

MONTANA

DECLARATORY RULING: RN - CONSCIOUS SEDATION

In the matter of the petition for declaratory ruling on the administration of intravenous conscious sedation medications by non-anesthetist registered nurses.

Introduction

On October 13, 1994, the Board of Nursing published a Notice of Petition for Declaratory Ruling in the above-entitled matter at page 2752, 1994 Montana Administrative Register, issue number 19. On November 17, 1994, the Board presided over a hearing in this matter to consider written and oral testimony from interested individuals. After consideration of the testimony and deliberation, the Board passed a motion to grant the petition for declaratory ruling.

Issue

Petitioners requested a ruling on whether it is within the scope of practice of a non-anesthetist registered nurse to administer intravenous conscious sedation medications under a physician's order based on the Board's interpretation of section 37-8-102 (5) (b), MCA, defining professional nursing.

Factual Background

The Petitioners represent the nursing staff at the Kalispell Regional Hospital and set forth the following definition of "**intravenous conscious sedation**" as adopted by the Association of Operating Room Nurses [AORN]:

Intravenous conscious sedation is produced by the administration of pharmacologic agents. A patient under conscious sedation has a depressed level of consciousness, but retains the ability to independently and continuously maintain a patent airway and respond appropriately to physical stimulation and/or verbal command.

The Petition alleges that non-anesthetist registered nurses currently perform IV conscious sedation for short-term therapeutic, surgical, or diagnostic procedures, and that this practice provides cost-effective, quality health care.

The petitioners requested this declaratory ruling to clarify that IV conscious sedation is within the scope of a non-anesthetist registered nurse who has had specialized training pursuant to a written standard of care describing conscious sedation licenseicies and procedures as required by the Joint Commission on Hospital Accreditation.

Summary of Comments

Kate Triplett, RN, submitted written testimony against allowing non-anesthetist registered nurses to administer IV conscious sedation, expressing the need for nurses performing the procedure to have specialized knowledge of anesthetic agents and potential side effects. Ms. Triplett further expressed the need for immediate accessibility to monitoring equipment, intubation equipment, and oxygen supplies when IV conscious sedation is being performed.

Several nurses signed their names to written statements submitted on behalf of Saint Vincent's Hospital and Health Center and Deaconess Medical Center in support of the petition. The testimony indicated that it is common practice for non-anesthetist nurses to administer IV conscious sedation medication under a physician's order. Both facilities follow the AORN standards of care with regard to administration of IV conscious sedation. These standards include parameters to be assessed during procedures which indicate a need for IV conscious sedation and a patient monitoring policy.

The Montana Nurses' Association, represented by Barbara Booher, testified in support of the petition. This testimony included a position

statement adopting the AORN standard of care with regard to the role of the registered nurse in administering IV conscious sedation.

Relevant Law

The scope of practice of a registered nurse is set forth at section 37-8-102 (5) (b), MCA, and includes "the administration of medications and treatments prescribed by physicians..."

ARM 8.32.1404 (2) and (3) state that the registered nurse shall "accept responsibility for individual nursing actions and competence and base practice on validated data;" and shall "obtain instruction and supervision as necessary when implementing nursing techniques or practices . . . "

Conclusion

Based on these definitions, rules, statutes and the facts herein cited, the Board of Nursing adopts the position that it is within the scope of practice of a non-anesthetist registered nurse to administer IV conscious sedation medication.

The Petition is granted. DATED this 11th day of January, 1995.