Delegation & Assignment

Montana State Board of Nursing
Tutorial on Subchapter 16
Updated 2011
Delegation & Assignment Rules

Administrative Rules of Montana (ARM)
Title 24
Chapter 159
Board of Nursing
Sub-Chapter 16
Populations Impacted

- Nurses practicing in MT
- Nurse Administrators
- Chief Nursing Officers
- Nurse Educators
- UAPs (unlicensed assistive personnel)
- Employers of nurses
Definition

- Delegation “means the act of authorizing and directing unlicensed assistive personnel (UAP) to perform a specific nursing task in a specific situation in accordance with these rules.” 24.159.1602 (9)
Definition

- Delegatee means the UAP receiving the delegation 24.159.1602(8)
- Delegator means the nurse who makes the decision to delegate and thereby assumes accountability as defined in this rule. The term "delegator" has the same meaning as the term "delegating nurse." 24.159.1602(10)
The Five Rights of Delegation

- The right task
- The right circumstances
- The right person
- The right direction
- The right supervision
The delegating nurse retains accountability in all **FOUR** areas:

- The decision to delegate
- The delegated task
- Verifying the delegatee’s competency to perform the task; and
- Providing supervision
Delegation Criteria
24.159.1611(1)

- Delegation is always:
  - Task-specific
  - Patient-specific
  - UAP - “Delegatee” specific
Criteria for Delegation of Nursing Tasks 24.159.1611(1)

- Must be based SOLELY on the determination of the patient’s nurse who:
  - Has personally assessed the patient’s condition
  - Has determined that delegation can be performed without jeopardizing the patient’s welfare
Criteria for Delegation of Nursing Tasks 24.159.1611(4)

- The nursing task to be delegated **MUST** be:
  - within the nurse’s area of responsibility, scope of practice, and competency
  - one which does not require complex observation, critical decision-making, exercise of nursing judgment, or repeated nursing assessments
Criteria for Delegation of Nursing Tasks 24.159.1611(4)

- The nursing task to be delegated **MUST** be:
  - one which is frequently performed and generally considered technical in nature
  - one for which results are reasonably predictable and which has minimal potential for risks
  - one which can be safely performed according to exact, unchanging directions
Delegation of nursing tasks may only be performed in settings which have a Chief Nursing Officer.
Chief Nursing Officer means the nurse who:

- Directs the facility’s nursing services
- Establishes nursing policies and procedures
- Establishes nursing standards of patient care, treatment, and services specific to the facility
The **Chief Nursing Officer** is responsible for ensuring that:

- the UAP is oriented to the facility & specific role
- the UAP’s skills are observed, evaluated & documented
- a written UAP job description, specific to setting, is provided to the UAP and to the delegator
- the UAP wear a name badge

24.159.1605
Chief Nursing Officer
Standards in Delegation

The Chief Nursing Officer is responsible for ensuring that:

- Each nurse’s competency to delegate in accordance with the rules is assessed
- Each nurse in the organization has opportunity for education on the process of delegation
- Policies and procedures concerning delegation are developed & implemented
- There is verification of nursing student credentials
CNO Standard of Responsibility

The **Chief Nursing Officer** is responsible for understanding differences between Delegation and Advanced Delegation.
Advanced Delegation in the Emergency Department

- For Advanced Delegation in the Emergency Department to take place, the CNO assures that the:
  - UAPs MUST:
    - work under Immediate Supervision of the delegating nurse
    - possess current NREMT registration at the intermediate or paramedic levels
    - be assessed as competent to perform the advanced nursing tasks as listed
For Advanced Delegation in the Dialysis Unit, the CNO assures that the:

(only for out-patient dialysis for an established adult patient)

- work under Immediate Supervision of the delegating nurse
- possess current NNCC or BONENT certification as a dialysis technician
- be assessed as competent to perform the advanced nursing tasks as listed

UAPs MUST:

- work under Immediate Supervision of the delegating nurse
- possess current NNCC or BONENT certification as a dialysis technician
- be assessed as competent to perform the advanced nursing tasks as listed
CNO Responsibility in Advanced Delegation 24.159.1631

- The **CNO** is responsible for ensuring for **Advanced Delegation to Nursing Students** that the:

  - Nursing Student UAPs **MUST have**:
    - current enrollment & good academic standing verified
    - current level of educational preparation confirmed
Standards Related to the Nurse Delegator

24.159.1612

(Delegation of nursing tasks by the nurse)
**STANDARD**

Direct supervision is the minimum requirement for all nursing delegation that occurs in an acute care or skilled nursing facility setting.

