

Task Force on Delegation

Summary of Request: Consider the report of the June 20, 2014 and July 30, 2014 meetings of the Delegation Task Force (DTF).

Historical Perspective: Minutes from the June 20, 2014 and July 30, 2014 meetings of the Delegation Task Force for Chapter 224 are provided for the Board's consideration. A verbal report of the June 20, 2014 was provided to the Board members at the July, 2014 Board Meeting.

Since the last Board meeting, the Delegation Task Force for Chapter 224 met on July 30, 2014 and September 5, 2014. The discussions during this meeting focused on proposed recommendations for amendments to Board Rule 224 that will be presented in Agenda Item 7.3 for the Board's consideration.

Pros and Cons: None noted

Staff Recommendation: This item is for information purpose only. No action is required.

**Texas Board of Nursing
Delegation Task Force – Chapter 224**

**June 20, 2014
10:00 am – 3:00 pm**

Members present:

Monte Chambers, RN proxy for
Mary Noell, BSN, RN
Ramona Gaston-McNutt, BSN, RN
(Pending Board approval)
Kathryn Griffin, MSN, RN, NEA-BC
Michael Jones, BSN, RN
Cindy Keese, MSN, RN proxy for
Stacy Cropley, DNP, RN
Laura Miller, MSN, RN
Diane Moy, MSN, RN, PMHCNS-BC
Vickie Ragsdale, PhD, RN
Elizabeth Sjoberg, JD, RN
Jim Willmann, JD

Guests:

Jettie Eddleman, BSN, RN
Maxine Tomlinson
Nancy Slott, MSN, RN

Board Liaison:

Deborah Bell

Board Staff:

Kristin Benton, MSN, RN
Denise Benbow, MSN, RN
Melinda Hester, DNP, RN
James “Dusty” Johnston
Mary Beth Thomas, PhD, RN
Christina Stelly, MSN, RN

Representing:

Texas School for the Blind and Visually Impaired

Pediatric Provided Extended Care Centers
Department of State Health Services
Correctional Health, TTUHSC

Texas Nurses Association
Texas Organization of Nurse Executives
Consultant
Texas Association of Homes and Services
Texas Hospital Association
Texas Nurses Association

Texas Association for Hospice
TX/New Mexico Hospice
Texas Juvenile Justice Department

Texas Board of Nursing

Director of Nursing
Nursing Consultant for Practice
Lead Nursing Consultant for Practice
General Counsel
Consultant
Nursing Consultant for Practice

Agenda Item	Discussion/Action
I. Welcome and Introductions	I. Call to order at 10:04 by Dr. Melinda Hester, DNP, RN. All members, guests, and staff introduced themselves.
II. Guidelines for Meeting	II. There was a copy of the guidelines for the meeting in the folder provided for members who were encouraged to read them.
III. Election of Chairperson	III. Laura Miller, MSN, RN was nominated by Elizabeth Sjoberg, JD, RN. The nomination was seconded by Kathryn Griffin, MSN, RN, NEA-BC. The vote was unanimous.
IV. History of dates for rules	IV. Dr. Mary Beth Thomas, PhD, RN gave overview of the history of the delegation rules in Texas.

V. Purpose of meeting

VI. Discussion of RN Delegation Rules in Chapter 224

V. In October 2011 the Board issued a charge to examine the delegation rules.

VI. The discussion of the delegation rules in Chapter 224 began with identification of broad topics to be addressed including:

- 1) To specifically include APRNs in the rule (as was done in 225.3 (c)).
- 2) Nurses need a greater understanding of delegation (could be provided through education – both in nursing school and as continuing education).
- 3) Discussion related to hospice and applicability of the two delegation chapters.
- 4) Discussion related to physician delegation (224.10). This included discussion of the APRN role when there is an alternate supervising physician delegating to UAP.
- 5) Care transitions and patient hand offs - How does delegation and supervision of the delegation transfer when a patient goes to another facility and care transitions in general (home to facility; facility to facility; unit to unit within a facility; EMS brings a patient into the emergency department).
- 6) Training of UAP – and verification of training and continuing competency in relation to delegated tasks.
- 7) Employers need to understand fiscal implications of delegation/supervision requirements. There was also discussion about settings where non-licensed personnel make decisions related to patient care and use of UAP. Example in 225.3 puts responsibility on the nurse executive.
- 8) Correctional health utilizing physician delegation for UAP to administer medications – Medication Aide. For Rule 224.9, LTC, and home health may not be only settings where the Medication Aide is permitted to work. Add correctional health facilities to 224.9 based on TAC Title 40 Part 1 chapter 95 for Medication Aides.
- 9) Nursing Staffing committee – only required in hospitals, but could be utilized as a resource in relation to RN delegation within the hospital (i.e. training of nurse aides, delegation protocol within the hospital; oversight of competency, supervision, and feedback). Other types of facilities that utilize a number of nurses might benefit from a nurse staffing committee structure.

