Nurse Delegation in Long Term Care And Assisted Living

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What Are Nurses Doing In Long Term Care and Assisted Living?

<table>
<thead>
<tr>
<th>任务</th>
<th>百分比</th>
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<tbody>
<tr>
<td>协助配药</td>
<td>44.30%</td>
</tr>
<tr>
<td>病情评估</td>
<td>75.50%</td>
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<tr>
<td>夜间值班</td>
<td>73.70%</td>
</tr>
<tr>
<td>施行心肺复苏术</td>
<td>92.40%</td>
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<tr>
<td>给药</td>
<td>46.10%</td>
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<tr>
<td>无菌技术</td>
<td>59.70%</td>
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<tr>
<td>协助抽血</td>
<td>19%</td>
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<tr>
<td>测血糖</td>
<td>34.90%</td>
</tr>
<tr>
<td>吸氧</td>
<td>53.80%</td>
</tr>
<tr>
<td>床单和浴室清洁</td>
<td>86%</td>
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<tr>
<td>给呼吸机供氧</td>
<td>69.70%</td>
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<tr>
<td>为抽血作准备</td>
<td>83.50%</td>
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<tr>
<td>进行物理治疗</td>
<td>53%</td>
</tr>
<tr>
<td>进行血液检查</td>
<td>63.60%</td>
</tr>
<tr>
<td>进行无菌技术</td>
<td>10.80%</td>
</tr>
<tr>
<td>进行物理治疗</td>
<td>27%</td>
</tr>
<tr>
<td>无菌技术</td>
<td>0%</td>
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Expectations of Nurses in the LTC and AL settings

- Lead
- Manage
- 培训、教育、指导
- 有效利用技术
- 文档
- 作为居民的代言人
- 作为风险管理师
- 作为居民“临床专家”
- 分配护理任务
- 知晓适用的法律和规定
What Else Are Nurses Doing?

- Budgets
- Staffing
- Admissions/discharges
- Pre-admissions assessments/ISPs
- Marketing
- Management
- “First line” helper to dietary, human resources, activities, families etc.

What Is The Practice of “Professional (Registered) Nursing”?

- The performance for compensation of any act in the observation or care of the ill, injured, or infirm, or for the maintenance of health or prevention of illness of others, that requires substantial nursing skill, knowledge, or training or application of nursing principles based on biological, physical and social sciences.

Wisconsin Nurse Practice Act

What is Included In The Definition of Professional (Registered) Nursing (RN)?

- Nursing is the protection, promotion, and optimization of health and abilities, prevention of illness and injury, alleviation of suffering through the diagnosis and treatment of human response, and advocacy in the care of individuals, families, communities, and populations.
- Observing and recording symptoms and reactions;
- Performing procedures and techniques in the treatment of the sick that require a substantial amount of scientific knowledge or technical skill under the general or special supervision or direction of a physician;
- The performance of general nursing procedures and techniques;
- The supervision of a patient and the supervision and direction of an LPN and less skilled assistants (delegation);
- Evaluating responses to interventions
- Teaching nursing knowledge and skills.
- Managing and supervising the practice of nursing.
- Consulting and coordinating with other health care professionals in the management of health care.
Licensed Practical or Vocational Nursing
(The LPN or LVN)

- The performance for compensation of any simple acts in the care of convalescent, subacutely or chronically ill, injured or infirm persons, or of any act or procedure in the care of the more acutely ill, injured or infirm under the specific direction of a nurse or physician… WI

- The performing of selected tasks and sharing of responsibility under the direction of a registered nurse or an advanced practice registered nurse and within the framework of supportive and restorative care, health counseling and teaching, case finding and referral, collaborating in the implementation of the total health care regimen and executing the medical regimen under the direction of a licensed physician or dentist. CT

A Simple Act Means…

- The act does not require any substantial nursing skill, knowledge, or training, or the application of nursing principles based on biological, physical, or social sciences, or the understanding of cause and effect in the act…
  
  or

- The act is one that is of a nature of those approved by the board for the curriculum of schools for licensed practical nurses. WI

Unlicensed Assistive Personnel
“UAP”

UAP is a person who may have training which documents their knowledge and competency but they do not have a scope of practice or authorized nursing tasks.

