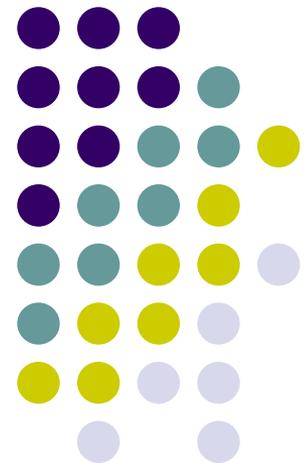


# Delegation & Assignment

Montana State Board of Nursing  
Tutorial on Subchapter 16

Updated 2011



# Delegation & Assignment Rules



Administrative Rules  
of Montana (ARM)

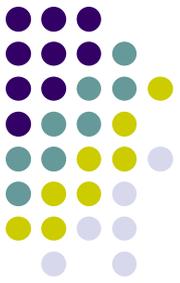
Title 24

Chapter 159

Board of Nursing

Sub-Chapter 16

# Populations Impacted



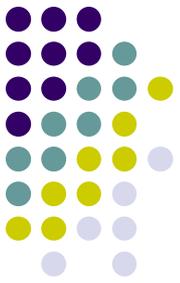
- Nurses practicing in MT
- Nurse Administrators
- Chief Nursing Officers
- Nurse Educators
- UAPs (unlicensed assistive personnel)
- Employers of nurses

# Definition



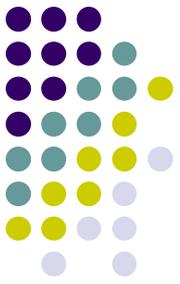
- Delegation “means the act of authorizing and directing unlicensed assistive personnel (UAP) to perform a specific nursing task in a specific situation in accordance with these rules.” **24.159.1602 (9)**

# Definition



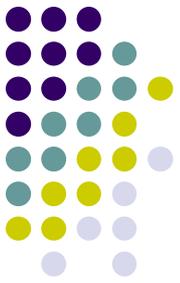
- Delegatee means the UAP receiving the delegation **24.159.1602(8)**
- Delegator means the nurse who makes the decision to delegate and thereby assumes accountability as defined in this rule. The term "delegator" has the same meaning as the term "delegating nurse."  
**24.159.1602(10)**

# The Five Rights of Delegation



- The right task
- The right circumstances
- The right person
- The right direction
- The right supervision

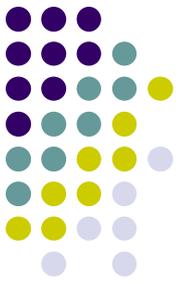
# Accountability 24.159.1610



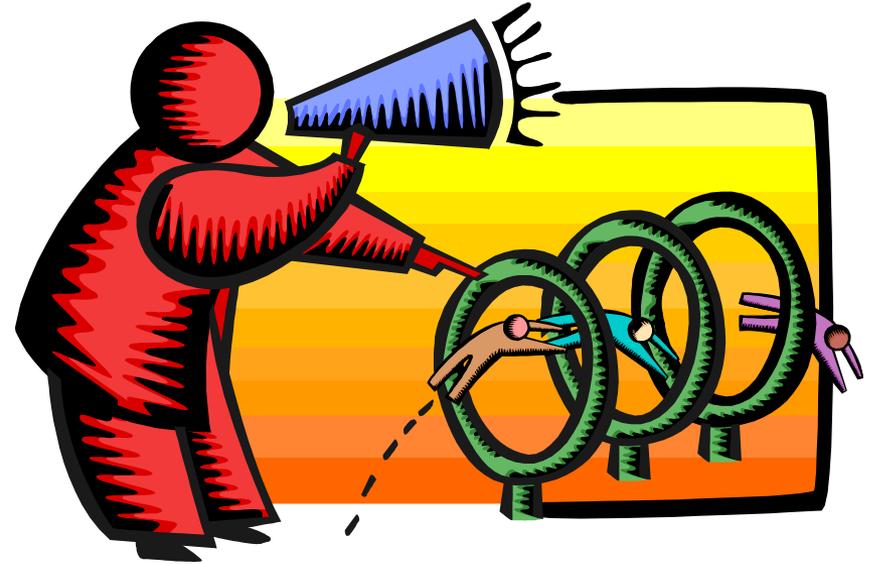
- The delegating nurse retains accountability in all **FOUR** areas:
  - The decision to delegate
  - The delegated task
  - Verifying the delegatee's competency to perform the task; and
  - Providing supervision

