

BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:

DANIELLE CADY
1-085082 (ACTIVE); CRNP

Petitioner.

)
) IN RE: PETITION FOR
) DECLARATORY RULING
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DECLARATORY RULING

COMES NOW the Alabama Board of Nursing, by and through its Executive Officer Peggy Sellers Benson, RN, MSHA, MSN, NE-BC, and issues the following ruling:

QUESTION PRESENTED

Pursuant to Rule 610-X-5-.11 of the Alabama Board of Nursing Administrative Code, is it within the scope of practice for a Certified Registered Nurse Practitioner (CRNP) credentialed as an Acute Care Nurse Practitioner with a Dermatology Certified Nurse Practitioner designation to diagnose, prescribe and treat patients across the lifespan for dermatological skin conditions?

FINDINGS OF FACT

1. On April 2, 2022, Cady submitted a Declaratory Ruling Request. Cady seeks a declaratory ruling to determine whether, pursuant to Rule 610-X-5-.11 of the Alabama Board of Nursing Administrative Code, it is within the scope of practice for a Certified Registered Nurse Practitioner (CRNP) credentialed as an Acute Care Nurse Practitioner with a Dermatology Certified Nurse Practitioner designation to diagnose, prescribe and treat patients across the lifespan for dermatological skin conditions? Cady describes herself as a person with a DNP (Doctor of Nursing Practice), DCNP (Dermatology Certified Nurse Practitioner), ACNP (Acute Care Nurse Practitioner), CRNP (Certified Registered Nurse Practitioner) "who has been highly educated, trained and certified in the specialty having provided dermatological care to patients of all ages for the past 16 years in the state of Florida and over 30,000 practice hours."

2. Cady states as follows:

This Acute Care Nurse Practitioner is requesting to provide care to patients across the lifespan to diagnose, prescribe and treat dermatological skin conditions ONLY. As a Dermatology Certified Nurse Practitioner (DCNP), I have been highly educated, trained and certified with over 30,000 practice hours in the field of dermatology. I have delivered such care to patients of all ages for over 16 years in the state of Florida and wish to reenter my home state of Alabama as a DCNP offering better access of specialty care to rural communities of Alabama. The

DCNP designation requires extensive continuing education, etc. to maintain recertification every 3 years. I am requesting special permission based on my high level of knowledge, experience, expertise and research as a Doctor of Nursing practice in the field of dermatology and I urge the board to allow me to practice to the full extent of my capability. Thank you for your careful consideration.

In support of her petition Cady attached her DCNP certification issued by the Dermatology Nurse Practitioner Certification Board, as well as documentation from the Board showing that the DNCP Examination "measures the nurse practitioner's ability to [among other things]: Assess and diagnose acute and chronic dermatological conditions that occur across the lifespan."

JURISDICTION

Pursuant to Section 41-22-11 of the Code of Alabama (1975), the Alabama Board of Nursing has jurisdiction to issue declaratory rulings with respect to the validity of a rule, with respect to the applicability to any person, property or state of facts of any rule or statute enforceable by it, or with respect to the meaning and scope of any order of the agency, if a written petition for declaratory ruling is filed by a person who states with specificity the reason why the person is substantially affected by the rule at issue. See also Alabama Board of Nursing Administrative Code § 610-X-1-.09. Cady is substantially affected by the rule pertaining to the scope of practice for a CRNP; thus the ABN has jurisdiction to issue this Declaratory Ruling.

CONCLUSIONS OF LAW

1. The rule about which Cady seeks a declaratory ruling is Rule 610-X-5-.11 of the Alabama Board of Nursing Administrative Code, which sets forth the functions and activities of CRNPs and provides in relevant part: "A certified registered nurse practitioner may, after the successful completion of an organized program of study and supervised clinical practice, carry out functions beyond the nurse practitioner educational preparation provided the functions are approved by the Board of Nursing as being within the legal scope of practice for a certified registered nurse practitioner. Such functions shall be submitted to the Joint Committee for consideration for inclusion on the standard protocol."
2. A CRNP is required to "practice in accordance with national standards and functions identified by the appropriate specialty-certifying agency as recognized by the Board of Nursing and as congruent with Alabama law." Alabama Board of Nursing Administrative Code § 610-X-5-.10. ABN currently recognizes the following certifications: Acute Care Nurse Practitioner, Adult Care Nurse Practitioner, Adult-Gerontology Acute Care Nurse Practitioner, Adult-Gerontology Primary Care Nurse Practitioner, Family Practice Nurse Practitioner, Gerontology Nurse Practitioner, Neonatal Nurse Practitioner, Pediatric Acute Care Nurse Practitioner, Pediatric Nurse Practitioner, Psychiatric and Mental Health Nurse Practitioner, and Women's Health Care Nurse Practitioner. The ABN does not recognize the Dermatological Nurse Practitioner certification.

