The Missouri Nurse Practice Act: Fact and Fiction

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Purpose of Missouri State Board of Nursing

The mission of the Missouri State Board of Nursing is to protect the public by development and enforcement of state laws governing the safe practice of nursing.

Legislative Authority

The NPA exists to govern and regulate the profession of licensed nurses, set standards for the approval of nursing schools in Missouri, determine the scope of practice of licensed nurses, and define who may use the title of registered nurse (R.N.), licensed practical nurse (L.P.N.) and advanced practice registered nurse (APRN) within the State of Missouri. Rules are promulgated to provide guidance for the Board to carry out the mandate of the NPA.
Number of Licensees

The State of Missouri has approximately 96,982 licensed RNs and 23,962 LPNs functioning in variety of health care settings. The Board of Nursing is mandated to examine the applications of graduate nurses who request to be licensed in the State of Missouri, after passing the NCLEX examination. Nurses who apply for endorsement of their nursing license from another state or country also go through an evaluation process.

As of 03/01/2013, there are 6,973 APRNs recognized in the State of Missouri. Out of those, 4,730 are NPs, 591 are CNSs, 108 are Nurse Midwives and 1,753 are CRNAs.

Renewal Time Frames

Licensees receive a two year license, with the RNs renewing on the odd years and the LPN’s renewing on the even years.

An APRN’s Document of Recognition (DOR) will remain active as long as they: maintain an active RN license in MO or another compact state; maintain an active certification from a nationally recognized certifying body approved by the Board, and; notify the Board office each time they re-certify with their certifying body. Failure to maintain any of these will result in a lapse in their DOR.

Board Members

The nine gubernatorially appointed members of the board are entrusted with the duty of ensuring that the RNs and LPNs licensed in Missouri comply with Chapter 335 thus creating an atmosphere of safe and effective nursing care in the interest of public protection. The members of the Board, along with its staff and general counsel are entrusted with the legal responsibility to see that the provisions of the law are carried out effectively in addition to serving as a policy making and planning group. When administering the NPA and establishing policy, the Board considers the licensee, the patient, the community, the State of Missouri and programs of professional and practical nursing.

The Board is made up of:
5 RN’s – Two must be Masters prepared -1 Represents Practice
2 LPN’s
1 Public Member
1 Nurse, must be US citizen
Missouri and the Nurse Licensure Compact

- Effective June 1, 2010, Missouri became part of the Nurse Licensure Compact. For those nurses who claimed Missouri as their Primary State of Residence and were currently licensed in the state as a Registered Nurse or as a Licensed Practical Nurse, their Missouri Nursing license was automatically converted to a Multi-State License.
- Not applicable to APRN DOR

Map of Compact States

Website Address for Missouri State Board of Nursing

www.pr.mo.gov/nursing
"Statutes"

- Laws which give the Board of Nursing the authority to exist and promulgate rules.

- 335.016 - Definitions

- 335.066 – Grounds for Denial; Revocation; Suspension of license.

- 335.081 - Exempted Practices
“Rules”

- Chapter 1 – Organization of Board
- Chapter 2 - Minimum Standards for Approved Professional Nursing Programs
- Chapter 3 - Minimum Standards for Approved Practical Nursing Programs

Rules Continued

- Chapter 4 – General Rules - Licensure; Mandatory Reporting; APRN; CP
- Chapter 5 - Definitions – “Proper Supervision”
- Chapter 6 - IV Infusion Treatment Admin - LPN Oriented; Describes Responsibility of RN to Provide Supervision Over a LPN During IV Infusion Therapy.

Practice

- Decision Making
What IS My Scope of Practice???

Missouri State Board of Nursing’s Philosophy for a Nurse’s Scope of Practice

Based upon his/her education, experience, training, skill, knowledge and/or competence.

Continued competence must be documented. Facility policies and/or regulatory bodies support and/or further restrict this practice.
Utilization Of Unlicensed Health Care Personnel

The mission of the Missouri State Board of Nursing is to assure safe and effective nursing care in the interest of public protection. The Board of Nursing has the legal responsibility to regulate nursing and provide guidance regarding the utilization of unlicensed health care personnel. The Board acknowledges that there is a need and a place for competent, appropriately supervised unlicensed health care personnel to assist, but not replace, licensed nurses. Unlicensed health care personnel who perform specific nursing care tasks without benefit of instruction, delegation, and supervision by licensed nurses may be engaged in the practice of nursing without a license. Such actions by unlicensed health care personnel are a violation of the Missouri Nursing Practice Act [335.066(10), RSMo]. Unlicensed health care personnel remain personally accountable for their own actions.

The Missouri State Board of Nursing recognizes that activities of unlicensed health care personnel need to be monitored to protect the health, welfare, and safety of the public. Registered professional nurses may teach, delegate, and supervise licensed practical nurses and unlicensed health care personnel in the performance of certain nursing care tasks [335.016(9)(e), RSMo; 20 CSR 2200-5.1010 Definitions]. Under the direction/supervision of registered professional nurses or persons licensed by a state regulatory board to prescribe medications and treatments, licensed practical nurses may teach, delegate, and supervise unlicensed health care personnel in the performance of specific nursing care tasks [335.016(9)(e), RSMo; 20 CSR 2200-5.1010 Definitions].

Registered professional nurses and licensed practical nurses must make reasonable and prudent judgments regarding the appropriateness of delegating selected nursing care tasks to unlicensed health care workers. Licensed nurses must ensure that unlicensed health care personnel have documented, demonstrated evidence of appropriate education, training, skills, and experience to accomplish the task safely. Carrying out responsible and accountable supervisory behavior after specific nursing care tasks are delegated to unlicensed health care personnel is critical to the health, welfare, and safety of patients [335.016(9)(e), RSMo; 20 CSR 2200-5.1010 Definitions]. Licensed nurses who delegate retain accountability for the tasks delegated.

Scope of Practice Decision Making Tool

handout
NCSBN’s Five Rights of Delegation

- Right Task
- Right Person
- Right Direction and Communication
- Right Circumstances
- Right Supervision

Delegation Decision Making Tree

The Delegation Decision-making Tree is another tool developed to assist nurses in making delegation decisions. Licensed nurses have ultimate accountability for the management and provision of nursing care, including all delegation decisions.

To use the Delegation Decision-making Tree, start with a specific client, care-giver and nursing activity. Beginning at the top of the tree, ask each question as presented in the box. If you answer “no” to the question, follow the instructions listed to the right of the box and arrow. If you answer “yes,” proceed to the next box. If you answer “yes” for any questions, the task is delegable.

The Delegation Decision-making Tree was adapted from a similar tool previously developed by the Ohio Board of Nursing.

Mandatory Licensure Verification By Employers of Nurses

- 335.075. 1. Before hiring a registered nurse, licensed practical nurse, or advanced practice registered nurse in Missouri, an employer shall verify that the applicant has a current, valid license to practice nursing under chapter 335. This section shall not apply for employment which does not require the possession of a current, valid license to practice nursing.

- 2. Employers shall have a process in place to verify licensure status of each registered nurse, licensed practical nurse, or advanced practice registered nurse coinciding with the license renewal.

- Effective August 28, 2010
Verification of Licenses

- To verify RN & LPN license status, discipline and expiration date, go to www.nursys.com.
- Verification for APRNs recognized to practice in MO & IV cert for LPNs, go to www.pr.mo.gov/nursing under Online Services and Licensee Search
- APRN verification on NURSYS coming in spring 2013