# Delegation Criteria

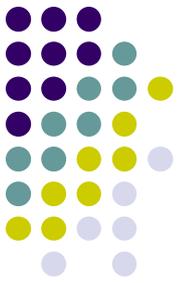
## 24.159.1611(1)



- Delegation is always:
  - Task-specific
  - Patient-specific
  - UAP - “Delegatee” specific

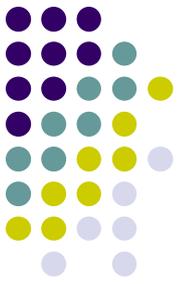


# Criteria for Delegation of Nursing Tasks 24.159.1611(1)



- Must be based SOLELY on the determination of the patient's nurse who:
  - Has personally assessed the patient's condition
  - Has determined that delegation can be performed without jeopardizing the patient's welfare

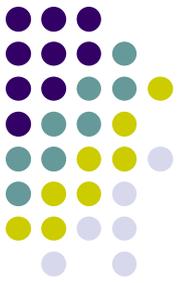
# Criteria for Delegation of Nursing Tasks 24.159.1611(4)



- The nursing task to be delegated **MUST** be:
  - within the nurse's area of responsibility, scope of practice, and competency
  - one which does not require complex observation, critical decision-making, exercise of nursing judgment, or repeated nursing assessments

# Criteria for Delegation of Nursing Tasks

24.159.1611(4)



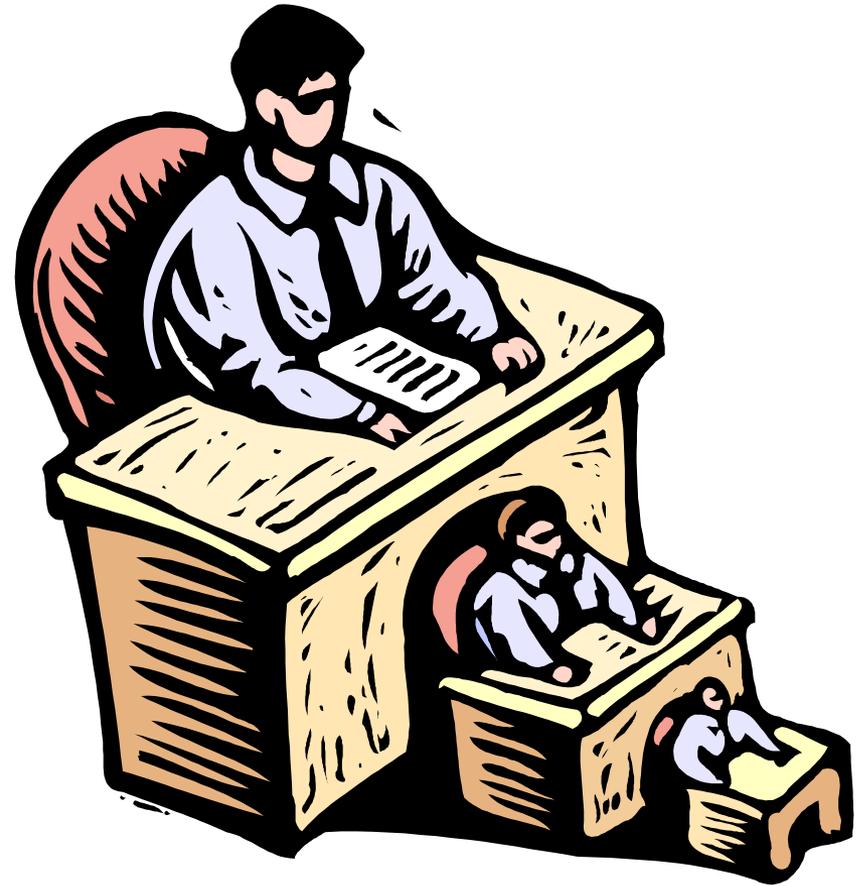
- The nursing task to be delegated **MUST** be:
  - one which is frequently performed and generally considered technical in nature
  - one for which results are reasonably predictable and which has minimal potential for risks
  - one which can be safely performed according to exact, unchanging directions