**Definition:**

Direct Supervision means the nurse delegator is on the premises and is quickly and easily available to the UAP.

24.159.1602 (11)
STANDARD

For advanced delegation, the delegating nurse shall provide immediate supervision for any delegated nursing task.

Definition:

Immediate Supervision means that the nurse delegator is on the premises and is within audible and visual range of the patient that the UAP is attending.

24.159.1602 (14)
**STANDARD**

In non-acute settings, the delegating nurse shall provide, at a minimum, *indirect supervision* for any delegated task.

**Definition**

*Indirect supervision* means the nurse delegator is not on the premises but has previously given written instructions to the UAP for the care and treatment of the patient and is readily available either in person or by telecommunication.

24.159.1602 (15)
Standards for Nurses Functioning as a Delegator 24.159.1612

- Degree of Supervision determinants (unless mandated by the Rules):
  - Stability of patient condition
  - Training & capability of the specific UAP delegatee
  - Nature of the nursing task to be delegated
  - Proximity & availability of the nurse to the UAP when the nursing task is performed
  - Type of health care setting
Standards for Nurses Functioning as a Delegator 24.159.1612

Degree of Supervision Determinants

- acute care or skilled nursing facility settings REQUIRE Direct Supervision
- non-acute care settings allow for Indirect Supervision
Standards in Non Acute Settings for Nurse Delegators 24.159.1612

Make a supervisory visit at least monthly:
- Evaluate patient's health status
- Evaluate performance of the delegated nursing task
- Determine whether goals are being met
- Determine appropriateness of continuing delegation of the task
The delegating nurse is accountable for:

- Safety of the patient
- Nursing process
- Patient assessment
- Delegation of nursing tasks appropriate to the UAP’s documented knowledge, skills, and abilities
The Delegation of Nursing Tasks Related to Medications
24.159.1616
Nursing Tasks Related to Medications that MAY be Delegated 24.159.1616(1)

- Administration of medication may only be delegated by the nurse in the following settings:
  - Schools
  - Hospice residential facilities
  - Montana State Prison
  - Women’s Correctional Center
  - Community based residential settings not defined as health care facilities (Title 50, Chapter 5)
Limitations on Medications that MAY be Delegated 24.159.1616(2)

Administration of medication is limited to:

- Pharmacy-prepared or authorized prescriber-prepared medications introduced into the body by inhalant dispenser or nebulizer
- Oral medication taken from either:
  - a pre-filled, labeled medication holder
  - a labeled unit dose container
  - an original marked and labeled pharmacy container
Limitations on Medications that MAY be Delegated 24.159.1616(2)

Administration of medication is limited to:

- Oral medications doses must be calculated by the nurse delegator and are limited to:
  - liquid forms which must be measured by the nurse delegator
  - tablet form which must be broken by the nurse delegator
- Suppository medication must be taken from either:
  - a prefilled, labeled medication holder
  - a labeled unit dose container
  - an original marked and labeled pharmacy container
Limitations on Medications that MAY be Delegated 24.159.1616(2)

Administration of medication is limited to:

- topical ointments (not containing opiates, cardiovascular agents, anesthetic agents, or systemic medications)
- ear drops and eye drops taken from either:
  - a prefilled, labeled medication holder
  - a labeled unit dose container
  - an original marked and labeled pharmacy container
General Nursing Functions and Tasks that may NOT be Delegated 24.159.1625

(except as provided in ARM 24.159.1616, 24.159.1630, 24.159.1631, 24.159.1636 and 24.159.1640)
Nursing Tasks & Functions That May NOT Be Delegated

- Functions that require nursing knowledge, judgment and skill:
  - The nursing assessment
  - Development of the nursing diagnosis
  - Establishment of the nursing care goal
  - Development of the nursing care plan
  - Evaluation of the patient’s progress, or lack of progress, toward goal achievement
Nursing Tasks & Functions That May NOT Be Delegated

