

# Department of Developmental Services

## **NURSING STANDARD**

### **97.1 NURSE DELEGATION TO UNLICENSED PERSONNEL**

#### **PURPOSE:**

To serve as a guideline for implementing the April 5, 1995 Connecticut Board of Examiners for Nursing Declaratory Ruling regarding Delegation of Nursing Tasks to Unlicensed Personnel. This standard is specifically related to the applicability of this ruling to individuals served by the Connecticut Department of Developmental Services. Such individuals shall not have their health and/or safety put at risk because of any portion of this standard.

#### **APPLICABILITY:**

All DDS programs and support services in which licensed nurses are utilized shall adhere to this standard. All agencies and their licensed nurses are responsible for complying with the Connecticut Board of Examiners for Nursing Declaratory Ruling regarding Delegation of Nursing Tasks to Unlicensed Personnel. Private agencies may adopt this or develop a similarly appropriate standard.

#### **DEFINITIONS:**

##### **Licensed Nurse:**

A Registered Nurse (R.N.) or a Licensed Practical Nurse (L.P.N.), working under the direction of a registered nurse, who holds a current license issued by the State of Connecticut under Chapter 378 of the Connecticut General Statutes.

##### **Delegation by Licensed Nurse:**

Delegation by a licensed nurse means transferring to a competent individual, the authority to perform a selected nursing task in a selected situation. While tasks and procedures may be delegated, the nursing functions of planning, assessment, evaluation and judgment shall not be delegated. A nurse retains the responsibility and accountability for the delegated task. Therefore, if in the nurse's judgment a task cannot be safely delegated, the nurse shall refuse such delegation.

##### **Nursing Tasks:**

Nursing tasks for the purpose of this standard are tasks which are normally within the area of responsibility of the delegating nurse. Activities which meet or assist the individual in meeting basic human needs and activities of daily living are not routinely considered nursing tasks.

##### **Baseline Competency of Unlicensed Staff:**

Unlicensed staff are presumed to have baseline competency if they are certified as a

Certified Nursing Assistant or Home Health Aide (DPH Rags, Section 19-13D8t, 19-13D66 to 19-13D92) or hold another Board approved state certification, and if documentation of task specific competency, specific to the task being delegated, exists. Newly hired unlicensed staff not holding such board approved certification are presumed to have baseline competency upon documentation of satisfactory completion of new employee training and on-site orientation. Current employees are presumed to have baseline competency upon satisfactory completion and documentation of on-going training.

**Task Specific Competency:**

Unlicensed staff shall be considered competent upon documentation of satisfactory completion of training specific to the task being delegated and to the needs of the individual. Satisfactory completion and documentation of training shall include demonstration as well as knowledge of the delegated task. Nursing tasks shall be taught by a licensed nurse on a case by case basis.

**Supervision:**

The nurse shall adequately supervise the performance of the delegated nursing activity in accordance with the requirements of supervision. These shall include, but not be limited to, initial direction, periodic evaluation of staff performance, and periodic evaluation of outcomes. In community settings, a designated registered nurse shall be available by phone and for on-site consultation as needed (See Regional or Agency Policies).

**PROCEDURE:**

1. When making a decision about delegating nursing tasks, the licensed nurse shall consider:
  - Individual safety and the potential for individual harm;
  - the stability and acuity of the individual's condition;
  - the nature and complexity of the task;
  - the type of technology employed in providing nursing care with consideration given to the knowledge and skill required to effectively use the technology;
  - relevant infection control and safety issues;
  - the requisite competency of the person to whom the task is being delegated;
  - the ability of the nurse to provide supervision and evaluation of the specific task being delegated;
  - the adequacy of resources available to the nurse to support, direct, supervise, and evaluate the delegated activity;
  - the proximity and availability of the nurse responsible for delegation or assistance.
2. The licensed nurse retains responsibility for the total nursing process and for its outcomes in all situations where delegation has occurred. The nurse retains accountability for appropriate delegatory decisions, supervision and the coordination of nursing care.
3. The nurse shall delegate nursing tasks to unlicensed staff who have documented baseline competency and those task specific competencies as needed. Such delegation shall only occur in the presence of written agency policies and

procedures.

4. Supervision of unlicensed staff shall include: guidelines for each nursing task, including initial direction, and periodic evaluation of staff implementation and evaluation of client outcomes. Agency specific policies and procedures shall further delineate specific supervision and on-going monitoring required for such delegated tasks.
5. The nurse will ensure agency compliance with all required documentation:

Baseline Competency  
Task Specific Competency  
Supervision,  
On-going Monitoring.

6. RN Refusal to Delegate:
  - a. If the nurse makes a decision not to delegate a specific task, the nurse must document the rationale for this decision according to Section 1 of this standard. If a dispute arises regarding whether or not to delegate a nursing task, the nurse and/or the agency will then bring information and documentation regarding the situation to the DDS Regional Health Services Director. Further discussion and resolution will occur regionally. If resolution cannot be obtained at this level, the matter will be reviewed by the appropriate health and/or legal personnel at the DDS central office level.
  - b. If a nurse decides not to delegate, or not to continue to delegate, a task to a specific unlicensed staff member, the nurse shall refer his or her concerns in writing, to appropriate supervisory authority.

#### References:

April 5, 1995 CT Board of Examiners for Nursing Declaratory Ruling regarding Delegation of Nursing Tasks to Unlicensed Personnel.

Baseline Competency Training Components

Baseline Competency Training Checklist

Nursing Delegation Procedure Performance Evaluation

Formulated: March 1997

Content Last Modified on 10/26/11