

**PROPOSED REGULATION OF THE
STATE BOARD OF NURSING**

LCB File No. R125-17

November 2, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-3, NRS 632.073 and 632.120.

A REGULATION relating to nursing; establishing an advisory committee concerning the practice of licensed practical nurses; revising the duties of an advisory committee concerning certain issues relating to impairment and substance abuse and providing for the appointment of new members to that committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the State Board of Nursing to appoint such advisory committees as it deems appropriate. (NRS 632.073) **Section 1** of this regulation establishes an advisory committee concerning the practice of licensed practical nurses.

Existing regulations establish another advisory committee concerning: (1) the safe practice of nursing by licensees and holders of certificates, including licensees and holders of certificates who have previously practiced nursing while impaired; and (2) the Alternative Program for Chemically Dependent Nurses. This committee is required to evaluate and monitor any licensee or holder of a certificate who is a participant in the Alternative Program. (NAC 632.210) **Sections 1 and 3** of this regulation: (1) move provisions governing this committee to the same section of regulation as other advisory committees; (2) revise the duties of the committee to concern only the safe practice of nursing by persons who have practiced nursing while impaired or are enrolled in the Alternative Program; and (3) abolish the duty of the committee to evaluate and monitor a participant in the Alternative Program. **Section 2** of this regulation provides for the appointment of new membership to the advisory committee.

Section 1. NAC 632.211 is hereby amended to read as follows:

632.211 1. The Board will appoint a committee to advise and report to the Board on matters related to the establishment of a scope of practice for nursing in this State. The committee will consist of at least 10 persons who are knowledgeable in all areas of general

nursing practice in Nevada and trends in national nursing practice, and a member of the Board's staff, who shall serve as chair of the committee.

2. The Board will appoint a committee, consisting of at least seven persons, to advise and report to the Board on matters related to this chapter and chapter 632 of NRS as they relate to licensees and holders of certificates maintaining competency through:

- (a) Academic education, including continuing education; and
- (b) Acquisition of new knowledge, skills and abilities.

3. The Board will appoint a committee to advise and report to the Board on matters related to the practice of advanced practice registered nurses. The committee will consist of not more than 10 persons who are knowledgeable in areas concerning the practice of advanced practice registered nurses.

4. *The Board will appoint a committee to advise and report to the Board on matters related to the practice of licensed practical nurses. The committee will consist of at least five persons who are knowledgeable in areas concerning the practice of licensed practical nurses.*

5. *The Board will appoint a committee, consisting of at least six persons who are knowledgeable concerning any condition, diagnosis or addiction that may affect the safe practice of nursing, to advise and report to the Board on matters related to the protection of the public through the safe practice of nursing by any person who:*

(a) Has previously practiced nursing while, with or without good cause, the person's physical, mental or emotional condition has impaired his or her ability to act in a manner consistent with the established or customary standards of nursing; or

(b) Is participating in the Alternative Program for Chemically Dependent Nurses established by the Board to serve as an alternative to disciplinary action for persons who are

licensed or certified pursuant to the provisions of this chapter or chapter 632 of NRS and have a substance use disorder.

6. Each person appointed to a committee pursuant to this section, other than a member of the Board or the Board's staff, serves as a volunteer.

Sec. 2. The members of the advisory committee who have been appointed by the State Board of Nursing pursuant to the former provisions of NAC 632.210 cease to serve in that capacity on the effective date of this regulation. As soon as practicable on or after that date, the Board will appoint the initial members of the advisory committee created pursuant to subsection 5 of NAC 632.211, as amended by section 1 of this regulation.

Sec. 3. NAC 632.210 is hereby repealed.

TEXT OF REPEALED SECTION

632.210 Committee to advise Board on protection of public through safe practice of nursing and on Alternative Program for Chemically Dependent Nurses. (NRS 632.073, 632.120)

1. The Board will appoint an advisory committee to advise and report to the Board on matters related to:

(a) The protection of the public through the safe practice of nursing by any person licensed or certified pursuant to the provisions of this chapter or chapter 632 of NRS, including, without limitation, a person who has practiced nursing while, with or without good cause, the person's physical, mental or emotional condition impaired his or her ability to act in a manner consistent with established or customary standards of nursing.

(b) The Alternative Program for Chemically Dependent Nurses established by the Board to serve as an alternative to disciplinary action of persons who are licensed or certified pursuant to the provisions of this chapter or chapter 632 of NRS and who have a substance use disorder. The advisory committee shall evaluate and monitor any licensee or holder of a certificate who is a participant in the Alternative Program for Chemically Dependent Nurses.

2. The advisory committee will consist of at least six persons who are knowledgeable concerning any conditions, diagnoses or addictions that may negatively impact the safe practice of nursing. The Board will designate a member of the advisory committee, who may be a member or staff of the Board, to serve as the chair of the advisory committee.