

IDAPA 23 - BOARD OF NURSING

23.01.01 - RULES OF THE IDAHO BOARD OF NURSING

DOCKET NO. 23-0101-1301

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-1404, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking is scheduled by the Idaho Board of Nursing and will be held as follows:

Thursday, July 18, 2013, 1:30 p.m. (MDT)

**SpringHills Suites by Marriott
424 E. Parkcenter Blvd.
Boise, Idaho**

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Board of Nursing. Individuals may also attend the public meeting to be conducted on the above date during which the Idaho Board of Nursing will allow oral comments or presentations to be made.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

Delegation is the process of transferring to a competent individual the authority to perform a selected nursing task in a selected situation. The nurse's decision to delegate a specific task/function/activity should not be restricted by regulation but should, instead, be dependent on the needs of the client, stability of client condition, complexity of the task, predictability of outcome and available resources to meet these needs and the judgment of the nurse. This rule is necessary to allow licensed nurses to appropriately delegate without limiting their authority to determine which tasks can be safely delegated in any individual circumstance and/or setting and to engage in other relationships where the structure and/or setting is not conducive to the delegation process and where the patient/client will benefit from the identified role and responsibilities of the nurse. These rule changes delete the list of specific functions codified at IDAPA 23.01.01.490.06 that cannot be delegated to an unlicensed assistive person by a licensed nurse, thereby allowing nurses to determine appropriate tasks/functions/activities that can be safely delegated in a given situation based on the nurse's informed judgment that the safety and well-being of the client will not be compromised by delegation of the task. The rule further adds to the partial listing of tasks that fall within a licensed nurse's functions codified at IDAPA 23.01.01.401.02 and 460.02 to include engaging in interfaces other than delegation in certain settings.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Sandra Evans, M.A. Ed., R.N., Executive Director, (208) 334-3110 ext. 2476.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted to the Board of Nursing by July 12, 2013. Written comments may also be submitted via email to sandra.evans@ibn.idaho.gov.

DATED this 6th day of June, 2013.

Sandra Evans, M.A. Ed., R.N., Executive Director
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