

## From Kansas State Nurses Association Legislative Update, June 6, 2008

### *Board of Nursing Rescinds Attorney General's Opinion Request-RNA Issue*

The Kansas Board of Nursing at a special meeting following their Strategic Planning Session on May 2 voted to rescind the Request to the Attorney General for an Opinion on two questions related to the scope of RNA practice in the state. This action was supported by the Kansas Association of Nurse Anesthetists, the Kansas Hospital Association, the Kansas Medical Society and KSNA. The dialogue on the RNA "ordering" interpretation continues and examining the potential use of "Standing Orders" for pre and post-operative orders for the anesthesia plan of care. The BON has this topic on their meeting agenda next week. (Page 9 is a synopsis of past history on this issue, previously published in May 2, Legislative Update.)

### *CRNA Scope of Practice Controversy Continues-Options Discussed for Resolution*

There has been some confusion and conflict over the Kansas Board of Nursing Practice Specialist giving guidance to the Kansas Department of Health and Environment, Hospital Licensing section in August of 2007 in which the breadth of the RNA scope of practice was questioned. This issue was brought to the attention of the Board of Nursing when the Kansas Association of Nurse Anesthetists (KANA) presented at the Open Forum during the December meeting. In their testimony, KANA requested the Board of Nursing to rescind Diane Glynn's (BON Practice Specialist) practice interpretation to KDHE Health Facilities Program staff which licenses Kansas hospitals, on what RNA's can and cannot do with respect to issuing orders. As a result of the KANA request, the Kansas Board of Nursing met again at a specially called meeting in January 2008 to discuss this critical issue. At that time they issued a statement that acknowledged the past eleven years of RNA practice. The statement is currently posted on the Kansas Board of Nursing website ([www.ksbn.org](http://www.ksbn.org)) and reads: At the special board meeting on January 14, 2008 the board voted and passed the following statement. "It was moved to issue a policy statement stating that the practice of anesthesia and analgesia care by RNA and acceptance of their orders by nurses should continue as conducted since implementation of KSA 65-1158 in 1996 pending further deliberation by KSBN."

A RNA Task Force was appointed, Joe Conroy RNA and Debbie Folkerts ARNP-NP were the two KSNA representatives on the Task Force that met in February, 2008 to further discuss this issue. That meeting included a review of relevant statutes, DEA interpretations on prescribing and administering scheduled drugs in the hospital setting, standards of practice reviews and dialogue on the legislative history of the RNA statutes. Requesting a clarifying AG's opinion was discussed.

During the report of the RNA Task Force by Janet Jacobs, LPN, (who served as the Chair from the Board of Nursing of the RNA Task Force)

at the next regularly scheduled Board of Nursing meeting, March 19th, a motion was approved, to Request an Attorney General's Opinion. The Board of Nursing sent that formal request to the Attorney General's Office in a letter dated April 2 and the question(s) posed read as follows:

a) When a physician or dentist writes an order for anesthesia or analgesia care, may a Registered Nurse Anesthetist, pursuant to the anesthesia plan of care, give written and/or verbal orders for pre-operative medications and diagnostic tests; medications and diagnostic tests during the post anesthesia care period, and medications and diagnostic tests related to the analgesia care provided by the registered nurse anesthetist;

If all of part of "a" is yes, then,

b) are professional nurses and licensed practical nurses authorized under KSA 65-1113 et seq to take or follow orders of registered nurse anesthetists?

Another meeting was convened by the Stakeholders on this issue on April 25th. Those included representatives from KSNA, KMS, Kansas Association of Nurse Anesthetists, Kansas Society of Anesthesiologists and the Kansas Hospital Association. Mary Blubaugh M.N., R.N., Executive Administrator of the Kansas State Board of Nursing was there as was Representative Peggy Mast, Vice-Chair of the House Health and Human Services Committee. The outcome of that meeting was that there will be review and possible implementation of "Standing Orders" signed by the Hospitals Medical/Surgical Staff regarding the pre and post-operative labs, radiology and medication orders needed by CRNA's in managing the "Anesthesia plan of care" and that a formal request to the Kansas State Board of Nursing President, Judith Hiner be sent requesting that the BON "withdrawal" the Attorney General's Opinion request in a timely manner.

## From Kansas State Nurses Association Legislative Update, May 2, 2008

### *CRNA Scope of Practice Controversy Continues-Options Discussed for Resolution*

There has been some confusion and conflict over the Kansas Board of Nursing Practice Specialist giving guidance to the Kansas Department of Health and Environment, Hospital Licensing section in August of 2007 in which the breadth of the RNA scope of practice was questioned. This issue was brought to the attention of the Board of Nursing when the Kansas Association of Nurse Anesthetists (KANA) presented at the Open Forum during the December meeting. At least one hospital was cited for deficiencies for permitting a RNA to issue orders and for RN's following the orders related to pre, intra and post-operative anesthesia care. In their testimony, KANA requested the Board of Nursing to rescind Diane Glynn's (BON Practice Specialist) practice interpretation to KDHE Health Facilities Program staff which licenses Kansas hospitals, on what RNA's can and cannot do with respect to issuing orders. As a result of the KANA request, the Kansas Board of Nursing met again at a specially called meeting in January 2008 to discuss this critical issue. At that time they issued a statement that acknowledged the past eleven years of RNA practice. The statement is currently posted on the Kansas Board of Nursing website ([www.ksbn.org](http://www.ksbn.org)) and reads: At the special board meeting on January 14, 2008 the board voted and passed the following statement. "It was moved to issue a policy statement stating that the practice of anesthesia and analgesia care by RNA and acceptance of their orders by nurses should continue as conducted since implementation of KSA 65-1158 in 1998 pending further deliberation by KSBN."

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