

RN Reference Resource Section
Former Board of Nurse Examiners' Rules and Regulations Excerpts

The following rules are frequently requested for comparison to current BNE rules and regulations. 22 Texas Administrative Code §§217.11 - .12 as printed below were effective September 1, 1999 through September 28, 2004.

Former §§217.11 - 12.

Former §217.11. Standards of Professional Nursing Practice. The responsibility of the Texas Board of Nurse Examiners (board) is to regulate the practice of professional nursing within the State of Texas. The purpose of defining standards of practice is to identify roles and responsibilities of the registered professional nurse (RN) in any health care setting. The standards for professional nursing practice shall establish a minimum acceptable level of professional nursing practice. The RN shall:

- (1) know and conform to the Texas Nursing Practice Act and the board's rules and regulations as well as all federal, state, or local laws, rules or regulations affecting the RN's current area of nursing practice;
- (2) use a systematic approach to provide individualized, goal-directed nursing care by:
 - (A) performing nursing assessments regarding the health status of the client;
 - (B) making nursing diagnoses which serve as the basis for the strategy of care;
 - (C) developing a plan of care based on the assessment and nursing diagnosis;
 - (D) implementing nursing care; and
 - (E) evaluating the client's responses to nursing interventions;
- (3) know the rationale for and the effects of medications and treatments and shall correctly administer the same;
- (4) accurately and completely report and document:
 - (A) the client's status including signs, symptoms and responses;
 - (B) nursing care rendered;
 - (C) physician, dentist or podiatrist orders;
 - (D) administration of medications, and treatments; and
 - (E) client response(s);
 - (F) contacts with other health care team members concerning significant events regarding client's status.

- (5) implement measures to promote a safe environment for clients and others;
- (6) respect the client's right to privacy by protecting confidential information unless obligated or allowed by law to disclose the information;
- (7) promote and participate in client education and counseling based on health needs;
- (8) ensure the verification of current Texas licensure and credentials of personnel for whom the RN is administratively responsible, when acting in the role of nurse administrator;
- (9) make assignments to others that take into consideration client safety and which are commensurate with the educational preparation, experience, knowledge, and physical and emotional ability of the persons to whom the assignments are made;
- (10) delegate nursing tasks in compliance with §218.3, relating to general criteria for delegation and §218.4, relating to supervision;
- (11) supervise nursing care provided by others for whom the RN is administratively or professionally responsible;
- (12) accept only those nursing assignments that take into consideration patient safety and that are commensurate with one's own educational preparation, experience, knowledge and physical and emotional ability;
- (13) obtain instruction and supervision as necessary when implementing nursing procedures or practices;
- (14) notify the appropriate supervisor when leaving a nursing assignment;
- (15) know, recognize, and maintain professional boundaries of the nurse-client relationship;
- (16) report unsafe nursing practice by an RN which a nurse has reasonable cause to suspect has exposed or is likely to expose a client unnecessarily to risk of harm as a result of failing to provide client care that conforms to the minimum standards of acceptable and prevailing professional practice. The RN should report unsafe practice conditions or other practitioners to the appropriate authority or licensing board;
- (17) provide, without discrimination, nursing services regardless of the age, disability, economic status, gender, national origin, race, religion, or health problems of the client served;
- (18) institute appropriate nursing intervention which might be required to stabilize a client's condition and/or prevent complications;
- (19) clarify any order or treatment regimen that the nurse has reason to believe is inaccurate, non- efficacious or contraindicated by consulting with the appropriate licensed practitioner and notifying the ordering practitioner when the RN makes the decision not to administer the medication or treatment;
- (20) implement measures to prevent exposure to infectious pathogens and communicable conditions;

- (21) collaborate with the client, members of the health care team and, when appropriate, the client's significant other(s) in the interest of the client's health care;
- (22) consult with, utilize and make referrals to appropriate community agencies and health care resources to provide continuity of care;
- (23) be responsible for one's own continuing competence in nursing practice and individual professional growth.