3. The Standards and Scope of Practice for Acute Care Nurse Practitioners document describes “[t]he population focus for the ACNP [as] either pediatric, late adolescent, or adult-gerontology patients with acute, critical, and/or complex chronic illnesses or injury who may be physiologically unstable, technologically dependent, and highly vulnerable for complications. The population served is determined by the educational preparation of the ACNP in a population focus.” AACN Scope and Standards of Practice for Adult-Gerontology and Pediatric Acute Care Nurse Practitioners (2021) at p. 8. According to the standard protocol for Acute Care Nurse Practitioners in Alabama, the Acute Care CRNP’s population focus is “young adults, adults and older adults who are acutely/critically ill with acute or chronic health conditions.” The Adult-Gerontology Acute Care (AGAC) Certified Registered Nurse Practitioner Standard Protocol for Alabama describes the population focus for the AGAC CRNP as “adults from adolescence through the end of life.” These population foci do overlap with the population focus found on the standard protocol for the Pediatric Acute Care CRNP, which is “infants, children, adolescents and young adults with acute, complex, critical and chronic illness.” There is no evidence that an Acute Care Nurse Practitioner (which is a certification now only available for renewal) was required to have completed graduate-level coursework regarding assessment of pediatric populations. Given that the population focus for the Adult-Gerontological Acute Care Nurse Practitioner in Alabama’s protocol is described as “adults from adolescence through the end of life,” the “young adult” population focus included in the population foci on the Alabama standard protocol for Alabama Adult Acute Care Nurse Practitioners should be construed to include adolescents.

4. The Dermatology Nurse Practitioner Certification is not an entry-to-practice certification; rather, the eligibility requirements are:

- Current NP State Licensure
- Master's degree in nursing
- National certification as a nurse practitioner
- Minimum of 3,000 hours of general dermatology practice within the past three (3) years with current practice in dermatology (hours obtained from a formal dermatology NP academic program count towards the 3,000 hours)

See DNPCB 2021 Certification Brochure and Application. There does not appear to be any requirement that any particular number of clinical hours be devoted to any particular age group within the lifespan; moreover, there is no requirement for didactic dermatology-focused education (other than that which might have been received in the course of obtaining education to support national certification as a nurse practitioner). Indeed, a 2010 APRN Consensus Model FAQ document notes “Preparation in a specialty area of practice is optional, but, if included in the educational program, it must build on the APRN role/population focus competencies.” “2008 APRN Joint Dialogue Group Report noted that an “APRN specialty . . . preparation can not expand one’s scope of practice beyond

the role or population focus [and] addresses a subset of the population-focus." APRN Joint Dialogue Group Report (July 7, 2008) at p. 12.

RULING

Cady's Request for Declaratory Ruling is hereby granted, and the Alabama Board of Nursing hereby rules as follows:

1. A Certified Registered Nurse Practitioner certified as an Adult Acute Care Nurse Practitioner and practicing in an approved collaborative practice may treat patients in the population foci of young adults (which includes adolescents), adults, and older adults.
2. Pursuant to Rule 610-X-5-.11 of the Alabama Board of Nursing Administrative Code, an Acute Care Nurse Practitioner practicing as a CRNP in collaborative practice who is also credentialed as a Dermatology Certified Nurse Practitioner may apply to the Joint Committee for approval to perform dermatological functions beyond those included in the CRNP's educational preparation as an Acute Care Nurse Practitioner, provided that such functions may be performed only on patients in the population foci of young adults (which includes adolescents), adults, and older adults.

DONE and ORDERED on this the 20th day of May, 2022.

ALABAMA BOARD OF NURSING



**PEGGY SELLERS BENSONRN, MSHA, MSN, NE-BC
EXECUTIVE OFFICER**

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on this the 23rd day of May, 2022, a true and correct copy of the foregoing Declaratory Ruling was served by forwarding the same by United States certified mail, postage prepaid, and addressed as follows:

DANIELLE CADY
129 WALTON GULFVIEW DRIVE
SEACREST, FL 32461

ALABAMA BOARD OF NURSING



**PEGGY S. BENSON, RN, MSHA, MSN, NE-BC
EXECUTIVE OFFICER**

ADDRESS OF COUNSEL:

Alice Maples Henley
General Counsel
Alabama Board of Nursing
Post Office Box 303900
Montgomery, Alabama 36130-3900
334-293-5200 (Telephone)
334-293-5201 (Facsimile)