

# Nursing Practice

*The Board's authority to regulate Nursing Assistive Personnel (NAP) has resulted in an increased number of inquiries regarding the role of the licensed nurse in delegating tasks to NAPs. Below you will find guidance in making your decision regarding what and to whom to delegate.*

**PLEASE NOTE:** You must also be aware of the policies and procedures of the facility/agency for which you work. They may have specific requirements for frequency of supervision as well as requirements for what and when to document.

## DELEGATION

**DELEGATION:** Transferring to a competent individual the authority to perform a selected nursing task in a selected situation.

**ACCOUNTABILITY:** Being responsible and answerable for actions or inactions of self and others in the context of delegation.

**DELEGATOR:** The person who delegates responsibility to another person.

**DELEGATEE:** The person who accepts or receives delegation of a task or responsibility.

**SUPERVISION:** The provision of guidance or direction, evaluation and follow-up by the licensed nurse for accomplishment of the work and the result client outcomes.

### HOW DOES DELEGATION DIFFER FROM ASSIGNMENT?

Assignment is the downward (i.e., from a nursing supervisor to a staff nurse) or the lateral (i.e., from one staff nurse to another) transfer of both the responsibility and accountability of an activity from one individual to another. The transfer must be made to an individual of skill, knowledge and judgment and it must be within the individual's scope of practice. According to the National Council of State Boards of Nursing (1997), ASSIGNMENT is designating nursing activities to be

performed by an individual consistent with his/her licensed scope of practice.

It needs to be noted, assignment differs from delegation in that assignment may only be made to another licensed nurse who has a legally defined scope of practice. The assignment must be made to a nurse who is capable of accomplishing the assigned activity as well as legally licensed to perform the activity.

### RESPONSIBILITIES OF THE DELEGATING NURSE INCLUDE:

- Verify the competence of staff
- Staff teaching
- Staff direction
- Ongoing evaluation of the acts of individuals
- Rectifying any incompetent actions of staff
- Reassessing patients
- Taking responsibility for all delegated tasks
- Assuring accurate documentation

### TO ENSURE PROPER DELEGATION

- Check the Nurse Practice Act to learn what acts may be delegated
- Only delegated nursing acts to individuals who are appropriately trained

### NURSE SUPERVISORS MAY BE HELD LIABLE FOR:

- Improper training
- Improper delegation
- Improper assignments
- Inadequate supervision, and
- Failure to take appropriate action

### NURSES HAVE THE FOLLOWING OPTIONS IN THE FACE OF A PROFESSIONALLY OBJECTIONABLE ASSIGNMENT:

- 1) **Accept the assignment**—however, this may leave the nurse open to civil liability if a patient suffers an injury which stems from an act of commission or omission by the nurse or by another employee for whom the nurse is responsible. Furthermore, the nurse's license may be jeopardized if he/she knowingly accepts and misperforms a role beyond his/her level of competence.
- 2) **Accept the assignment and file an appeal**—this will not help if a problem occurs during the course of the assignment—however, it is always appropriate to document problems that

occur as a result of an improper assignment—personal diary, letter or memo to the appropriate person, incident report, etc.

- 3) **Reject the assignment**—this may cause problems for the nurse who might be charged with insubordination, disciplined or even fired.

**ACTIVITIES WHICH SHOULD NOT BE DONE BY NAPS (NURSING ASSISTIVE PERSONNEL INCLUDING BUT NOT LIMITED TO CNAS, HHAS, ETC.) INCLUDE:**

- 1) The initial nursing assessment
- 2) Any subsequent assessment that requires professional nursing knowledge, judgment and skill
- 3) Establishing nursing diagnoses
- 4) Mutualization of care goals with the patient/client
- 5) Development of the nursing plan of care
- 6) Evaluation of the client's progress in relation to the plan of care
- 7) Any nursing intervention which requires professional nursing knowledge, judgment, and skill—According to the ANA, a nursing judgment is the intellectual process that a nurse exercises in forming an opinion and reaching a conclusion by analyzing the evidence.

**The Five Rights of Delegation**

**Right Task**—One which may be delegated for a specific patient. In general, tasks that can be delegated (assigned) are those:

- 1) Which frequently reoccur in the day-to-day care of a patient/client
- 2) Which do not require nursing assessments, nursing judgment
- 3) Which do not require complex and/or multi-dimensional application of the nursing process
- 4) For which the results are predictable and the potential risk is minimal; and
- 5) Which utilize a standard and unchanging procedure.

**Right Circumstances**—Consider all relevant factors including such things as the appropriateness of the patient setting and the available sources.

**Right Person**—Right person is delegating the right task to be performed on the right person.

**Right Direction/Communication**—Clear, concise description of the task, including its objective limits and expectations.

**Right Supervision/Evaluation**—Appropriate monitoring, evaluation, intervention, as needed and feedback.

**THE SUPERVISING NURSE MUST:**

- Know the expected method of supervision—direct or indirect
- Know the qualifications of NAP
- Know the competencies of the NAP
- Have specific information about the tasks that have been delegated
- Monitor the performance of the NAP
- Obtain information from the NAP and provide feedback
- Intervene in the care being given by the NAP if necessary
- Evaluate the client/patient's condition and outcomes
- Evaluate the performance of the NAP.

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## **After Delegating the Task, Have You:**

**Monitored** performance of the delegated nursing intervention?

**Verified** that the delegated nursing intervention has been implemented?

**Evaluated** the client's response and the outcome of the delegated nursing intervention?

**Monitored** the client's condition?

**Assessed?**



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# DELEGATE DECISION TREE

