APA-4
Revised 1/2018

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and 41-22-6(c)(2)a. and b.

I certify that the attached emergency new rule is a correct copy as promulgated and adopted on the 20th day of March, 2020.

AGENCY NAME: Alabama Board of Nursing

RULE NO. AND TITLE: 610-X-4-.19ER Temporary Provisions Related to Outbreak of COVID-19

EFFECTIVE DATE OF RULE: March 20, 2020

EXPIRATION DATE (If less than 120 days): Conclusion of COVID-19 Public Health Emergency

NATURE OF EMERGENCY: Public Health Emergency declared by Governor Ivey on March 13, 2020, related to COVID-19 outbreak. The rule changes are designed to ease regulatory burdens and increase access to healthcare, as well as to address staffing shortages in Alabama facilities.

STATUTORY AUTHORITY: **Code of Alabama, 1975**, § 34-21-2(c)(1)

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS ____ YES _x_ NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

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Signature of officer authorized to promulgate and adopt rules and regulations or his or her deputy

FILING DATE
(For APA Use Only)

REC'D & FILED
MAR 20 2020
LEGISLATIVE SVC AGENCY

610-X-4-.19ER Temporary Provisions Related to Outbreak of COVID-19

(1) The following provisions shall remain in effect for the duration of the state public health emergency declared by Governor Kay Ivey on March 13, 2020, relating to the outbreak of COVID-19 in the United States:

(a) The fee for reactivation of an inactive (retired) license within two (2) years of inactive status, appearing in Section 610-X-4-.14 of these rules, shall temporarily be reduced to $250.00.

(b) All continuing education requirements for reinstatement of a lapsed license or reactivation of an inactive license shall be suspended.

(c) Advanced practice nurses shall continue to be required to maintain at all times current certification from their national certifying body; however, advanced practice nurses shall have fifteen (15) days from the expiration date of the current certification to provide evidence of recertification by primary source verification to the Board.

(d) All temporary permits issued by the Board with terms of fewer than 180 days shall be valid for 180 days, unless otherwise invalidated.

(e) For the duration of this public health emergency, a licensed nurse may delegate selected nursing activities supportive to licensed nurses to nursing students currently enrolled in approved schools of nursing and employed as nursing aides in licensed healthcare facilities who have successfully completed coursework in pharmacology, medication administration and fundamentals; provided that:

1. The licensed healthcare facility at which the nursing student aide is performing the selected delegated nursing activities has authorized the delegation.

2. The nursing student aide's competency to perform the selected delegated nursing activities to be delegated shall be assessed and documented prior to delegation.

3. The licensed nurse may suspend or withdraw delegation to the nursing student aide at any time.

4. Nursing activities which may be delegated to the nursing student aide include:

(i) Obtaining vital signs, glucometer, and pulse oximetry readings

(ii) Assisting patients with feeding

(iii) Dressing changes limited to the application of simple bandaging (e.g. steri-strips), wet-to-dry, and/or sterile dressing change

(iv) Maintenance of ostomies (e.g. colostomy and urostomy) to include measuring and application of wafer board

(v) Restorative care to include ambulation with gait belt, walker, crutches, and/or wheelchair

(vi) Restorative care to include active and passive range-of-motion (ROM) exercises and contracture care

(vii) Peripheral Venous Phlebotomy for laboratory analysis

(viii) Application of oxygen via nasal cannula

(ix) Insertion/Removal of Foley Catheter, to exclude suprapubic catherization

(x) Initiation and discontinuation of nebulizer treatments to EXCLUDE racemic epinephrine administration

(xi) Administration of routine screening tests/immunizations (e.g. flu and TB)

(xii) Administration of routine medications. Routine medications may not be administered through the following routes of administration:

(I) Gastric

(II) Nasogastric

(III) Intravenous

(xiii) Removal of intravenous catheter

(xiv) Documentation of all procedures and/or medications administered in the licensed healthcare facility's electronic medical records platform and paper records

(f) Nursing student aides shall not be delegated the following nursing activities:

1. Administration of PRN (as-needed) medications
2. Suction of and/or replacement of tracheostomy
3. Accessing feeding tubes (G or J-tubes)
4. Placement of any form of intravenous catheter
5. Accessing any intravenous catheter for initiation or therapies
6. Administration of blood or blood products

(g) As used in this rule, a nursing student aide shall be defined as an individual who is currently enrolled in an approved nursing education program and is employed in an unlicensed capacity in a licensed healthcare facility.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, §34-21-24.

History: **Emergency Rule:** Filed March 20, 2020.