# Nursing Delegation Limitation

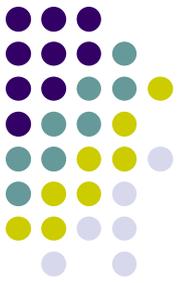
## 24.159.1611(2)



- Delegation of nursing tasks may only be performed in settings which have a **Chief Nursing Officer**

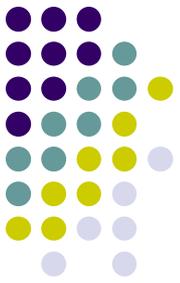


# Definition of Chief Nursing Officer (CNO) 24.159.1602(5)



- **Chief Nursing Officer** means the **nurse** who:
  - Directs the facility's nursing services
  - Establishes nursing policies and procedures
  - Establishes nursing standards of patient care, treatment, and services specific to the facility

# Chief Nursing Officer Responsibility in Delegation

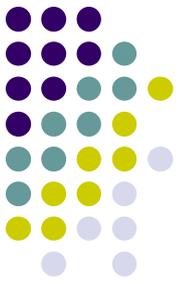


The **Chief Nursing Officer** is responsible for **ensuring** that:

- the UAP is oriented to the facility & specific role
- the UAP's skills are observed, evaluated & documented
- a written UAP job description, specific to setting, is provided to the UAP and to the delegator
- the UAP wear a name badge

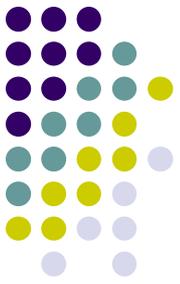
**24.159.1605**

# Chief Nursing Officer Standards in Delegation



- The **Chief Nursing Officer** is responsible for **ensuring** that:
  - Each nurse's competency to delegate in accordance with the rules is assessed
  - Each nurse in the organization has opportunity for education on the process of delegation
  - Policies and procedures concerning delegation are developed & implemented
  - There is verification of nursing student credentials

# CNO Standard of Responsibility



The **Chief Nursing Officer** is responsible for understanding differences between **Delegation** and **Advanced Delegation**

# Advanced Delegation in the Emergency Department **24.159.1636**



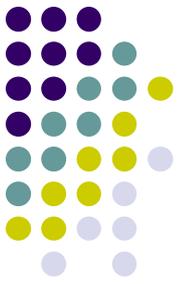
- For *Advanced Delegation in the Emergency Department* to take place, the **CNO** assures that the:



## UAPs **MUST**:

- work under Immediate Supervision of the delegating nurse
- possess current NREMT registration at the intermediate or paramedic levels
- be assessed as competent to perform the advanced nursing tasks as listed

# CNO Responsibility in Advanced Delegation 24.159.1640



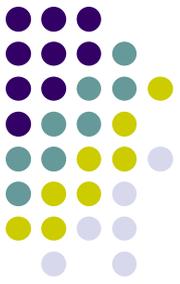
- For *Advanced Delegation in the Dialysis Unit*, the **CNO** assures that the:  
(only for out-patient dialysis for an established adult patient)



## UAPs **MUST**:

- work under Immediate Supervision of the delegating nurse
- possess current NNCC or BONENT certification as a dialysis technician
- be assessed as competent to perform the advanced nursing tasks as listed

# CNO Responsibility in Advanced Delegation 24.159.1631



- The **CNO** is responsible for ensuring for **Advanced Delegation to Nursing Students** that the:



Nursing Student UAPs **MUST have:**

- current enrollment & good academic standing verified
- current level of educational preparation confirmed

