

Practice Requirement for Licensed Practical Nurses & Registered Nurses

A requirement for initial as well as continued licensure is the proof of competence through the practice of nursing. The purpose of this policy is to articulate the types of activities and roles a nurse may use to meet the practice requirement.

The Oregon statutory definition of the practice of nursing is as follows:

ORS 678.010(7) “Practice of nursing means diagnosing and treating human responses to actual or potential health problems through such services as identification thereof, health teaching, health counseling and providing care supportive to or restorative of life and well-being and including the performance of such additional services requiring education and training which are recognized by the nursing profession as proper to be performed by nurses licensed under ORS 678.010 to 678.410 and which are recognized by rules of the board.”

This broad definition encompasses the practice of nursing for compensation as well as volunteer nursing or nursing in other situations where there is no compensation.

There are numerous roles for nurses including the traditional roles of direct care provider, nurse supervisor, educator, administrator, consultant, researcher, case manager and advanced practitioner of nursing. Nurses who practice in traditional roles usually practice in licensed health care facilities such as hospitals, long term care facilities, county health departments and for home health agencies. In recent years those settings have been expanded to include community based care and settings where nursing care is incidental to the person being in or living in the setting, such as the public school system or an assisted living facility.

Nurses may also practice nursing in combination with another professional license, using both scopes of practice to form a new role. A nurse who functions under dual licensure is accountable for describing and justifying which of the activities he/she performs are nursing practice.

The need for nursing care and expertise outside of traditional settings has opened up more roles for licensed nurses. The Board does not discount any setting for the possibility of nursing practice which meets the practice requirement, provided the nurse in the setting uses nursing knowledge and skill, and in particular uses the nursing process as the basis for practice. These positions may be in a variety of health care settings, health care organizations, settings which do not exist for the purpose of providing health care or entrepreneurial ventures in which the nurse uses substantial nursing knowledge and skill. Whether the nurse uses the title “nurse” or has a job description that requires a nursing license is secondary to the actual use of the nursing process and other elements of the scope of nursing practice as defined by the administrative rules of the Board. It is not the setting or the job title that makes a role nursing practice, but the application of the body of nursing knowledge.

Nurses are often in the position of caring for a member of the immediate family or for a friend/neighbor. This type of nursing practice may be applied towards meeting the practice requirement for renewal of licensure provided the activities performed are those which require the judgement and skill of a licensed nurse at the level of licensure for which application is made and are not activities that one could perform without nursing education and licensure. The nurse who cares for a family member must be able to separate those activities which are nursing practice from those which are household duties.

Oregon State Board of Nursing Policy Statement

Nurses are involved in complimentary therapies which enhance nursing care in a way that treats the whole person and promotes optimum health. Examples of complimentary therapies include, but are not limited to, therapeutic touch and guided imagery. Complimentary therapies fit within the definition of the practice of nursing in that they are supportive to or restorative of life and well-being.

Volunteer work, regardless where it occurs, may meet the practice requirement provided the nurse can demonstrate the application of nursing knowledge and skill and that he/she is following his/her scope of practice.

The burden of proof that activities meet the practice requirement remains with the applicant for renewal of licensure or applicant for licensure by endorsement. The Board will consider the following elements and ask the following questions when evaluating applicants for licensure regarding meeting the practice requirement:

- Are the activities the nurse performs within the statutory definition of the practice of nursing?
- Do the activities require application of the knowledge and skill gained from nursing education?
- Does the nurse use the elements of the nursing process in his/her work?
- Are the activities within the scope of practice for which application for licensure is made (LPN or RN) ?
- In a situation where care is provided for a family member or friend, would the nurse, if unavailable to provide the care, have to utilize a nurse to provide the care?
- Can the nurse describe how he/she uses nursing knowledge and elements of the nursing process in his/her work?
- Can the nurse volunteer articulate what parts of the volunteer role use elements of nursing practice?

Adopted: September 7, 2000