# BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:	) PETITION FOR
PATSY KENNEDY, RN, WHNP SHERYL L. DAVIS, RN	) DECLARATORY RULING )
Petitioner.	)

#### ORDER

Comes now the Alabama Board of Nursing, by and through its Executive Officer, N. Genell Lee, RN, MSN, JD, and issues the following ruling:

## **FINDINGS OF FACT**

- 1. On October 25, 2005, Petitioners, Patsy Kennedy, RN, WHNP, Director of Clinical Operations, and Sheryl L. Davis, RN, Charge Nurse for the Department of Obstetrics and Gynecology at the University of South Alabama, Mobile, Alabama, submitted to the Alabama Board of Nursing a request for a written determination on the role of licensed practical nurses in "interpreting fetal monitoring," and whether interpreting versus performing task falls within the scope of nursing practice and, if so, which level of nursing practice.
- 2. Pursuant to <u>Alabama Board of Nursing Administrative Code</u> § 610-X-6-.02(2), licensed nurses are required to function within their legal scope of nursing practice.

## **CONCLUSIONS OF LAW**

- 1. The Alabama Board of Nursing has the authority to issue a declaratory ruling pursuant to Alabama Board of Nursing Administrative Code § 610-X-1-.11.
- 2. The petitioners, as employers of Licensed Practical Nurses, are substantially affected by <u>Alabama Board of Nursing Administrative Code</u> § 610-X-6-.04(3) and § 610-X-6-.05 which, although set forth criteria for determining the scope of an individual nurse's level of practice, does not address the specific issues presented by petitioners.

#### RULING

The Alabama Board of Nursing issues a Declaratory Ruling that the responsibility for fetal heart monitoring (FHM) should be consistent with the Association of Women's Health, Obstetric and Neonatal Nurses (AWHONN) standards. Delegation of FHM procedures, excluding FHM interpretation, should be consistent with the training, education, and experience of the Licensed Practical Nurse (LPN). The facility is further directed to submit a standardized procedure request prior to implementation of the above as defined by Alabama Board of Nursing Administrative Code § 610-X-6-.05.

**DONE** and **ORDERED** this the 19th day of November 2005. **ALABAMA BOARD OF NURSING** 

# N. GENELL LEE, RN, MSN, JD EXECUTIVE OFFICER