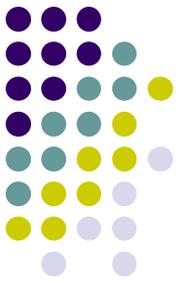


# Standards Related to the Nurse Delegator

24.159.1612

(Delegation of nursing  
tasks by the nurse)

# Standard for Direct Supervision 24.159.1612



## **STANDARD**

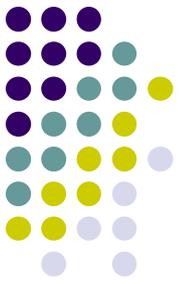
*Direct supervision* is the minimum requirement for all nursing delegation that occurs in an acute care or skilled nursing facility setting

## **Definition:**

**Direct Supervision** means the nurse delegator is on the premises and is quickly and easily available to the UAP

**24.159.1602 (11)**

# Standard for Immediate Supervision 24.159.1612



## **STANDARD**

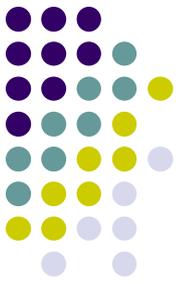
For advanced delegation, the delegating nurse shall provide *immediate supervision* for any delegated nursing task

## **Definition:**

**Immediate Supervision** means that the nurse delegator is on the premises and is within audible and visual range of the patient that the UAP is attending

**24.159.1602 (14)**

# Standard for Indirect Supervision 24.159.1612



## **STANDARD**

In non-acute settings, the delegating nurse shall provide, at a minimum, *indirect supervision* for any delegated task.

## **Definition**

**Indirect supervision** means the nurse delegator is not on the premises but has previously given written instructions to the UAP for the care and treatment of the patient and is readily available either in person or by telecommunication

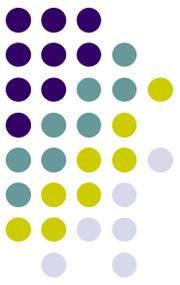
**24.159.1602 (15)**

# Standards for Nurses Functioning as a Delegator **24.159.1612**



- Degree of Supervision determinants (unless mandated by the Rules):
  - Stability of patient condition
  - Training & capability of the specific UAP delegatee
  - Nature of the nursing task to be delegated
  - Proximity & availability of the nurse to the UAP when the nursing task is performed
  - Type of health care setting

# Standards for Nurses Functioning as a Delegator 24.159.1612



## Degree of Supervision Determinants

- acute care or skilled nursing facility settings **REQUIRE Direct Supervision**
- non-acute care settings allow for **Indirect Supervision**

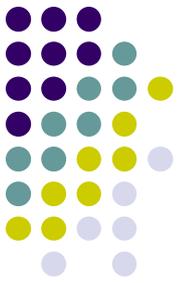
# Standards in Non Acute Settings for Nurse Delegates 24.159.1612



## **Make a supervisory visit at least monthly:**

- Evaluate patient's health status
- Evaluate performance of the delegated nursing task
- Determine whether goals are being met
- Determine appropriateness of continuing delegation of the task

# Accountability for Nurses Functioning as a Delegator 24.159.1612



- The delegating nurse is accountable for the:
  - Safety of the patient
  - Nursing process
  - Patient assessment
  - Delegation of nursing tasks appropriate to the UAP's documented knowledge, skills, and abilities

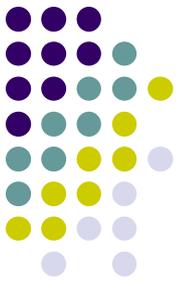


# The Delegation of Nursing Tasks Related to Medications

**24.159.1616**

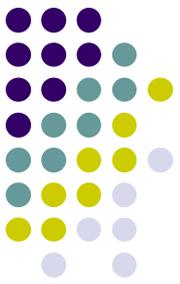


# Nursing Tasks Related to Medications that MAY be Delegated **24.159.1616(1)**



- Administration of medication may only be delegated by the nurse in the following settings :
  - Schools
  - Hospice residential facilities
  - Montana State Prison
  - Women's Correctional Center
  - Community based residential settings not defined as health care facilities (Title 50, Chapter 5)