- Nursing Interventions that require nursing knowledge, judgment, and skill
  \[24.159.1625(1)\]
- The authority to receive verbal orders from providers \[24.159.1625(3)\]
- Teaching or counseling patients, or a patient’s family, relating to nursing and nursing services \[24.159.1625(4)\]
Advanced Delegation

24.159.1630
Advanced Delegation

The Board of Nursing recognizes that certain UAPs are prepared by specialized education and training to receive delegation of advanced nursing tasks.
Delegation of advanced nursing tasks must be from a nurse authorized to delegate the specified advanced nursing tasks in settings and populations congruent with the UAPs’ respective specialized education and training.
Advanced Delegation of UAPs in Emergency Department

UAPs working in a facility’s emergency department may receive delegation of defined advanced nursing tasks if:

- The delegation is made in the emergency department
- The delegation is for a patient seeking emergency health care services

24.159.1636
Advanced Delegation of UAPs in Emergency Department

**REQUIREMENTS**

- Must work under Immediate supervision
- Must possess current NREMT registration at the intermediate or paramedic levels
- Must be assessed as competent to perform the advanced nursing tasks as listed
Advanced Delegation of UAPs in Emergency Department

- Advanced Delegation allowed:
  - Insertion of peripheral IV catheters
  - Hanging, without additives, initial IV fluids:
    - LR
    - D5W
    - D5NS
    - D5 in 1/2NS
    - D5LR
Advanced Delegation of UAPs in a Dialysis Unit

- May receive delegation of defined advanced nursing tasks if:
  - The delegation is made in an out-patient dialysis unit
  - The delegation is for an established adult dialysis patient who has been on dialysis for > 30 days

24.159.1640
Advanced Delegation of UAPs in a Dialysis Unit

- **REQUIREMENTS**
  - Must work under Immediate supervision
  - Is currently certified as a Certified Dialysis Technician by either:
    - The Nephrology Nursing Certification Commission (NNCC)
    - The Board of Nephrology Examiners – Nursing and Technology (BONENT)
Advanced Delegation of UAPs in a Dialysis Unit

- Advanced delegation allowed:
  - Preparing dialysate
  - Assembling & preparing the dialysis extracorporeal circuit
  - Initiating, delivering or discontinuing the dialysis treatment
Advanced Delegation of UAPs in a Dialysis Unit

- Advanced delegation allowed (cont’d):
  - Preparing & cannulating of mature fistula/graft
  - Obtaining a blood specimen via a dialysis line/graft/fistula
  - Administering specific medications as defined in 24.159.1640(f)
Advanced Delegation of Nursing
Students working as UAPs
24.159.1631(1)

May receive delegation of defined advanced nursing tasks if:

- The UAP nursing student is supervised at the proper level by the delegating nurse
- Is currently enrolled in an approved nursing education program with good academic standing
- Has satisfactorily completed a fundamentals of nursing course
Advanced Delegation of Nursing Students working as UAPs

May receive delegation to give medications if:

- As a condition of receiving delegation of medication administration has satisfactorily completed a pharmacology course as defined in 24.159.1602(20)
UAP nursing students may receive delegation of the other advanced nursing tasks as defined in 24.159.1631 and also other nursing tasks (not listed) for which the student has received instruction within the nursing program, as confirmed by official transcript and course description, and allowed by facility job description.
UAP nursing students may NOT receive delegation of the following nursing functions:

- the nursing assessment
- development of the nursing diagnosis
- establishment of the nursing care plan
- development of the nursing care plan
- evaluation of the patient's progress, or lack of progress, toward goal achievement
- patient triage
UAP nursing students may NOT receive delegation of the following nursing tasks:

- medication administration by intravenous injection or drip;
- administration of blood products, chemotherapeutic agents, TPN, hypertonic solutions or IV additives
- insertion of central IV catheters, NG or other feeding tubes
- removal of ET tubes, chest tubes, JP tubes, arterial or central catheters or epidural catheters;
- receiving verbal orders from providers
- teaching or counseling a patient or a patient's family relating to nursing and nursing services
Post Test Questions
1. All of the following may delegate nursing tasks to UAPs except:
   - Registered Nurse
   - Licensed Practical Nurse
   - Medical Doctor
   - Chief Nursing Officer
1. All of the following may delegate **nursing tasks** to UAPs except:

