

Your State Board of Nursing Works for You

A Health Care Consumer's Guide



NCSBN

National Council of State Boards of Nursing

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Nurses are highly educated, skilled professionals who practice in a wide variety of settings, including hospitals, long-term care facilities, schools, community health care agencies and in the corporate workplace. Nurses ease pain, help patients recover from illness and often save lives. They also provide health education and help people stay well.

Nurses are licensed to practice by a state or territorial nursing board. A board of nursing (BON) regulates and oversees nursing practice throughout the state or territory. The BON consists of nurses and other members who are appointed to serve for a specific period of time, as well as full-time staff of professional nursing regulators. The BON's job is to enforce the state's nurse practice act (NPA), the law which governs nurses in each state.

The majority of nurses are competent and caring individuals who provide a high level of care. However, when a problem is experienced with a nurse and you believe that the nurse's performance is incompetent, negligent or unsafe, there is action that you should take to protect yourself or your family member, as well as other patients.

What action should I take when I note unsafe, negligent or incompetent behavior in a nurse?

First and foremost, take steps to be sure that you or the patient involved are not in harm's way. Report the situation to a supervisor or the nurse's employer immediately. Then, contact your state BON (or state licensing authority) and file a complaint. If you are unsure whether a nurse has done something that should be reported, contact the state BON for assistance.

A complaint can be filed at any time by anyone who feels that a nurse has provided incompetent, negligent or unsafe care. Examples of cases where a nurse should be reported immediately include:

- Appearance of being impaired by drugs or alcohol while working;
- Stealing from a patient or client, including medications;
- Providing treatment or care that should be provided only by a physician or advanced practice nurse;
- Abusing a patient physically, emotionally, verbally or sexually; or
- Involvement in criminal conduct.

Basically, you should report any nurse whose behavior is unsafe, incompetent, unethical, affected by the use of alcohol, drugs or other chemicals, or affected by a physical or mental condition.

How do I file a complaint?

Many states have complaint forms available on their website, or you may call the number on the back of this brochure to request information on how to file a complaint.

The BON needs enough information to be able to determine if the individual is a nurse licensed by the BON and whether the alleged practice or behavior is a violation of a law or rule that the BON has the authority to enforce. Provide as much detailed information as possible about the situation, including names, dates, times and places.

Contact your BON with questions regarding confidentiality and how you, the complainant, may be involved in the process.

What happens after I file the complaint?

At all times, your complaint will be taken very seriously. First, a determination is made as to whether or not the complaint indicates that the nurse violated existing laws or regulations that govern the nurse's practice. Some things, even if proven true, may not meet grounds for discipline. For example, concerns about dress, appearance or personality are considered employer issues and not reportable to the BON. Sometimes the reported individual is not a nurse, so the BON is unable to take action because it does not have authority over that individual. If the individual is another licensed health care professional, the BON may refer your complaint to the appropriate agency.

Upon review of the complaint, an investigation may begin by a BON-appointed investigator. You may be contacted if the investigator requires more information. Once the investigation is complete and it is determined that the nurse violated nursing law or regulations, the BON can take various corrective actions. These vary depending on many factors, including the severity of the problem. The BON can decide that the nurse requires additional education or treatment for an illness, or it can decide to temporarily restrict or stop the nurse from practicing by removing his/her license. The goal is to handle the issue in an appropriate manner that is fair to the nurse, but puts the protection of the public first.

The BON wants to take the best course of action to protect other patients and prevent any further incidents. Disciplinary action taken by a BON is a matter of public record. If you have any questions regarding a nurse's license or disciplinary history, please see your BON's website.

It is important to know who is providing care to you or your family member. See below for basic requirements of nursing roles and their respective responsibilities.

The following are licensed nursing care providers:

Licensed Practical Nurse (LPN) or Licensed Vocational Nurse (LVN) – a licensed health care provider who has had one year of education from a practical nurse program and works under the supervision of a registered nurse, advanced practice nurse or physician. Responsibilities vary from state to state.

Registered Nurse (RN) – a licensed health care professional who has graduated from a nursing education program with a diploma, associate degree, bachelor's degree or master's degree.

Advanced Practice Registered Nurse (APRN) – holds a current RN license; has a graduate degree and advanced knowledge. There are four categories of APRNs: certified nurse-midwife (CNM), clinical nurse specialist (CNS), certified nurse practitioner (CNP) or certified registered nurse anesthetist (CRNA). These nurses can diagnose illnesses, and prescribe treatments and medications.

The following are unlicensed, assistive care providers that may or may not be regulated by your BON:

Certified Nursing Assistants (CNAs), Patient Care Assistants (PCAs), Patient Care Technicians (PCTs), State Tested Nursing Assistants (STNA), Nursing Assistants-Registered (NA/Rs) or Medication Aides (MA-Cs) are unlicensed, assistive personnel who have varying education and experience levels and work under the supervision of an LPN/VN, RN or APRN. These individuals may take vital signs and assist patients with activities of daily living, in addition to providing basic bedside care. In specific states, MA-Cs have received additional training that allows them to pass medications under the supervision of a nurse.

Your board of nursing can be contacted at:

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www.hhs.state.ne.us/crl/nursing/nursingindex.htm



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