

NEVADA STATE BOARD OF NURSING
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August 18, 2022

NOTICE OF INTENT TO ACT UPON A REGULATION

**NOTICE OF HEARING FOR THE ADOPTION AND AMENDMENT OF
REGULATIONS OF THE NEVADA STATE BOARD OF NURSING**

The Nevada State Board of Nursing will hold a public hearing at 9:30 a.m., on Wednesday, September 21, 2022, at the Nevada State Board of Nursing Board meeting held in Las Vegas, Nevada. The address of that hearing is at the DoubleTree by Hilton Hotel Las Vegas Airport, 7250 S. Pollock Drive, Las Vegas, Nevada 89119.

The purpose of the public hearing is to receive comments from all interested persons regarding the adoption, amendment, and repeal of regulations that pertain to chapter 632 of the Nevada Administrative Code, LCB File No. R061-22.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The following regulations will be adopted, amended or repealed:

1. A statement of the need for and purpose of the proposed regulation.

The purpose of the proposed regulation is to modernize and update the provisions relating to procedures in venipuncture and intravenous therapy delegable to Licensed Practical Nurses (LPNs).

2. If the proposed regulation is a temporary regulation, either the terms or substance of the proposed regulation or a description of the subjects and issues involved. If the proposed regulations is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

The proposed regulations are not temporary regulations.

The text of the proposed permanent regulations may be inspected and copied at either of the offices of the Nevada State Board of Nursing. The addresses of those offices are: Reno: 5011 Meadowood Mall Way, Suite 300, Reno, Nevada 89502; Las Vegas: 4220 S. Maryland Parkway, Building B, Suite 300, Las Vegas, Nevada 89119. Text of the

proposed regulations may also be inspected online at www.nevadanursingboard.org or <http://leg.state.nv.us/register/2022Register/R061-22P.pdf>.

3. A statement of the estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:
 - (a) Both adverse and beneficial effects.

This proposed regulation has no adverse economic effect on any businesses because the proposed regulation is not designed to impact any businesses at all. The proposed regulation is designed to modernize and update the provisions relating to IV procedures that may be delegated to LPNs, which would benefit any business that happened to employ nurses.

- (b) Both immediate and long-term effects.

The proposed regulation will provide immediate positive effects to any medical facility that employs LPNs because the proposed regulation will bring up the regulations into compliance with current LPN practices. In the long term, the impact on LPN IV practices will be the same as the immediate effect.

4. A statement identifying the methods used by the Nevada State Board of Nursing in determining the impact on a small business prepared pursuant to subsection 3 of NRS 233B.0608:

The proposed regulation is designed to modernize and update the provisions relating to procedures in venipuncture and intravenous therapy delegable to Licensed Practical Nurses. While locations where a LPN may practice and therefore may have certain IV tasks delegated to them are typically health care facilities and are therefore businesses, the proposed regulation does not require that any nurse delegate any IV tasks to an LPN, and so, the regulations do not have a direct or significant impact on a small business. If anything, the proposed regulation is designed so RN and LPN nurses could be more efficient and productive, through delegation, which would benefit any business that happened to employ nurses.

5. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no significant cost to the Nevada State Board of Nursing for the enforcement of the proposed regulation.

6. A description of any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the

regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The Nevada State Board of Nursing is not aware of any similar regulations of other state or government agencies that the proposed regulations overlap or duplicate.

7. If the regulation is required pursuant to federal law, a citation and description of the federal law.

These regulations are not required by federal law.

8. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

These regulations do not include any provisions that are more stringent than a federal regulation that regulates the same activity.

9. The time when, the place where and the manner in which interested persons may present their views regarding the proposed regulations.

Persons wishing to comment upon the proposed action of the Nevada State Board of Nursing may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to the Nevada State Board of Nursing, 5011 Meadowood Mall Way, Suite 300, Reno, Nevada 89502, or at the e-mail address: nsbnpubcom@nsbn.state.nv.us. Written submissions must be received by the Board by Friday, September 2, 2022, at 5:00 p.m. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

10. All addresses where the text of the Rule may be inspected and copied.

The text of the proposed regulations may be inspected and copied at either of the offices of the Nevada State Board of Nursing. The addresses of those offices are: Reno: 5011 Meadowood Mall Way, Suite 300, Reno, Nevada 89502; Las Vegas: 4220 S. Maryland Parkway, Building B, Suite 300, Las Vegas, Nevada 89119. Text of the proposed regulations may also be inspected online at [www.nevadanursingboard.org](http://leg.state.nv.us/register/2022Register/R061-22P.pdf) or <http://leg.state.nv.us/register/2022Register/R061-22P.pdf>.

11. The exact language of subsection 2 of NRS 233B.064 is:

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

12. A statement indicating whether the regulation establishes any new fee or increases an existing fee.

These regulations do not provide a new or increase of fees.

A copy of this notice of intent to act upon a regulation has been mailed to all persons who have requested in writing that they be placed upon a mailing list, which has been kept by the Nevada State Board of Nursing for this purpose.

A copy of this notice of intent to act upon a regulation has been submitted to the Legislative Counsel Bureau for inclusion in the Register of Administrative Regulations at: ahartzler@lcb.state.nv.us.

