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The Nurse Practice Act – A Closer Look

By Kevin Erickson

The Nurse Practice Act is a set of state laws that govern specific aspects of the nursing profession.

The statutes are generally grouped with a chapter of state laws, referred to in its entirety as the Nurse Practice Act "the Act". The Act aims to protect the public from an unsafe nurse by ensuring minimum levels of performance.

Individual state legislatures' determine the Acts content, so "the Act" may differ a bit from state-to-state. Nonetheless, many acts address common issues such as establishing the composition and scope of authority for the board of nursing; defining the practice of professional, practical or vocational nursing and advanced practice nursing; setting the requirements to obtain a nursing license; limiting use of the title, "nurse" and listing the grounds for discipline against a nurse's license.

And to encourage consistency across state lines, the National Council of State Boards of Nursing developed a Model Nursing Practice Act, available at

<http://www.ncsbn.org>

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Individual State Boards of Nursing can exercise a great deal influence over the Act, although they don't author "the Act" because they are the administrative agency charged with implementing and interpreting "the Act" within the scope of authority granted to them by the legislature.

A nurse needs to be knowledgeable about their legal obligations associated with "the Act". In addition, "the Act" may allow a licensed nurse to seek the boards' written opinion regarding "the Acts" interpretation, which the nurse may consider when evaluating legal options.

On the other hand, not all laws governing the practice of nursing are found in "the Act" or its' regulations. Legal obligations common to various licensed healthcare professionals will apply to nurses, such as confidentiality requirements or mandatory reporting of suspected child abuse but these obligations are generally found outside "the Act".

The Nurse Practice Act – A Closer Look

Most public libraries should have a copy of the state statute books which should have a copy each individual states act. However, be sure to get a copy of the most current version and check for the latest amendments that may not be included in the format you're using. It also wouldn't hurt every licensed nurse to have a personal up-to-date copy of "the Act" available for easy reference.

Regulations are generally published in a compilation known as the administrative code. They should also be available from the same sources. Some of the board's written opinions may be public record, so you may want to give the boards' office a call to determine if these documents exist and how to obtain them.

Being Licensed in Multiple States Most states require that a nurse obtains a license to practice nursing by the state in which they are practicing, with an obligation to abide by that state's laws and regulations, as the condition of accepting a license in the state.

As a result, in most situations, the travel nurse is bound by the Act of the state in which the deed under review occurred. Nevertheless, if one state should discipline a nurse for an act that occurred in its borders, the discipline itself (regardless of the grounds) may serve as the basis for additional discipline

in each of the other states where the nurse is licensed. Consequently, a nurse may be disciplined in multiple states stemming from one incident.

Some states have entered into a Nurse Licensure Compact, which permits a licensed nurse to practice nursing in other states without obtaining a separate license. Visit the National Council of State Boards of Nursing at the domain listed earlier for more information.

The nurse must abide by the laws of the state where he or she is practicing, so complaints about the travel nurse would be processed by the state where the alleged violation occurred, but would also be reported to the travel nurse's home state.

Licensed nurses should be familiar with the Nurse Practice Act of whatever state or states they hold a license. The maxim "Ignorance of the law is no excuse" clearly applies in this arena. Remember, nurses can be held accountable for compliance with all laws governing their performance.

All nurses are strongly encouraged to obtain and review a copy of the current act(s) governing their practice and to become knowledgeable about the boards overseeing those acts.

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Kevin Erickson is an entrepreneur and writer. For more articles he's written visit:

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Independent RN Contractors Are Taking The Nursing Profession

By Tammie Mericle

Nurses wake up and take advantage of this extraordinary opportunity. Are you tired of having no input in your career, little money in the bank, lack of respect for your profession and little compensation for the long hours and years of dedication? Independent RN Contractor is a great way to renew your interest and rejuvenate your nursing career. As An Independent Nurse Contractor you will increase your choices as to when, where and how often you work, substantially increase your income and most of all gain professional autonomy.

An Independent Nurse contractor contracts with a healthcare facility to provide nursing services, usually by the hour. An Independent contractor can contract his or her nursing services directly with a healthcare facility or with a patient and continue bedside practice. The contract is similar to those used by nursing agencies and travel companies outlining the services to be provided, the responsibilities of both the healthcare facility and the nurse, and the length of time the services are to be provided.

Nurse Contractors practice in all aspects of the Healthcare Industry; Home Health, Nursing Homes, Hospitals, Rehab Centers and Doctors Offices, all aspects of Nurse Consulting just to name a few. No advance degrees are necessary unless your business includes diagnosing and treating medical problems. State nurse practice acts do not prohibit a nurse from starting up their own business as an Independent Nurse Contractor. Independent nurse contractor is one who contracts with a healthcare facility for nursing services. A contractual agreement is drawn up between you and the institution. You will be able to negotiate your compensation, hours worked and length of time your services will be needed.

Visit National Nurses Business Association Web Page or

<http://www.independentrncontractor.com>

for

more information.

My Name is Tammie Mericle and I have been practicing as a RN for 14 years with the last several years as an Independent Nurse Contractor. I've worked in a variety of fields;pediatrics, med–surg., home health, emergency room, critical care. I absolutely love nursing but am not all that crazy about all the politics! I worked as a Traveling nurse and then decided to cut out the middleman and am now practicing as an Independent Nurse Contractor, working all of my contracts in hospital settings.

mericlernstaffing@earthlink.net

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