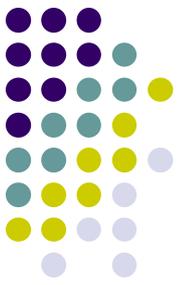
# Limitations on Medications that MAY be Delegated 24.159.1616(2)



## **Administration of medication is limited to:**

- Pharmacy-prepared or authorized prescriber-prepared medications introduced into the body by inhalant dispenser or nebulizer
- oral medication taken from either:
  - a pre-filled, labeled medication holder
  - a labeled unit dose container
  - an original marked and labeled pharmacy container

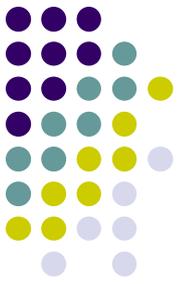
# Limitations on Medications that MAY be Delegated 24.159.1616(2)



## Administration of medication is limited to:

- Oral medications doses must be calculated by the nurse delegator and **are limited to:**
  - liquid forms which must be measured by the nurse delegator
  - tablet form which must be broken by the nurse delegator
- Suppository medication must be taken from either:
  - a prefilled, labeled medication holder
  - a labeled unit dose container
  - an original marked and labeled pharmacy container

# Limitations on Medications that MAY be Delegated 24.159.1616(2)



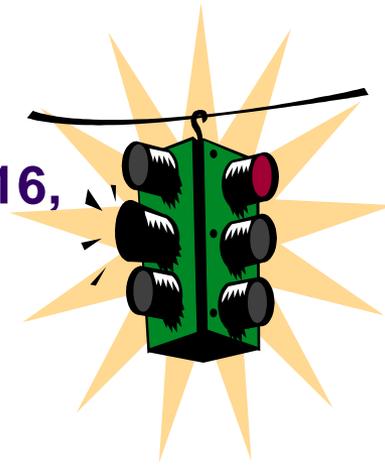
## Administration of medication is limited to:

- topical ointments (**not containing** opiates, cardiovascular agents, anesthetic agents, or systemic medications)
- ear drops and eye drops taken from either:
  - a prefilled, labeled medication holder
  - a labeled unit dose container
  - an original marked and labeled pharmacy container

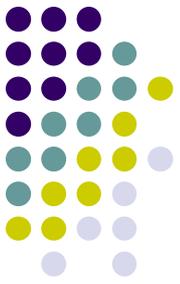


# General Nursing Functions and Tasks that may NOT be Delegated **24.159.1625**

(except as provided in ARM 24.159.1616,  
24.159.1630, 24.159.1631, 24.159.1636  
and 24.159.1640)

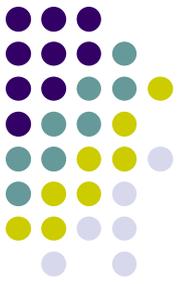


# Nursing Tasks & Functions That May NOT Be Delegated



- Functions that require nursing knowledge, judgment and skill:
  - The nursing assessment
  - Development of the nursing diagnosis
  - Establishment of the nursing care goal
  - Development of the nursing care plan
  - Evaluation of the patient's progress, or lack of progress, toward goal achievement

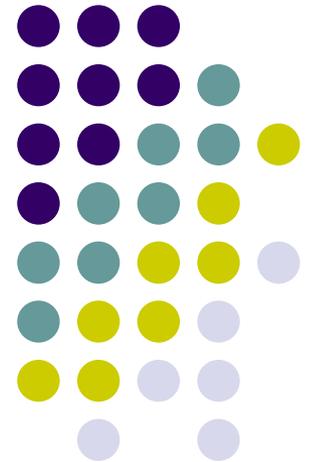
# Nursing Tasks & Functions That May NOT Be Delegated



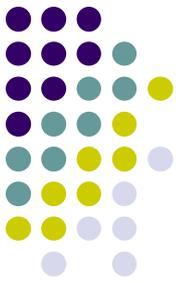
- Nursing Interventions that require nursing knowledge, judgment, and skill  
**24.159.1625(1)**
- The authority to receive verbal orders from providers **24.159.1625(3)**
- Teaching or counseling patients, or a patient's family, relating to nursing and nursing services **24.159.1625(4)**

