

HOUSE BILL NO. 404

Introduced: 01/19/83

Referred to Committee on Human Services: 01/19/83

Hearing: 2/4/83

Report: 02/05/83, Do Not Pass

Bill Killed: 02/07/83

1 *House* BILL NO. *404*
 2 INTRODUCED BY *Hand Vinger of Graham Swift Siefert*
 3 *Adelberg Jensen*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW LICENSED
 5 PRACTICAL NURSES TO ADMINISTER DRUGS, MEDICATIONS,
 6 TREATMENTS, TESTS, INJECTIONS, INOCULATIONS, AND
 7 VENIPUNCTURE UNDER CERTAIN DIRECTION AND SUPERVISION;
 8 AMENDING SECTION 37-8-102, MCA."

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 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 37-8-102, MCA, is amended to read:

12 "37-8-102. Definitions. Unless the context requires
 13 otherwise, in this chapter the following definitions apply:

14 (1) "Board" means the board of nursing provided for in
 15 2-15-1844.

16 (2) "Department" means the department of commerce
 17 provided for in Title 2, chapter 15, part 18.

18 (3) "Practice of nursing" embraces two classes of
 19 nursing service and activity, as follows:

20 (a) "Practice of professional nursing" means the
 21 performance for compensation of services requiring
 22 substantial specialized knowledge of the biological,
 23 physical, behavioral, psychological, and sociological
 24 sciences and of nursing theory as a basis for the nursing
 25 process. The nursing process is the assessment, nursing

1 analysis, planning, nursing intervention, and evaluation in
 2 the promotion and maintenance of health; the prevention,
 3 casefinding, and management of illness, injury, or
 4 infirmity; and the restoration of optimum function. The term
 5 also includes administration, teaching, counseling,
 6 supervision, delegation, and evaluation of nursing practice
 7 and the administration of medications and treatments
 8 prescribed by physicians, dentists, osteopaths, or
 9 podiatrists authorized by state law to prescribe medications
 10 and treatments. Each registered nurse is directly
 11 accountable and responsible to the consumer for the quality
 12 of nursing care rendered. As used in this subsection (3)(a):
 13 (i) "nursing analysis" is the identification of those
 14 client problems for which nursing care is indicated and may
 15 include referral to medical or community resources;
 16 (ii) "nursing intervention" is the implementation of a
 17 plan of nursing care necessary to accomplish defined goals.
 18 (b) "Practice of practical nursing" means the
 19 performance for compensation of services requiring basic
 20 knowledge of the biological, physical, behavioral,
 21 psychological, and sociological sciences and of nursing
 22 procedures. Practical nursing practice utilizes standardized
 23 procedures leading to predictable outcomes in the
 24 observation and care of the ill, injured, and infirm; in the
 25 maintenance of health; in action to safeguard life and

1 health; and in the administration of medications and
 2 treatments prescribed by a physician, dentist, osteopath or
 3 podiatrist authorized by state law to prescribe medications
 4 and treatments. These services are performed under the
 5 supervision of a registered nurse or a physician, dentist,
 6 osteopath, or podiatrist authorized by state law to
 7 prescribe medications and treatments drugs, medications,
 8 treatments, tests, injections, and inoculations and in the
 9 administration of venipuncture for intravenous therapy and
 10 for the collection of specimens for laboratory testing,
 11 whether or not the piercing of tissues is involved and
 12 whether or not some independent judgment is required. These
 13 services must be performed under the direction and
 14 supervision of a licensed physician, dentist, osteopath,
 15 podiatrist, or licensed professional nurse, acting within
 16 the scope of such person's license. The person directing
 17 such services need not be physically present at the time the
 18 service is performed but must write the direction in the
 19 patient's record within 48 hours after giving the direction.

20 (4) "Nursing education program" means any
 21 board-approved school that prepares graduates for initial
 22 licensure under this chapter. Nursing education programs
 23 for:

24 (a) professional nursing may be a department, school,
 25 division, or other administrative unit in a senior or junior

1 college or university;

2 (b) practical nursing may be a department, school,
 3 division, or other administrative unit in a
 4 vocational-technical center or junior college."

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