<p>VII. Schedule next meeting</p> <p>VIII. Closing</p>	<p>The meeting progressed with a more in-depth review of the rules including:</p> <ul style="list-style-type: none"> • Editorial changes to rule to change “BNE” to “BON” and correct spelling, ensure correct references to government code, and align with changes to 225. • Review of rule by section with suggestion to add reference to 225 in 224.1; add “current” in relation to competency in 224.6; add “qualified” before RN in 224.7; reference to others delegating such as the principle in a school setting to 224.10. <p>VII. Potential dates for next meetings: July 30; September 5; and September 26.</p> <p>VIII. Adjourned 12:28</p>
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Minutes recorded by
Denise Benbow, MSN, RN

Date Approved:
July 30, 2014

**Texas Board of Nursing
Delegation Task Force – Chapter 224**

**July 30, 2014
10:00 am – 3:00 pm**

Members present:

Stacey Cropley, DNP, RN
Irma Elizondo, RN
Gary Eubanks, RN
Ramona Gaston-McNutt, BSN, RN
Kathryn Griffin, MSN, RN, NEA-BC
Michael Jones, BSN, RN
Laura Miller, MSN, RN
Vickie Ragsdale, PhD, RN
Elizabeth Sjoberg, JD, RN
Jim Willmann, JD
Cindy Zolnieriek, MSN, RN proxy for
Donna Richardson, DNP, RN

Representing:

Texas Nurses Association
Department of Aging and Disability Service
UTMB Correctional Managed Care
Department of Aging and Disability Service
Department of State Health Services
Correctional Health, TTUHSC
Texas Organization of Nurse Executives
Texas Association of Homes and Services
Texas Hospital Association
Texas Nurses Association
Texas Nurses Association

Guests:

Jettie Eddleman, BSN, RN
Maxine Tomlinson, RN
Justin Robison, RN

Texas Association for Hospice
TX/New Mexico Hospice
UTMB Director of Nursing Vendor Care

Board Liaison:

Deborah Bell

Texas Board of Nursing

Board Staff:

Kristin Benton, MSN, RN
Melinda Hester, DNP, RN
James “Dusty” Johnston
Mary Beth Thomas, PhD, RN
Christina Stelly, MSN, RN
Jolene Zych, PhD, RN, WHNP-BC

Director of Nursing
Lead Nursing Consultant for Practice
General Counsel
Consultant
Nursing Consultant for Practice
Nursing Consultant for Advance Practice

Agenda Item	Discussion/Action
I. Welcome and Introductions	I. Call to order at 10:03 by Laura Miller. All members, guests, and staff introduced themselves.
II. Review of the Minutes	II. Review & Approval of the minutes by Jim Willmann at 10:09.
III. Discussion of Draft for RN Delegation rules in 224	III. The discussion of the delegation rules in Chapter 224 began with identification of broad topics to be addressed including: 1) To clarify 224.1(3) to include additional settings in addition to acute care settings who provide

	<p>24/7 care.</p> <ol style="list-style-type: none"> 2) Accepted amended changes to 224.2 and 224.3. 3) Discussion related to 224.5(c) and the RN administrator (RN who is responsible for nursing services) to assure that registered nurse delegation is compliant with Texas NPA and this chapter. 4) Discussion related to 224.5(c) and the input of the Nursing Staff Committee, the Nursing Peer Review Committee, or any other like committee in collaboration with the nurse administrator in the development and implementation of policies on RN delegation and the appropriateness of delegation tasks in RN care. 5) Accepted amended changes to 224.6(6) 6) Discussion to postpone review of 224.6(7), 224.6(8) and 224.7(2) until 224.10 can be clarified. 7) Discussion related to 224.8 regarding the non-acute setting and the collaborative effort of the RN and the tasks of the delegation process without the input of a nurse staffing committee. 8) Handout received "TNA Proposed Wording to Address Nurse Staffing Committee's Role in Delegation to Unlicensed Persons" 9) Accepted amended changes to 224.8(a)(1)(A), 224.8(b)(1)(B) 10) Discussion related to the board's authority to establish criteria in the nurse staff committee (regulated by DSHS) and the duty of the nurse in his/her decision to delegate following 224.8(B). 11) Discussion of 224.8(b)(B)(iv) and the RN's discretion to delegate 12) Accepted amended changes to 224.9(a) 13) Clarify 225.10(F) to avoid RN delegation confusion between 224.9 & 225.10(F) 14) Accept amended changes to 224.9(5) <p>The meeting progressed with a more in-depth review of the rules including:</p> <ul style="list-style-type: none"> •224.10 <ul style="list-style-type: none"> ○ Clarifying the difference between the RN Supervisor and "other practitioners" in supervising unlicensed personnel performing tasks in delegation. ○ Defining the supervising RN in 224.7 by excluding the supervising RN in 224.10 <p>IV. Schedule next meeting</p> <p>V. Closing</p>
	<p>I. Next meeting: September 5, 2014</p> <p>II. Adjourned 1:08</p>

Minutes recorded by
Christina Stelly, MSN, RN

Date Approved:
September 5, 2014