# Advanced Delegation

## 24.159.1630



# Advanced Delegation



The Board of Nursing recognizes that certain UAPs are prepared by specialized education and training to receive delegation of advanced nursing tasks

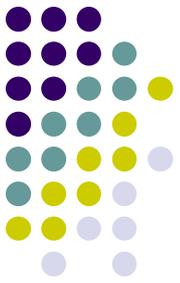
# Advanced Delegation

## 24.159.1630



- Delegation of advanced nursing tasks must be from a nurse authorized to delegate the specified advanced nursing tasks in settings and populations congruent with the UAPs' respective specialized education and training

# Advanced Delegation of UAPs in Emergency Department

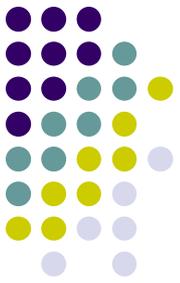


UAPs working in a facility's emergency department may receive delegation of defined advanced nursing tasks if:

- The delegation is made in the emergency department
- The delegation is for a patient seeking emergency health care services

**24.159.1636**

# Advanced Delegation of UAPs in Emergency Department



## REQUIREMENTS

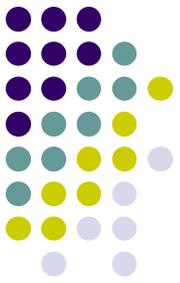
- Must work under Immediate supervision
- Must possess current NREMT registration at the intermediate or paramedic levels
- Must be assessed as competent to perform the advanced nursing tasks as listed

# Advanced Delegation of UAPs in Emergency Department



- **Advanced Delegation allowed:**
  - **Insertion of peripheral IV catheters**
  - **Hanging, without additives, initial IV fluids:**
    - LR
    - D5W
    - D5NS
    - D5 in 1/2NS
    - D5LR

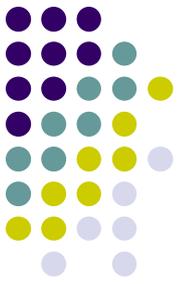
# Advanced Delegation of UAPs in a Dialysis Unit



- May receive delegation of defined advanced nursing tasks if:
  - The delegation is made in an out-patient dialysis unit
  - The delegation is for an established adult dialysis patient who has been on dialysis for > 30 days

**24.159.1640**

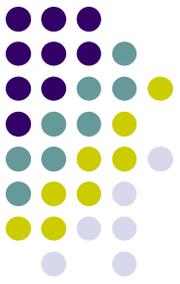
# Advanced Delegation of UAPs in a Dialysis Unit



- **REQUIREMENTS**

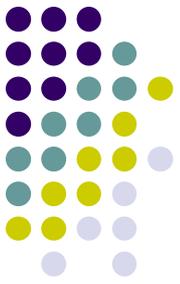
- **Must work under Immediate supervision**
- **Is currently certified as a Certified Dialysis Technician by either:**
  - **The Nephrology Nursing Certification Commission (NNCC)**
  - **The Board of Nephrology Examiners – Nursing and Technology (BONENT)**

# Advanced Delegation of UAPs in a Dialysis Unit



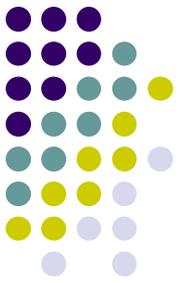
- **Advanced delegation allowed:**
  - **Preparing dialysate**
  - **Assembling & preparing the dialysis extracorporeal circuit**
  - **Initiating, delivering or discontinuing the dialysis treatment**

# Advanced Delegation of UAPs in a Dialysis Unit



- **Advanced delegation allowed (cont'd):**
  - **Preparing & cannulating of mature fistula/graft**
  - **Obtaining a blood specimen via a dialysis line/graft/fistula**
  - **Administering specific medications as defined in 24.159.1640(f)**

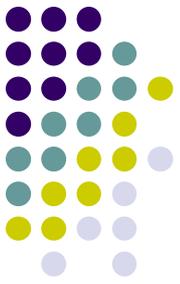
# Advanced Delegation of Nursing Students working as UAPs 24.159.1631(1)



