

Clarification

The term “delegating nurse case manager” only applies to delegation to a certified medication technician. A community health nurse always delegates and teaches, but is not always the “delegating nurse case manager”.

Delegation

1. Who is considered “licensed”? Who is considered “certified”?
A registered nurse (RN) and licensed practical nurse (LPN) are Licensed.
A certified nursing assistant (CAN) and certified medication technician (CMT) are certified.
The MBON website allows you to look up certified and/or licensed individuals to confirm their credentials.
2. Can a RN delegate to an uncertified individual?
Yes, refer to 10.27.11.03. D and E regarding delegation to an unlicensed individual.
An unlicensed individual is defined in 10.27.11.02 B(22).
3. Is it considered delegation when a RN trains/instructs an unlicensed individual?
Delegation involves establishing and maintaining competencies. Education and instruction alone are not delegation.
4. What is the difference between delegation and supervision? Can this happen under RN license?
Delegation gives the authority to act. Supervision is oversight, education, and instruction.
Yes, the RN can perform delegation. Please see 10.27.11.03.
5. What tasks are considered case management when delegating?
Case management is not defined unless there is delegation to a certified medication technician (CMT). The case management for this delegation to a CMT is described in 10.27.11.04.C and includes an on-site visit every 45 days and evaluation. This case management is management of the nursing component and not all of the participant’s services.
6. How does delegation work when a person is not being paid for the task?
Nurses are not responsible for what they do not instruct or delegate. If questions arise regarding unpaid tasks, the nurse is not required to instruct the unpaid provider and may refer to the physician or other clinician.
7. Is there liability to the nurse if no delegation occurs, but she knows of the skill being done by uncertified individual?
No.
8. If personal assistance provider is also an RN, how does delegation work?
The nurse monitor is responsible for making sure the provider is adequate, akin to the head nurse in a unit. Delegation is not necessary.

9. What is the responsibility of RN when a client is self-directing services?
The RN does not have responsibility for delegation. The nurse is responsible for oversight, assessment, and evaluation.
10. Can these practices continue?
 - a. Aides reminding participant to take meds after nurse has filled med-minder bi weekly?
Yes
 - b. Nurse monitor providing daily insulin shots?
Yes
11. Clarify delegation for tube feeding.
Both G tube and J tube feeding may be delegated to either a CMT and unlicensed family member. This includes adding medication. This task may not be delegated to CNAs.
12. Can LPNs delegate?
Yes, but they cannot do a comprehensive assessment.

24 Hour coverage

1. What is the liability to LHD who does not provide 24-hour coverage for delegation?
The RN needs to be available during the working hours of the provider to whom they have delegated a task. Back-up coverage by an alternate is required when the delegating nurse is not available.
2. Will there be any change to BON regs to address after hours coverage?
No.

Home Setting/Nursing Delegation Course

1. Can you clarify setting in which you can delegate?
A nurse may delegate in any and all settings.
2. How does the community setting translate for BON regs?
The regulations are not setting specific.
3. Will new course be developed to address issues inherent to community setting?
No, no new delegation course is planned at this time.
4. When will delegation course be updated to not be setting specific?
The CMT training course will be updated with an anticipated date in 2016.

5. Will there ever be an in-home skilled nursing course?
No. Standard nursing curriculum covers home-settings and college courses are available through existing nursing programs.

Other BON Guidance

1. Does the Board require any specific forms for nurse monitoring?
No.
2. Does the BON recommend professional development in regards to delegation and supervision?
If the nurse delegates work to a CMT, the delegation course is required. No other specific development is recommended at this time.
3. Can the BON provide written guidance about standards of practice for delegation and supervision?
Written guidance is provided through the regulations in 10.27.11.
4. Is there guidance on assessing the RN competency for delegating?
No. Competency is agency-specific and not dictated by the MBON.
5. What written guidance will be provided by the MBON to clarify 24 hours coverage questions that remain?
As noted in the section on 24 hour coverage, the nurse is required to be available only during the work hours of the provider to whom tasks have been delegated. An alternate, back-up nurse is required and may be used when the delegating nurse is not available.
6. What is the difference between Level 1,2 and 3 RSA?
These levels are determined and regulated by the Office of Health Care Quality and not the MBON.
7. What is the liability for contract monitoring of RSA to provide nurse monitoring?
The LHD is still responsible as a contract monitor to make sure the contracted entity meets the qualifications and performs adequately.