It includes certified nurse assistants personal care workers, daily living assistants, supportive home care workers, adult family home owners and staff, unlicensed workers in community-based residential facilities, assisted living facilities. UAP can be broadly interpreted to include any person paid to provide supports in community. WI
Other Nursing terms related to Delegation

**Basic Nursing Care**: Care that can be performed following a defined nursing procedure with minimal modification in which the response of the patient to the nursing care is predictable.

**Medication Administration**: Direct injection, ingestion or other application to a resident by a practitioner, the practitioner’s authorized agent, a UAP or the resident at the direction of the practitioner.

Other terms (continued)

- **Supervision** is the provision of guidance and evaluation by a registered nurse delegator for the accomplishment of a nursing task or activity as outlined in this guideline including the initial direction of the task or activity, periodic inspection of the actual act of accomplishing the task or activity, and the authority to require corrective action.

Nurse Supervision

- Direct supervision means immediate availability to continually coordinate, direct and inspect at first hand the practice of another.
- General or indirect supervision means regularly to coordinate, direct and inspect the practice of another.
Del' • ә • gāt

To entrust another;
To appoint as one’s representative;
To assign responsibility or authority.

Miriam Webster's online Dictionary

The Varied Definitions of Nurse Delegation

- The registered nurse transfers the performance of selected nursing tasks to competent UAPs in selected situations. The registered nurse delegating the task retains the responsibility and accountability for the nursing care of the consumer. (WI)
- Delegation of nursing function is per occurrence and is limited to patients that are stable and where the outcome of the delegated task is predictable. It is the responsibility of the delegator to verify adequate skills of the delegatee. Delegation of care is only allowed within the RN scope of practice. (CO)
- Delegation means that a Registered Nurse authorizes an unlicensed person to perform a task of a nursing care in selected situations and indicates that authorization in writing. The delegation process includes nursing assessment of a client in a specific situation, evaluation of the ability of the unlicensed persons, teaching the task, ensuring supervision of the unlicensed person and re-evaluating the task at regular intervals. (OR)

An Example of a Wisconsin-specific Nurse Delegation Regulation for Assisted Living

- Injectables, nebulizers, stomal and enteral meds, and meds, treatment, preparations delivered rectally or vaginally shall be administered by an RN or LPN within the scope of their license. Such med administration may be delegated to non-licensed employees pursuant to N 6.03(3).
  Wis. Admin Code DHS 83.37(2)(e)
Managing Risk

What does this mean for the nurse who works for a LTC or assisted living facility? In other words, “how do they cover their assets?”

1. Delegate tasks that are within the nurse’s scope of practice, expertise, knowledge and abilities.

Nurse Delegation Principles

1. Delegate tasks that are within the nurse’s scope of practice, expertise, knowledge and abilities.

2. Assess the patient (resident) to determine their condition and stability (delegation is not appropriate for unstable residents or residents with complex medical and nursing needs).
3. Only delegate tasks commensurate with the educational preparation and demonstrated abilities of the person supervised – assess the delegatee’s competency to perform the delegated task safely and correctly.

Professionalize the non-professional

4. Provide Direction And Assistance

5. The delegated task does not require complex nursing skill and judgment.
6. Supervise, observe and monitor the activities of the delegatee
   - Reward and recognize

Supervision

How much?
How often?
Direct vs. General (indirect)
LPN, LVB Supervision

7. Evaluate the effectiveness of delegated acts supervised
How is delegation made clear?

8. Document the Delegation

UAP/Delagatee Responsibilities?

1. Task understanding
2. Task competence
3. Ask Questions
4. Maintain task competency
5. Maintain educational requirements
6. Understand what delegation is
7. Know legal liability of delegatee/delegator

The 5 Rights of Nurse Delegation

- **Right Task**
  One that is delegable for a specific patient.

- **Right Circumstances**
  Appropriate patient setting, available resources, and other relevant factors considered.

- **Right Person**
  Right person is delegating the right task to the right person to be performed on the right person.
Exquisite Tension: RN – Owner/Management

Nurse duties or job description vs. Expectations

Joint Statement on Delegation ANA/NCSBN

Delegation is an essential nursing skill
State Nurse Practice Acts define scope of delegation
Unlicensed staff are critical to affordable quality health care
Based on needs, stability, condition, harm potential, task complexity, outcome predictability, staff competency
Basis is health safety, welfare of public
Nursing process cannot be delegated (assessment, planning, evaluation)
Individual and organizational accountability (staffing, policies)
Delegation should be taught in nursing schools and board tested

The 5 Rights of Delegation (cont’d)