May receive delegation of defined advanced nursing tasks if:

- The UAP nursing student is **supervised** at the proper level by the delegating nurse
- Is **currently enrolled** in an approved nursing education program with **good academic standing**
- Has satisfactorily **completed** a fundamentals of nursing course

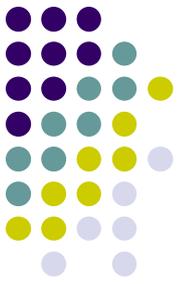
# Advanced Delegation of Nursing Students working as UAPs



May receive delegation to give medications if:

- As a condition of receiving delegation of medication administration has satisfactorily completed a pharmacology course as defined in [24.159.1602\(20\)](#)

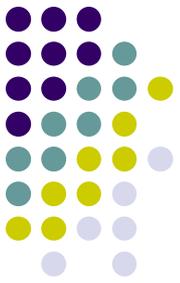
# Advanced Delegation of Nursing Students working as UAPs



**UAP nursing students may receive delegation of the other advanced nursing tasks as defined in [24.159.1631](#) and also other nursing tasks (not listed) for which the student has received instruction within the nursing program, as confirmed by official transcript and course description, and allowed by facility job description**

# Advanced Delegation of Nursing Students working as UAPs

**24.159.1631**



**UAP nursing students may NOT receive delegation of the following nursing functions:**

- the nursing assessment
- development of the nursing diagnosis
- establishment of the nursing care plan
- development of the nursing care plan
- evaluation of the patient's progress, or lack of progress, toward goal achievement
- patient triage

# Advanced Delegation of Nursing Students working as UAPs



## 24.159.1631 (continued)

**UAP nursing students may NOT receive delegation of the following nursing tasks:**

- medication administration by intravenous injection or drip;
- administration of blood products, chemotherapeutic agents, TPN, hypertonic solutions or IV additives
- insertion of central IV catheters, NG or other feeding tubes
- removal of ET tubes, chest tubes, JP tubes, arterial or central catheters or epidural catheters;
- receiving verbal orders from providers
- teaching or counseling a patient or a patient's family relating to nursing and nursing services



# Post Test Questions



1. All of the following may delegate **nursing tasks** to UAPs except:

- Registered Nurse
- Licensed Practical Nurse
- Medical Doctor
- Chief Nursing Officer



1. All of the following may delegate **nursing tasks** to UAPs except:

- Registered Nurse
- Licensed Practical Nurse
- **Medical Doctor (correct answer)**
- Chief Nursing Officer



2. “Accountability” means the responsibility of the delegating nurse for
- the decision to delegate
  - verifying the competency of the UAP delegatee
  - supervising the performance of the delegated task
  - all of the above



2. “Accountability” means the responsibility of the delegating nurse for
- the decision to delegate
  - verifying the competency of the UAP delegatee
  - supervising the performance of the delegated task
  - all of the above (correct answer)



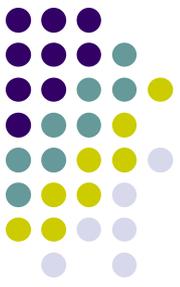
3. Nursing delegation may only be performed in settings which have a designated chief nursing officer.

- True
- False



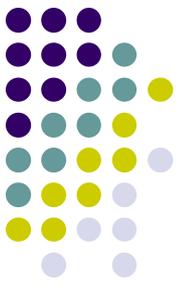
3. Nursing delegation may only be performed in settings which have a designated chief nursing officer.

- True (correct answer)
- False



4. The RN delegated the intravenous administration of hanging initial normal saline IV solution to a UAP working in the Emergency Department. A complaint was filed with the Board of Nursing against the RN alleging the above action amounted to unprofessional conduct. Is the allegation warranted?

- Yes
- No



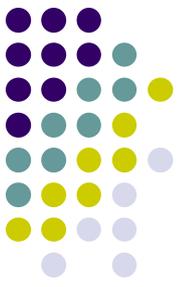
4. The RN delegated the intravenous administration of hanging initial normal saline IV solution to a UAP working in the Emergency Department. A complaint was filed with the Board of Nursing against the RN alleging the above action amounted to unprofessional conduct. Is the allegation warranted?

