Vermont State Board of Nursing

APRN/RN/LPN Scope of Practice
Position Statement and Decision Tree

Question:
How does an Advanced Practice Registered Nurse (APRN), Registered Nurse (RN) or Licensed Practical Nurse (LPN) in Vermont determine whether a specified activity is within their scope of practice?

Definitions:

Scope of practice: A nurse’s scope of practice includes all the nursing activities that the nurse may perform while practicing as an APRN, RN or LPN.

Nursing activities: Nursing activities include tasks, procedures, and processes.

The following definitions are set forth in 26 V.S.A. §1572:

"Registered nursing" means the practice of nursing which includes but is not limited to:
(A) Assessing the health status of individuals and groups.
(B) Establishing a nursing diagnosis.
(C) Establishing goals to meet identified health care needs.
(D) Planning a strategy of medical or health care.
(E) Prescribing nursing interventions to implement the strategy of care.
(F) Implementing the strategy of care.
(G) Delegating nursing interventions that may be performed by others and that do not conflict with this subchapter.
(H) Maintaining safe and effective nursing care rendered directly or indirectly.
(I) Evaluating responses to interventions.
(J) Teaching the theory and practice of nursing.
(K) Managing and supervising the practice of nursing.
(L) Collaborating with other health professionals in the management of health care.
(M) Addressing patient pain.
(N) Performance of such additional acts requiring education and training and which are recognized jointly by the medical and nursing professions as proper to be performed by registered nurses.

"Licensed practical nursing" means a directed scope of nursing practice that includes:
(A) Contributing to the assessment of the health status of individuals and groups;
(B) Participating in the development and modification of the strategy of care;
(C) Implementing the appropriate aspects of the strategy of care as defined by the Board;
(D) Maintaining safe and effective nursing care rendered directly or indirectly;
(E) Participating in the evaluation of responses to interventions;
(F) Delegating nursing interventions that may be performed by others and that do not conflict with this chapter; and
(G) Functioning at the direction of a registered nurse, advanced practice registered nurse, licensed physician or licensed dentist in the performance of activities delegated by that health care professional.

"Advanced practice registered nurse" or "APRN" means a licensed registered nurse authorized to practice in this State who, because of specialized education and experience, is licensed and authorized to perform acts of medical diagnosis and to prescribe medical, therapeutic or corrective
measures under administrative rules adopted by the Board.

Background:
The legal basis for the scope of nursing in Vermont is the Vermont Nurse Practice Act (Title 26, Chapter 28 of the Vermont Statutes). An activity must be consistent with the Nurse Practice Act in order to be within the scope of practice of an APRN, RN or LPN.

Nursing practice evolves continuously in response to developments in technology, scientific knowledge, nursing education and training, and patient care needs. Activities within the scope of practice for APRNs, RNs and LPNs are described and differentiated by license type in the professional literature of nursing. For example, specific nursing practice activities are outlined in standards of practice, standards of care, and practice guidelines that may be found in journal articles, research reports, textbooks, and other resources.

Within the parameters outlined by the Vermont Nurse Practice Act, the individual scope of practice for each APRN, RN and LPN is determined by the individual's education, training, experience, and certification. The individual licensee's scope of practice is supported by documented evidence of education and competence in performing nursing activities. Other factors determining scope of practice include practice setting and population served; the availability of appropriate equipment, supervision and support; and policies, procedures, guidelines, or other resources for performing an activity.

Position Statement which Reflects Nurse’s Roles and Responsibilities:

Every APRN, RN, and LPN is accountable, both professionally and legally, for determining and practicing within his or her individual scope of practice within the broader scope of practice of the licensure level of the nurse.

A nurse may not perform activities which exceed the scope defined by the individual level of licensure. This means that a nurse may not perform, even if directed to do so, an activity not recognized by the profession as appropriate for that level of licensure or otherwise prohibited by law.

The purpose of the Scope of Practice Decision Tree is to assist nurses, employers, and the public to determine whether an activity is within the scope of practice of an APRN, RN or LPN. The Comparison of RN and LPN Scopes of Practice is intended to clarify the distinctions between the RN and LPN roles with respect to various components of practice. The decision tree and comparison chart are meant to be used as a guides or self help tools and do not constitute legal opinions. Other resources to assist in determining scope of practice include the Vermont Nurse Practice Act, Vermont Board of Nursing Position Statements (available on the Board of Nursing website), and consultation with the Executive Director of the Vermont Board of Nursing.