- **Right Direction/Communication**
  Clear, concise description of the task, including its objective, limits and expectations.
- **Right Supervision**
  Appropriate monitoring, evaluation, intervention, as needed, and feedback
Liability and Standards of Practice for Nurses

- RNs
  - General Nursing Procedures: “SOAP”
  - Delegated Medical Acts: based on the nurse’s competency to perform; question orders
  - Delegated Nursing Acts

- LPNs/LVN
  - Acts based on the nurse’s competency
  - Basic Nursing Acts; question orders
  - Perform acts in complex patient care situations under supervision

Violations of Standards/Inappropriate Nurse Delegation

- Can equate to unprofessional conduct or misconduct in the eyes of the Board of Nursing and could result in a licensee being reprimanded, limited, suspended, revoked. Or, a renewal may be denied.
- What’s the good news?? A nurse who delegates the provision of nursing care to another person shall not be subject to an action for civil damages for the performance of the person to whom nursing care is delegated unless the person is acting pursuant to specific instructions from the nurse or the nurse fails to leave instructions when the nurse should have done so. (Only selected states)

Commonsense Risk Management Strategies For Delegating Nurses

- Familiarity with the regulations applicable to your state and facility
- Provision of services
- Care plans/ISPs
- Reporting and investigating of Incidents
- Reporting Change in Condition
- Documentation
- Medication administration
- Personnel
- Know Your Residents
- Know Your Staff
- Know Your Families
- Document, document, document
Stay current
- Seminars
- Professional journals
- WALA conference & seminars
- Professional organizations
- “American Assisted Living Nurses Association.”
  www.alnursing.org

Delegation Decision Tree

Delegation Scenarios
Additional Resources for Nurses

American Nurses Association
http://www.nursingworld.org/

National Council of State Boards of Nursing
https://www.ncsbn.org/323.htm

THANK YOU!

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Documentation in Health Care

The importance of careful documentation - the lawyers’ perspective

• Memories fade
• Tells it like it is … when an event or incident happens
• Good documentation can support compliance with the standard of care
• Sometimes your documentation is the only proof you have

The importance of careful documentation - the nurse and caregiver perspective

• The right resident chart
• Communication of resident care for all caregivers
• An aid to planning resident care- how do I take care of Mrs. Jones?
• The best defense against a malpractice claim, i.e., “if it’s not in the chart, it didn’t happen.”
• Incomplete documentation may be considered unprofessional conduct
Documentation standards

- Consistent with your specialty or licensure/certification status (professional organization or regulatory category)
- Joint Commission (JCAH)/DHS 83/DHS 89/DHS 88/DHS 132
- Wisconsin Board of Nursing
  a. N 7.03(1)(c)
- Company/Facility-specific standards

Principles of Proper Documentation

- Legibility and correct spelling
- Avoid generalizations
- Timeliness of the documentation-time care given to time documented
- Date and time and sign entries
- Objective charting
- Nurse: SOAP

Principles of Proper Documentation (cont.)

- Verbatim patient statements
- Document telephone calls
- Family, Physician, Pharmacy
- Number of calls made
- Late entries
- Incident reports-changes in condition
Principles of Proper Documentation (cont.)
• Document all aspects of care rendered
• Facility-approved abbreviations
• Error correction
• Medications—especially prn pain medications
• Time, Route, Condition before med and after
• Precautions or Preventive Measures in Place
• How does the documentation of the care fit with the plan of care?
• Preserve and maintain confidentiality

Documentation Don’ts
• Assumptions, accusations, criticisms of the care of others or of the resident or family
• Skipping spaces
• Altering a record
• Unapproved shorthand or abbreviations

Documentation Don’ts
• Charting ahead of time
• No-white out
• Signing other’s names
• Don’t name a second resident
Hospital
v. Nursing Home
v. Assisted Living Documentation

Documenting By Exception

Think Like a Surveyor
Use the Plan of Care as a Guide

Medical Record Blunders

The skin was moist and dry.

She stated that she had been constipated for most of her life until 1989 when she got a divorce.
Occasional, constant, infrequent headaches.

Patient was alert and unresponsive.

On the second day the knee was better, and on the third day it disappeared.
The patient has no previous history of suicides.

Patient's medical history has been remarkably insignificant with only a 40 pound weight gain in the past three days.

The patient refused autopsy.
She has no rigors or shaking chills, but her husband states she was very hot in bed last night.