must successfully complete a training course in administration of medication approved by the board.

(d) To delegate to another person the administration of routinely-scheduled oral, topical, nasal, vaginal, or rectal medications to a patient the written instructions provided to the person under 12 AAC 44.950(a)(7) must also include

(1) directions for the storage and administration of medication, including the brand and generic name of the medication, the dosage amount and proper measurement, timing of the administration, recording the administration, the expected outcome of administration, and any contraindications to administration;

(2) possible interactions of medications;

(3) how to observe and report side effects, complications, errors, missed doses, or unexpected outcomes of the medications and appropriate response to such developments; and

(4) if the delegating nurse is not available on-site, the action that the person must take when medications are changed by order of a health care provider, including how to notify the delegating nurse of the change, how the delegating nurse will receive verification from the health care provider of the medication change, and how the nurse is to notify the other person if the administration of the change of medication is delegated.

(e) The administration of PRN medication, other than controlled substances, may be delegated under this section if a nurse is not available on-site. Before the administration of PRN medications may be delegated, the nurse shall first assess the patient to determine whether on-site patient assessment will be required before the ongoing administration of each dose of PRN medication. The written instructions provided to the person under 12 AAC 44.950(a)(7) must meet the requirements of (d) of this section, and must also include

(1) when to administer the PRN medication to the patient;

(2) the procedure to follow for the administration of the PRN medication, including dosage amount, frequency, and duration; and

(3) the circumstances under which the person should contact the delegating nurse.

Authority: AS 08.68.100 AS 08.68.405 AS 08.68.410

12 AAC 44.966. DELEGATION OF THE ADMINISTRATION OF INJECTABLE MEDICATION. (a) The administration of injectable medication is a specialized nursing task that may be delegated under the standards set out in 12 AAC 44.950(a), (c), and (d) and this section.

(b) The administration of injectable medication may be delegated only by an advanced nurse practitioner to a certified medical assistant. The certified medical assistant may only perform the delegated duty in a private or public ambulatory care setting, and the advanced nurse practitioner must be immediately available on site when the certified medical assistant is administering injectable medication.

(c) The certified medical assistant to whom the administration of an injectable medication is to be delegated must successfully complete a training course in administration of medication approved by the board.

(d) To delegate to a certified medical assistant the administration of an injectable medication to a patient the written instructions provided to the certified medical assistant under 12 AAC 44.950(a)(7) must also include the information required in 12 AAC 44.965(d)(1) – (3).

(e) The delegating advanced nurse practitioner is responsible for ensuring that the certified medical assistant maintains a national certification and for reviewing a current criminal background check upon hire, to be reviewed at five-year intervals. If the certified medical assistant has been convicted of a crime that, under AS 08.68.270 and 12 AAC 44.705, is substantially related to the qualifications, functions, or duties of a certified nurse aide, registered nurse, or practical nurse, the advanced nurse practitioner may not delegate the administration of injectable medications to that certified medical assistant.

(f) In this section,

(1) "certified medical assistant" means a person who is currently nationally certified as a medical assistant by a national body accredited by the National Commission for Certifying Agencies (NCCA) and meets the requirements of this section;

(2) "immediately available on site" means that the advanced nurse practitioner is present on site in the unit of care and not otherwise engaged in a procedure or task that the nurse practitioner may not immediately leave when needed;

(3) "injectable medication" means

(A) B vitamins;

(B) diphenhydramine;

(C) medroxyprogesterone acetate;

(D) epinephrine delivered by autoinjector;

(E) ketoralac;

(F) vaccines;

(G) purified protein derivative (PPD).

Authority: AS 08.68.100

AS 08.68.405

AS 08.68.410

12 AAC 44.970. NURSING DUTIES THAT MAY NOT BE DELEGATED. Nursing duties that require the exercise of professional nursing knowledge or judgment or complex nursing skills may not be delegated. Nursing duties that may not be delegated include

(1) the comprehensive assessment of the patient by a registered nurse, and referral and follow-up;

(2) the focused assessment of the patient by a licensed practical nurse;

(3) formulation of the plan of nursing care and evaluation of the patient's response to the care provided;

(4) health education and health counseling of the patient and the patient's family or significant others in promoting the patient's health;

(5) receiving or transmitting verbal, telephone, or written orders from the patient's health care provider;

(6) the initiation, administration, and monitoring of intravenous therapy, including blood or blood products;

(7) providing and assessing sterile wound or decubitus ulcer care;

(8) managing and monitoring home dialysis therapy;

(9) oral tracheal suction;

(10) medication management for unstable medical conditions requiring ongoing assessment and adjustment of dosage or timing of administration;

(11) placement and administration of nasogastric tubes and fluids;

(12) initial assessment and management of newly-placed gastrostomy tubes and the patient's nutrition;

(13) except as provided in 12 AAC 44.966, the administration of injectable medications; and

(14) administration of a non-herbal nutritional supplement.

Authority: AS 08.68.100

AS 08.68.405

AS 08.68.410

12 AAC 44.975. EXCLUSIONS. The provisions of 12 AAC 44.950 – 12 AAC 44.970 apply only to the delegation of nursing duties by a nurse licensed under AS 08.68; they do not apply when nursing duties have not been delegated, including when a person is acting

(1) within the scope of the person's own license;

(2) under other legal authority; or

(3) under the supervision of another licensed health care provider.

Authority: AS 08.68.100

AS 08.68.405

AS 08.68.410