- Registered Nurse
- Licensed Practical Nurse
- **Medical Doctor** (correct answer)
- Chief Nursing Officer
2. “Accountability” means the responsibility of the delegating nurse for

- the decision to delegate
- verifying the competency of the UAP delegatee
- supervising the performance of the delegated task
- all of the above
2. “Accountability” means the responsibility of the delegating nurse for

- the decision to delegate
- verifying the competency of the UAP delegatee
- supervising the performance of the delegated task
- all of the above (correct answer)
3. Nursing delegation may only be performed in settings which have a designated chief nursing officer.

- True
- False
3. Nursing delegation may only be performed in settings which have a designated chief nursing officer.

- True (correct answer)
- False
4. The RN delegated the intravenous administration of hanging initial normal saline IV solution to a UAP working in the Emergency Department. A complaint was filed with the Board of Nursing against the RN alleging the above action amounted to unprofessional conduct. Is the allegation warranted?

- Yes
- No
4. The RN delegated the intravenous administration of hanging initial normal saline IV solution to a UAP working in the Emergency Department. A complaint was filed with the Board of Nursing against the RN alleging the above action amounted to unprofessional conduct. Is the allegation warranted?

- Yes
- No (correct answer)
5. What information did you use to base your answer on for the previous question?

- There was no violation of the nurse practice act
- The RN should not have delegated an intravenous administration because it is not allowed for a UAP to do this task
- The RN was following a physician’s order
- Delegation of nursing tasks to UAPs working in the Emergency Department is allowed in ARM 24.159.1636 for UAPs possessing NREMT registration
5. What information did you use to base your answer on for the previous question?

- There was no violation of the nurse practice act
- The RN should not have delegated an intravenous administration because it is not allowed for a UAP to do this task
- The RN was following a physician’s order
- Delegation of nursing tasks to UAPs working in the Emergency Department is allowed in ARM 24.159.1636 for UAPs possessing NREMT registration
6. In order to administer medications through advanced delegation, a student nurse must have successfully completed courses in:

- fundamentals of nursing
- pharmacology including medication administration
- all of the above
6. In order to administer medications through advanced delegation, a student nurse must have successfully completed courses in:

- fundamentals of nursing
- pharmacology including medication administration
- all of the above (correct answer)
7. UAPs who qualify to receive delegation of advanced nursing tasks may perform any task as long as the delegating nurse provides immediate supervision.

- True
- False
7. UAPs who qualify to receive delegation of advanced nursing tasks may perform any task as long as the delegating nurse provides immediate supervision.

- True
- False (correct answer)
8. A nurse who delegates a nursing task to a UAP for a home health patient in a non-acute setting may provide __________________ supervision for the UAP.

- Immediate
- Indirect
- Direct
- None of the above
8. A nurse who delegates a nursing task to a UAP for a home health patient in a non-acute setting may provide __________________ supervision for the UAP.

- Immediate
- Indirect (correct answer)
- Direct
- None of the above
9. The portion of the nursing process that **may** be delegated is the:

- nursing assessment
- development of the nursing care plan
- evaluation of the patient’s progress
- none of the above
9. The portion of the nursing process that **may** be delegated is the:

- nursing assessment
- development of the nursing care plan
- evaluation of the patient’s progress
- none of the above (correct answer)
10. Education, competency assessment, and policies and procedures concerning the delegation process are the ultimate responsibility of the

- Nurse delegator
- UAP
- Chief Nursing Officer
- Facility education coordinator
10. Education, competency assessment, and policies and procedures concerning the delegation process are the ultimate responsibility of the

- Nurse delegator
- UAP
- **Chief Nursing Officer (correct answer)**
- Facility education coordinator
Delegation & Assignment
ARM 24.159.1601

Find the Board of Nursing Statutes and Rules at the Board Website: www.nurse.mt.gov

For questions concerning nursing practice in the area of delegation and assignment contact:

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(This tutorial created by Melissa Mixan, RN in 2005 for the BON and updated in 2011 by C. Gustafson)