

BEFORE THE BOARD OF NURSING  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the adoption )  
of NEW RULE II (ARM 8.32.1722), )  
NEW RULE V (ARM 8.32.1725), NEW )  
RULE VI (ARM 8.32.1726), NEW )  
RULE VII (ARM 8.32.1727), NEW )  
RULE VIII (ARM 8.32.1728), )  
NEW RULE XIII (ARM 8.32.1732), )  
and the transfer and amendment of )  
ARM 8.32.1712 (8.32.1733) )  
pertaining to delegation )

TO: All Concerned Persons

1. On January 13, 2005, the Board of Nursing (Board) published MAR Notice No. 8-32-64 regarding the proposed adoption and repeal of the above-stated rules at page 30 of the 2005 Montana Administrative Register, issue no. 1. On June 30, 2005, the Board published the notice of adoption and transfer and amendment of the above-stated rules at page 1022 of the 2005 Montana Administrative Register, issue no. 12.

2. In preparing replacement pages for the second quarter of 2005, it was discovered that in the notice of adoption and transfer and amendment the reference to New Rule IX was inadvertently left in; however, New Rule IX was not adopted. The correct references were inadvertently not inserted. This corrected notice inserts the correct rule numbers. A percentage sign was inadvertently left out of New Rule XIII and is being inserted. Also, punctuation is being corrected to make the rule consistent in ARM 8.32.1712 (8.32.1733). The rules as corrected read as follows, deleted matter interlined, new matter underlined:

(NEW RULE II) 8.32.1722 DEFINITIONS The following words and terms as used in this sub-chapter have the following meanings:

(1) and (2) remain as adopted.

(3) "Advanced delegation" means delegation of specified advanced nursing tasks to specified UAPs only as allowed in [NEW RULE X, XI, XII and XIII (ARM 8.32.1729, 8.32.1730, 8.32.1731 and 8.32.1732)] and under immediate supervision.

(4) through (23) remain as adopted.

AUTH: 37-1-131, 37-8-202, MCA

IMP: 37-1-131, 37-8-202, MCA

(NEW RULE V) 8.32.1725 STANDARDS RELATED TO THE FACILITY'S CHIEF NURSING OFFICER REGARDING DELEGATION PRACTICES (1) through (1)(c) remain as adopted.

(d) with respect to advanced delegation as provided in

[~~NEW RULE X~~, XI, XII and XIII (ARM 8.32.1729, 8.32.1730, 8.32.1731 and 8.32.1732)], the UAP's satisfactory completion of education and maintenance of certification is verified;

(e) through (2) remain as adopted.

AUTH: 37-1-131, 37-8-202, MCA

IMP: 37-1-131, 37-8-202, MCA

(NEW RULE VI) 8.32.1726 STANDARDS RELATED TO THE NURSE FUNCTIONING AS A DELEGATOR (1) through (1)(e)(i) remain as adopted.

(ii) For advanced delegation as authorized in [~~NEW RULE X~~, XI, XII and XIII (ARM 8.32.1729, 8.32.1730, 8.32.1731 and 8.32.1732)], the delegating nurse shall provide immediate supervision for any delegated nursing task.

(iii) through (4) remain as adopted.

AUTH: 37-1-131, 37-8-202, MCA

IMP: 37-1-131, 37-8-202, MCA

(NEW RULE VII) 8.32.1727 NURSING TASKS RELATED TO MEDICATIONS THAT MAY BE DELEGATED (1) and (2) remain as adopted.

(3) In advanced delegation, administration of medication is restricted as specified in [~~NEW RULE X~~, XI, XII and XIII (ARM 8.32.1729, 8.32.1730, 8.32.1731 and 8.32.1732)].

AUTH: 37-1-131, 37-8-202, MCA

IMP: 37-1-131, 37-8-202, MCA

(NEW RULE VIII) 8.32.1728 GENERAL NURSING FUNCTIONS AND TASKS THAT MAY NOT BE DELEGATED (1) remains as adopted.

(2) Nursing interventions, including but not limited to the following, require nursing knowledge, judgment, and skill and may not be delegated except as provided in [~~NEW RULES VII and X~~, XI, XII and XIII (ARM 8.32.1727, 8.32.1729, 8.32.1730, 8.32.1731 and 8.32.1732)]:

(a) through (4) remain as adopted.

AUTH: 37-1-131, 37-8-202, MCA

IMP: 37-1-131, 37-8-202, MCA

(NEW RULE XIII) 8.32.1732 ADVANCED DELEGATION TO UAP NURSING STUDENTS

(1) through (2)(e)(iv) remain as adopted.

(v) 5% dextrose in .45% saline (D51/2NS); and

(vi) through (3)(l) remain as adopted.

AUTH: 37-1-131, 37-8-202, MCA

IMP: 37-1-131, 37-8-202, MCA

~~(8.32.1712)~~ 8.32.1733 TASKS WHICH MAY BE ROUTINELY ASSIGNED TO AN UNLICENSED PERSON IN ANY SETTING WHEN A NURSE-PATIENT RELATIONSHIP EXISTS (1) through (1)(b)(v) remain as

adopted.

- (c) ambulation, positioning, and turning<sub>T.I</sub>
- (d) personal hygiene and elimination<sub>T.I</sub>
- (e) oral feeding, cutting up food, or placing of meal

trays<sub>T.I</sub>

- (f) socialization activities<sub>T.I</sub>
- (g) activities of daily living<sub>T.I</sub>
- (h) through (h)(vi) remain as adopted.

AUTH: 37-8-202, MCA

IMP: 37-8-202, MCA

/s/ MARK CADWALLADER  
Mark Cadwallader,  
Rule Reviewer

/s/ KEITH KELLY  
Keith Kelly, Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State July 1, 2005