



**ALABAMA BOARD OF NURSING
EMERGENCY RULE
§610-X-4-.19ER
EFFECTIVE MARCH 20, 2020**

At an emergency called meeting on March 20, 2020, the Alabama Board of Nursing adopted §610-X-4-.19ER, which addresses a number of licensing issues. The rule, which takes immediate effect, is intended to address barriers to patient care and staffing issues arising from the outbreak of COVID-19 in the United States. A summary of the provisions of §610-X-4-.19ER follows:

- The fee for reactivation of a retired nursing license within two years of retirement is reduced from \$600.00 to \$250.00 for the duration of the public health emergency.
- CE requirements for reinstatement of a lapsed license or reactivation of a retired license are suspended for the duration of the public health emergency.
- Advanced practice nurses are granted a 15-day grace period from the date of expiration of national certification for the Board to receive primary source verification from the certifying agency, provided that the certification did not actually expire.
- All temporary permits with valid terms of fewer than 180 days are extended to 180 days.
- The rule establishes a delegation program, where nurses may delegate nursing tasks to individuals who are currently enrolled in an approved nursing education program and employed as unlicensed assistive personnel in licensed healthcare facilities, with specific limits.

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and
41-22-6(c)(2)a. and b.

I certify that the attached emergency new rule is a correct copy
as promulgated and adopted on the 20th day of March, 2020.

AGENCY NAME: Alabama Board of Nursing

RULE NO. AND TITLE: 610-X-4-.19ER Temporary Provisions Related to
Outbreak of COVID-19

EFFECTIVE DATE OF RULE: March 20, 2020

EXPIRATION DATE (If less than 120 days): Conclusion of COVID-19
Public Health Emergency

NATURE OF EMERGENCY: Public Health Emergency declared by Governor
Ivey on March 13, 2020, related to COVID-19 outbreak. The rule
changes are designed to ease regulatory burdens and increase
access to healthcare, as well as to address staffing shortages in
Alabama facilities.

STATUTORY AUTHORITY: Code of Alabama, 1975, § 34-21-2(c)(1)

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS _____ YES x NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY
OF RULE:

Peggy Sellers Benson
770 Washington Avenue, Suite 250
Montgomery, AL, 36104
(334)293-5200



Signature of officer authorized
to promulgate and adopt rules and
regulations or his or her deputy

FILING DATE
(For APA Use Only)

610-X-4-.19ER Temporary Provisions Related to Outbreak of
COVID-19

(1) The following provisions shall remain in effect for the duration of the state public health emergency declared by Governor Kay Ivey on March 13, 2020, relating to the outbreak of COVID-19 in the United States:

(a) The fee for reactivation of an inactive (retired) license within two (2) years of inactive status, appearing in Section 610-X-4-.14 of these rules, shall temporarily be reduced to \$250.00.

(b) All continuing education requirements for reinstatement of a lapsed license or reactivation of an inactive license shall be suspended.

(c) Advanced practice nurses shall continue to be required to maintain at all times current certification from their national certifying body; however, advanced practice nurses shall have fifteen (15) days from the expiration date of the current certification to provide evidence of recertification by primary source verification to the Board.

(d) All temporary permits issued by the Board with terms of fewer than 180 days shall be valid for 180 days, unless otherwise invalidated.

(e) For the duration of this public health emergency, a licensed nurse may delegate selected nursing activities supportive to licensed nurses to nursing students currently enrolled in approved schools of nursing and employed as nursing aides in licensed healthcare facilities who have successfully completed coursework in pharmacology, medication administration and fundamentals; provided that:

1. The licensed healthcare facility at which the nursing student aide is performing the selected delegated nursing activities has authorized the delegation.

2. The nursing student aide's competency to perform the selected delegated nursing activities to be delegated shall be assessed and documented prior to delegation.

3. The licensed nurse may suspend or withdraw delegation to the nursing student aide at any time.

4. Nursing activities which may be delegated to the nursing student aide include:

- (i) Obtaining vital signs, glucometer, and pulse oximetry readings
- (ii) Assisting patients with feeding
- (iii) Dressing changes limited to the application of simple bandaging (e.g. steri-strips), wet-to-dry, and/or sterile dressing change
- (iv) Maintenance of ostomies (e.g. colostomy and urostomy) to include measuring and application of wafer board
- (v) Restorative care to include ambulation with gait belt, walker, crutches, and/or wheelchair
- (vi) Restorative care to include active and passive range-of-motion (ROM) exercises and contracture care
- (vii) Peripheral Venous Phlebotomy for laboratory analysis
- (viii) Application of oxygen via nasal cannula
- (ix) Insertion/Removal of Foley Catheter, to exclude suprapubic catheterization
- (x) Initiation and discontinuation of nebulizer treatments to EXCLUDE racemic epinephrine administration
- (xi) Administration of routine screening tests/immunizations (e.g. flu and TB)
- (xii) Administration of routine medications. Routine medications may not be administered through the following routes of administration:
 - (I) Gastric
 - (II) Nasogastric
 - (III) Intravenous
- (xiii) Removal of intravenous catheter
- (xiv) Documentation of all procedures and/or medications administered in the licensed healthcare facility's electronic medical records platform and paper records

(f) Nursing student aides shall not be delegated the following nursing activities:

1. Administration of PRN (as-needed) medications
2. Suction of and/or replacement of tracheostomy
3. Accessing feeding tubes (G or J-tubes)
4. Placement of any form of intravenous catheter
5. Accessing any intravenous catheter for initiation or therapies
6. Administration of blood or blood products

(g) As used in this rule, a nursing student aide shall be defined as an individual who is currently enrolled in an approved nursing education program and is employed in an unlicensed capacity in a licensed healthcare facility.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, §34-21-24.

History: **Emergency Rule:** Filed March 20, 2020.