- Yes
- No (correct answer)



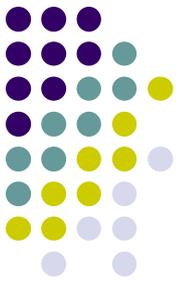
5. What information did you use to base your answer on for the previous question?

- There was no violation of the nurse practice act
- The RN should not have delegated an intravenous administration because it is not allowed for a UAP to do this task
- The RN was following a physician's order
- Delegation of nursing tasks to UAPs working in the Emergency Department is allowed in **ARM 24.159.1636** for UAPs possessing NREMT registration



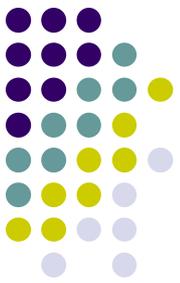
5. What information did you use to base your answer on for the previous question?

- There was no violation of the nurse practice act
- The RN should not have delegated an intravenous administration because it is not allowed for a UAP to do this task
- The RN was following a physician's order
- Delegation of nursing tasks to UAPs working in the Emergency Department is allowed in ARM 24.159.1636 for UAPs possessing NREMT registration



6. In order to administer medications through advanced delegation, a student nurse must have successfully completed courses in:

- fundamentals of nursing
- pharmacology including medication administration
- all of the above



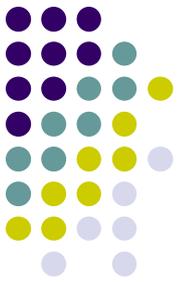
6. In order to administer medications through advanced delegation, a student nurse must have successfully completed courses in:

- fundamentals of nursing
- pharmacology including medication administration
- all of the above (correct answer)



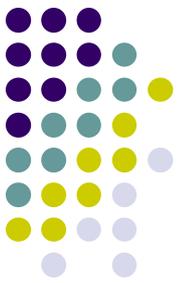
7. UAPs who qualify to receive delegation of advanced nursing tasks may perform any task as long as the delegating nurse provides immediate supervision.

- True
- False



7. UAPs who qualify to receive delegation of advanced nursing tasks may perform any task as long as the delegating nurse provides immediate supervision.

- True
- False (correct answer)



8. A nurse who delegates a nursing task to a UAP for a home health patient in a non-acute setting may provide \_\_\_\_\_ supervision for the UAP.

- Immediate
- Indirect
- Direct
- None of the above



8. A nurse who delegates a nursing task to a UAP for a home health patient in a non-acute setting may provide \_\_\_\_\_ supervision for the UAP.

- Immediate
- Indirect (correct answer)
- Direct
- None of the above



9. The portion of the nursing process that **may** be delegated is the:

- nursing assessment
- development of the nursing care plan
- evaluation of the patient's progress
- none of the above



9. The portion of the nursing process that **may** be delegated is the:

- nursing assessment
- development of the nursing care plan
- evaluation of the patient's progress
- none of the above (correct answer)



10. Education, competency assessment, and policies and procedures concerning the delegation process are the ultimate responsibility of the

- Nurse delegator
- UAP
- Chief Nursing Officer
- Facility education coordinator

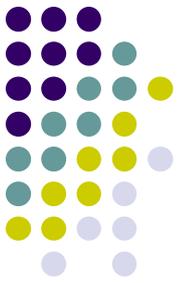


10. Education, competency assessment, and policies and procedures concerning the delegation process are the ultimate responsibility of the

- Nurse delegator
- UAP
- Chief Nursing Officer (correct answer)
- Facility education coordinator

# Delegation & Assignment

## ARM 24.159.1601



Find the Board of Nursing Statutes and Rules at the Board Website: [www.nurse.mt.gov](http://www.nurse.mt.gov)

For questions concerning nursing practice in the area of delegation and assignment contact:

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(This tutorial created by Melissa Mixan, RN in 2005 for the BON and updated in 2011 by C. Gustafson)