This notice of hearing has been posted at the following locations:

Nevada State Board of Nursing website www.nevadanursingboard.org

Nevada State Board of Nursing
5011 Meadowood Mall Way, Suite 300
Reno, Nevada
Washoe County

Nevada State Board of Nursing
4220 S. Maryland Parkway
Building B, Suite 300
Las Vegas, Nevada
Clark County

Churchill County Library
553 South Maine Street
Fallon, NV 89406

Douglas County Library
P.O. Box 337
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Eureka Branch Library
P.O. BOX 293
Eureka, NV 89316

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89404

Battle Mountain Library
(Lander County)
P.O. Box 141
Battle Mountain, NV 89820

Lincoln County Library
P.O. Box 330
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Mineral County Library
P.O. Box 1390
Hawthorne, NV 89415

Ormsby Public Library
900 North Roop Street
Carson City, NV 89701

Pershing County Library
P.O. Box 781
Lovelock, NV 89419

Goldfield Public Library
(Esmeralda County)
P.O. Box 430
Goldfield, NV 89013

White Pine County Library
Courthouse Plaza
Ely, NV 89301

Storey County Commissioners
P.O. Box 176
Virginia City, NV 89440

Tonopah Public Library
(Nye County)
P.O. Box 449
Tonopah, NV 89049

State Library and Archives
100 North Stewart Street
Carson City, Nevada 89701

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

LCB File No. R061-22

May 23, 2022

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

AUTHORITY: § 1, NRS 632.120.

A REGULATION relating to nursing; revising provisions relating to procedures in venipuncture and intravenous therapy delegable to certain licensed practical nurses; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Board of Nursing to establish reasonable standards for the placement of conditions, limitations and restrictions upon a license to practice professional or practical nursing. (NRS 632.120) Existing regulations establish and define two different levels of supervision by a supervisor of nurses: (1) “direct supervision” means the direction given by such a supervisor who is periodically available at the site where care is provided to a patient or available for immediate guidance; and (2) “immediate supervision” means the direction given by such a supervisor who is physically present at the site where care is provided to a patient and directly observing or assisting in that care. (NAC 632.048, 632.059) Existing regulation prescribes certain requirements on the practice of licensed practical nurses, including a list of procedures in venipuncture and intravenous therapy delegable to licensed practical nurses. Existing regulation authorizes a licensed practical nurse who has completed a course in intravenous therapy approved by the Board and who acts pursuant to a written order issued by an advanced practice registered nurse, a licensed physician, a licensed physician assistant, a licensed dentist or a licensed podiatric physician and, as applicable, under the immediate supervision of a physician, physician assistant or registered nurse to perform certain procedures in venipuncture and intravenous therapy. (NAC 632.450) This regulation changes the type of supervision required to perform these procedures from immediate supervision to direct supervision of a physician, physician assistant or registered nurse. Under such direct supervision, this regulation also authorizes a licensed practical nurse who has completed a course in intravenous therapy to administer intravenous fluid and medications from a container which is commercially prepared, or premixed but requires the breaking of a seal that separates the intravenous fluid from a medication, but does not allow manipulation of the preset dosage strength, and which is properly labeled by a pharmacist or a registered nurse designated by the pharmacist.

Existing regulation authorizes a licensed practical nurse who has completed a course in intravenous therapy to assist a registered nurse in the intravenous administration of blood and

blood products when acting pursuant to a written order of a physician and under the direct supervision of the registered nurse. (NAC 632.450) This regulation changes the supervision required for providing such assistance from direct supervision to immediate supervision.

Section 1. NAC 632.450 is hereby amended to read as follows:

632.450 1. A licensed practical nurse who has completed a course in intravenous therapy approved by the Board pursuant to NAC 632.242 and who acts pursuant to a written order issued by an advanced practice registered nurse, a licensed physician, a licensed physician assistant, a licensed dentist or a licensed podiatric physician and, as applicable, under the ~~immediate~~ *direct* supervision of a physician, physician assistant or registered nurse may:

(a) Start peripheral intravenous therapy that does not include midline or midclavicular catheters;

(b) Introduce one or more solutions of electrolytes, nutrients or vitamins;

(c) Administer, by adding a solution, any of the following medications:

(1) Antimicrobials;

(2) Blood and blood products if under the supervision of a registered nurse;

(3) Histamine H2 receptor antagonists;

(4) Proton pump inhibitors; and

(5) Steroids;

(d) Administer intravenous fluid and medications from a container which is commercially prepared or premixed and properly labeled by a pharmacist or a registered nurse designated by the pharmacist;

(e) *Administer intravenous fluid and medications from a container which is commercially prepared, or premixed but requires the breaking of a seal that separates the intravenous fluid*

from a medication, but does not allow manipulation of the preset dosage strength, and which is properly labeled by a pharmacist or a registered nurse designated by the pharmacist;

(f) Flush ~~locks;~~ intermittent venous access devices;

~~[(f)]~~ *(g) Except as otherwise provided in paragraph ~~[(g)]~~, (h), administer fluid by continuous or intermittent infusion through a peripheral device which uses a mechanism to control the flow;*

~~[(g)]~~ *(h) Administer fluid to a patient with a ~~temporary~~ central venous catheter by continuous or intermittent infusion by an electronic mechanism to control the flow;*

~~[(h)]~~ *(i) Maintain patency of a peripheral intermittent vascular access device, including, without limitation, a peripherally inserted central catheter, using a nontherapeutic dose of flush solutions;*

~~[(i)]~~ *(j) Withdraw blood from a peripherally inserted central venous catheter if performed in accordance with specific institutional policies and after specific institutional in-service training;*

~~[(j)]~~ *(k) Discontinue peripheral intravenous catheters; and*

~~[(k)]~~ *(l) Change a central venous catheter dressing.*

2. In addition to the procedures set forth in subsection 1, a licensed practical nurse who has completed a course in intravenous therapy approved by the Board pursuant to NAC 632.242 and who acts pursuant to a written order of a physician and under the ~~direct~~ **immediate** supervision of a registered nurse may assist the registered nurse in the intravenous administration of blood and blood products by collecting data and performing simple nursing tasks related to that administration of blood or blood products.