

Part I	ADMINISTRATION OF THE GOVERNMENT
Title XVI	PUBLIC HEALTH
Chapter 112	REGISTRATION OF CERTAIN PROFESSIONS AND OCCUPATIONS
Section 80B	NURSING PRACTICE; ADVANCED PRACTICE; LICENSED PRACTICAL NURSES

Section 80B. The practice of nursing shall mean the performance for compensation of those services which assist individuals or groups to maintain or attain optimal health. Nursing practice requires substantial specialized knowledge of nursing theory and related scientific, behavioral and humanistic disciplines such as are taught and acquired under the established curriculum in a school for nurses duly approved in accordance with this chapter.

Nursing practice involves clinical decision making leading to the development and implementation of a strategy of care to accomplish defined goals, the administration of medication, therapeutics and treatment prescribed by duly authorized nurses in advanced roles, including certified nurse midwives, nurse practitioners and psychiatric nurse mental health clinical specialists; dentists; physicians; and physician assistants' and the evaluation of responses to care and treatment. It shall include, but not be limited to the performance of services which promote and support optimal functioning across the life span; the collaboration with other members of the health team to achieve defined goals; health counseling and teaching; the provision of comfort measures; teaching and supervising others; and participation in research which contributes to the expansion of nursing knowledge.

Each individual licensed to practice nursing in the commonwealth shall be directly accountable for safety of nursing care he delivers.

The practice of registered nurses shall include, but not be limited to:

- (1) the application of nursing theory to the development, implementation, evaluation and modification of plans of nursing care for individuals, families and communities;
- (2) coordination and management of resources for care delivery;
- (3) management, direction and supervision of the practice of nursing, including the delegation of selected activities to unlicensed assistive personnel.

Registered nurses who apply for initial authorization in advanced nursing practice shall furnish to the board documentation that they have received either a degree for preparation in advanced nursing practice from a graduate school approved by a national accrediting body acceptable to the board, or have received a certificate of completion of an educational program in advanced nursing practice approved by a national accrediting body acceptable to the board. The applicant shall also submit to the board documentation of current certification in advanced nursing practice from a national professional or specialty certifying organization acceptable to the board.

Those registered nurses whose applications include the above-described documentation may be authorized by the board to practice in advanced practice nursing roles as defined in regulations promulgated by the board. The board shall require as a condition of granting or renewing authorization in advanced practice nursing, that the nurse apply to participate in the medical assistance program administered by the secretary of health and human services in accordance with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating to such medical assistance program for the limited purposes of ordering and referring services covered under such program, provided that regulations governing such limited participation are promulgated under said chapter 118E. A nurse practicing in an advanced practice nursing role who chooses to participate in such medical assistance program as a provider of services shall be deemed to have fulfilled this requirement.

Advanced practice nursing regulations which govern the ordering of tests, therapeutics and prescribing of medications shall be promulgated by the board in conjunction with the board of registration in medicine. Said promulgation shall occur only after the two boards have met, consulted and concurred on the content of such regulations.

The standards of care in the ordering of tests, therapeutics and the prescribing of medications, to which nurses in advanced practice shall be held, shall be those standards which protect consumers, and provide them with safe and comprehensive care, and shall be standards comparable to other professionals, including physicians, providing the same services.

The board is authorized to promulgate regulations requiring advanced practice nurses to have professional malpractice liability insurance or a suitable bond or other indemnity against liability for professional malpractice in such amounts as may be determined by the board.

The practice of licensed practical nurses shall include, but not be limited to:

- (1) participation in the development, implementation, evaluation and modification of the plans of nursing care for individuals, families and communities through the application of nursing theory;
- (2) participation in the coordination and management of resources for the delivery of patient care;
- (3) managing, directing and supervising safe and effective nursing care, including the delegation of selected activities to unlicensed assistive personnel.

Neither "professional nursing" nor "practical nursing" shall mean or be construed to prevent: (1) the gratuitous care of any ill, injured or infirm person by any member of his family or any friend, or his care by any person employed primarily as a companion, housekeeper, domestic servant or nursemaid; (2) the performance of any nursing service in an emergency; (3) the performance, of any student enrolled in a school for nurses or practical nurses duly approved in accordance with this chapter, of any nursing service incidental to any prescribed course in such school; (4) the performance of services incidental to the practice of the religious tenets of any church by any member thereof; (5) the performance of nursing service by a person authorized to practice nursing under section seventy-six A, subject to the provisions of said section; or (6) the performance of services by physicians, dentists, pharmacists, teachers, health educators, social workers, dieticians, therapists, technicians, and medical students which are commonly recognized to be functions of their respective callings; or (7) the performance of any nursing service for any patient in a convalescent or nursing home or rest home, by any person employed in such home, provided that such nursing service is performed under the supervision of a registered nurse or licensed practical nurse.