Former §217.12. Unprofessional Conduct. The unprofessional conduct rules are intended to protect clients and the public from incompetent, unethical, or illegal conduct of licensees. The purpose of these rules is to identify unprofessional or dishonorable behaviors of the registered professional nurse (RN) which the board believes are likely to deceive, defraud or injure clients or the public. These behaviors include but are not limited to:

- (1) failing to know and conform to the Texas Nursing Practice Act and the board's rules and regulations as well as all federal, state, or local laws, rules or regulations affecting the RN's current area of nursing practice;
- (2) failing to assess and evaluate a client's status or failing to institute nursing interventions which might be required to stabilize a client's condition or prevent complications;
- (3) failing to administer medications or treatments or both in a responsible manner;
- (4) failing to accurately and completely report and document:
 - (A) the client's status including signs, symptoms and responses;
 - (B) nursing care rendered;
 - (C) physician, dentist or podiatrist orders;
 - (D) administration of medications, and treatments; and
 - (E) client response(s);
 - (F) contacts with other health care team members concerning significant events regarding client's status.
- (5) failing to implement measures to promote a safe environment for clients and others (e.g. bed rails up, universal precautions);
- (6) disclosing confidential information or knowledge concerning the client except where required or allowed by law;
- (7) failing to provide client education and counseling based on client health care needs;
- (8) failing to ensure the verification the current Texas licensure and credentials of personnel for whom

he/she is administratively responsible, when acting in the role of nurse administrator;

- (9) assigning nursing care in a manner that fails to take client safety into consideration or assigning nursing care functions to others who lack the educational preparation, experience, knowledge or physical and emotional ability to perform these functions;
- (10) delegating nursing tasks not in compliance with §218.3 relating to general criteria for delegation and §218.4 relating to supervision;
- (11) failing to supervise the delivery of nursing care for which the RN is administratively or professionally responsible;
- (12) accepting an assignment when one's physical or emotional condition prevents the safe and effective delivery of care or accepting an assignment that does not take into consideration patient safety or for which one lacks the educational preparation, experience, knowledge or ability;
- (13) failing to obtain instruction or supervision when implementing nursing procedures or practices for which one lacks the educational preparation, ability, knowledge and/or experience;
- (14) leaving a nursing assignment without notifying one's appropriate supervisor;
- (15) violating professional boundaries of the nurse/client relationship including but not limited to physical, sexual, emotional or financial exploitation of the client or the client's significant other(s);
- (16) causing or permitting physical, emotional or verbal abuse or injury or neglect to the client or the public, or failing to report same to the employer, appropriate legal authority and/or licensing board;
- (17) failing to report to the board or to a board approved peer assistance program, if applicable, within a reasonable time of the occurrence, any violation or attempted violation of the Nursing Practice Act or duly promulgated rules, regulations or orders;
- (18) failing to follow the policy and procedure in place for the wastage of medications at the facility where the RN was employed or working at the time of the incident(s);
- (19) misappropriating, in connection with the practice of nursing, anything of value or benefit, including but not limited to, any property, real or personal of the client, employer, or any other person or entity, or failing to take precautions to prevent such misappropriation;
- (20) failing to make entries, destroying entries, and/or making false entries in records pertaining to care of clients;
- (21) passing, or attempting to pass forged, altered, falsified or unauthorized prescription(s) by electronic, telephonic, written communication or any other means;
- (22) providing information which was false, deceptive, or misleading in connection with the practice of professional nursing;
- (23) failing to answer specific questions that would have affected the decision to license, employ, certify or otherwise utilize an RN;

- (24) offering, giving, soliciting, or receiving or agreeing to receive, directly or indirectly, any fee or other consideration to or from a third party for the referral of a client in connection with the performance of professional services;
- (25) failing to report the unauthorized practice of professional nursing;
- (26) failing to repay a guaranteed student loan, as provided in Section 57.491 of the Texas Education Code.