What Do You Know About Your State Board of Nursing?

written by Nancy Brent | March 1, 2012

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In the past few bulletins, the topic focused on professional liability in the area of professional negligence/malpractice. This is a vital area for you to be as familiar with as you possibly can be, and we will continue to review areas of that topic. However, another imperative topic for you to know about and understand is your board of nursing.

Without a professional nursing license that is current, valid and unencumbered (that is, you have not been disciplined by your board of nursing), your ability to practice nursing can be greatly diminished. In fact, should your license be suspended, you cannot practice nursing until the license is reinstated.

Your livelihood, then, depends on complying with board of nursing mandates, knowing how the board operates, who sits on the board, and its powers in administering and regulating your nursing license and your nursing practice. In addition to enforcing its legal mandates, the board also enforces ethical aspect of your nursing practice.

Boards of nursing are governmental entities and are unique in each state or territory of the United States. They are composed of nursing representatives that are either appointed by the governor of the state or, in some instances, members may be elected. (1) Most often, boards of nursing membership includes registered nurses (RNs), Licensed Practical/Vocational Nurses (LPN/LVNs), Advanced Practice Nurses (APRNs) and public members. (2). Nursing members appointed or elected also represent specific areas of nursing: clinical nursing practice, administrative nursing, and nursing education.

Boards of nursing have powers delegated to them by the state legislature and therefore these powers also vary. Even so, a board's power is circumscribed by the state nurse practice act. Therefore, a board's power is "limited" or of "limited jurisdiction". (3)

Examples of boards of nursing's authority includes (1) evaluating licensure applications; (2)issuing and renewing licenses; (3) disciplining licensees who violate the state nurse practice act and/or rules; and (4) approving nursing education programs by determining if established requirements are met (4). Some boards of nursing also have authority to regulate nursing aides, nursing assistants and those unlicensed persons who pass medications in nursing homes and home health care. (5)

The organization of a board of nursing varies as well. Most states have one board of nursing that regulates all nursing practice in the state. In contrast, the State of Virginia has a separate board for APNs (6). And, four states have two boards of nursing—one for RNs and one for LPNs. They include

California, Georgia, Louisiana and West Virginia. (7)

Regardless of the specific powers granted the board of nursing in any state, its overall objective is to protect the public's health and welfare by ensuring that only competent and safe nurses practice nursing in the state. (7)

It is important to note that Boards of nursing are quite different from professional nursing associations. The latter organizations are non-profit, private organizations whose purpose is to further the nursing profession through the establishment of standards of practice, codes of ethics, certification programs, and active participation in the formation of health policy. They can be national or state entities. (8)

Membership in professional nursing associations is voluntary, compared to the requirement that all nurses must have a current, valid, and active license issued by a state board of nursing in order to practice nursing. Examples of national professional nursing associations include the Home Health Care Nurses Association, The American Nurses Association, and The National Association of School Nurses. State association examples include the New Hampshire Nurses Association and The North Alabama Nurse Practitioners Association.

It would serve you well to see who sits on your state board of nursing. This information can often be found on the board's website. You might find it quite interesting to attend one of the board's meetings to see how the board operates and what nursing issues are being dealt with in your state by the board.

Depending on how individuals become members of the board, you might want to consider serving as a board member for the required time period (e.g., 3 years). Contributing to the future development of nursing in your state is one way to make a significant impact on your profession.

FOOTNOTES

(1) National Council of State Boards of Nursing. State and Territorial Boards of Nursing: What Every Nurse Needs To Know. Chicago: author, 2. Available at www.ncsbn.org . Accessed February 14, 2012.

(2) Id.

(3) Nancy J. Brent (October 22, 2008, Webinar) "What To Do When The State Board of Nursing Calls". Silver Spring, MD: Center for American Nurses' Legal Basics For Nurses Webinar Series.

(4) National Council of State Boards of Nursing (2011). What You Need To Know About Nursing Licensure And Boards Of Nursing. Chicago: author, 3-5. Available at www.ncsbn.org . Accessed February 14, 2011.

(5) Id. at 5.

(6) Id. at 3.

(7) State and Territorial Boards Of Nursing: What Every Nurse Needs To Know, supra note 1, at 1.

(8) “What To Do When The State Board Of Nursing Calls”, supra note 3.

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