Each APRN, RN and LPN has a responsibility to practice in a manner that protects and promotes the health, safety and rights of the patient. Each nursing activity must be consistent with reasonable and prudent practice. The nurse must be prepared to accept and manage the consequences of nursing activities. Each individual is accountable for his or her own practice.

References/Citations:
Vermont Nurse Practice Act (26 V.S.A. Chapter 28)
Vermont Board of Nursing Administrative Rules
Date of Initial acceptance: November 2009 – Approved by Board

Revised (Date): September 14, 2015
Revised (Date):
Revised (Date):

Reviewed (Date):
Vermont Board of Nursing
Decision Tree – Scope of Practice

Describe the activity to be performed

Is the activity prohibited for your license by the VT Nurse Practice Act or other law or rule? Yes → Stop
No

Is the activity consistent with VT Nurse Practice Act, VT Board of Nursing position statements, National nursing organization standards of practice, Nursing literature and research, or Accreditation standards? No → Stop
Yes

Have you completed the necessary education and currently possess adequate knowledge to perform the activity safely? No → Stop
Yes

Is there evidence of your current competency and skill to perform the activity? No → Stop
Yes

Would a reasonable and prudent nurse with similar training and experience perform the activity? No → Stop
Yes

Is the activity consistent with facility policy and procedure? No → Stop
Yes

Is patient safety protected by adequate resources in the care setting (e.g., supplies and equipment, support staff, etc.)? No → Stop
Yes

Are you prepared to accept and manage the consequences of your action? No → Stop
Yes

The activity is within your scope of practice
<table>
<thead>
<tr>
<th>Component of Practice</th>
<th>RN Scope of Practice</th>
<th>LPN Scope of Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accepting an Assignment</td>
<td>Based on • Individual scope of practice and • Ability to perform the care safely</td>
<td>Based on • Access to RN/APRN/physician/dentist who must provide guidance and direction • Individual scope of practice and • Ability to perform the care safely</td>
</tr>
<tr>
<td>Assessment and triage</td>
<td>Yes</td>
<td>• Collects data using a protocol, procedure, form, or guideline • Determines need for immediate intervention • Contributes to the assessment*</td>
</tr>
<tr>
<td>Establishing nursing diagnosis</td>
<td>Yes</td>
<td>May contribute*</td>
</tr>
<tr>
<td>Establishing nursing goals</td>
<td>Yes</td>
<td>May contribute*</td>
</tr>
<tr>
<td>Planning nursing care</td>
<td>Yes</td>
<td>May participate*</td>
</tr>
<tr>
<td>Prescribing nursing interventions to</td>
<td>Yes</td>
<td>May participate*</td>
</tr>
<tr>
<td>implement the care plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Implementing the plan of care</td>
<td>Yes</td>
<td>• Yes, as directed by RN/APRN/physician/dentist • May implement the plan of care, authorized provider orders, and facility protocols*</td>
</tr>
<tr>
<td>Maintaining safe and effective nursing care</td>
<td>Yes</td>
<td>Yes, as directed by RN/APRN/physician/dentian</td>
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<tr>
<td>provided by self or others</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evaluation of care</td>
<td>Yes</td>
<td>May participate</td>
</tr>
<tr>
<td>Delegation</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Teaching nursing theory and practice</td>
<td>Yes</td>
<td>Yes, for nursing assistant education program</td>
</tr>
<tr>
<td>Managing and supervising nursing practice</td>
<td>Yes</td>
<td>Yes, as directed by RN/APRN/physician/dentian</td>
</tr>
<tr>
<td>Collaborating with other professionals in the</td>
<td>Yes</td>
<td>Yes, as directed by RN/APRN/physician/dentian</td>
</tr>
<tr>
<td>management of health care</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Independent practice without supervision by</td>
<td>Yes</td>
<td>No, must function with the direction and delegation of an RN/APRN/physician/dentist</td>
</tr>
<tr>
<td>a health care professional</td>
<td></td>
<td></td>
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</table>

*LPN role in assessment, planning, and implementation of a strategy of care:

- LPNs may not independently assess the health status of an individual or group and may not independently develop or modify the plan of care. LPNs may contribute to the assessment and nursing care planning processes; however, patient assessment and care plan development or revision remain the responsibility of the RN/APRN/licensed physician/licensed dentist.
- LPNs may not modify a patient care protocol. If the situation and/or data collected by the LPN are not clearly consistent with a protocol, the LPN must consult with the supervising professional or authorized provider before taking action or making a recommendation to a patient.