

Alaska State Board of Nursing  
**UAP** Advisory Opinions

Explanatory Statement about Advisory Opinions

An advisory opinion adopted by the Alaska Board of Nursing is an interpretation of what the law requires. While an advisory opinion is not law, it is more than a recommendation. In other words, an advisory opinion is an official opinion the Alaska Board of Nursing regarding the practice of nursing as it relates to the health and safety of the Alaska healthcare consumer. Facility policies may restrict practice further in their setting and/or require additional expectations related to competency, validation, training and supervision to assure safety of their patient.

Topic	Opinion	Interested Party	Date
<b>90 day evaluation after delegation</b>	<p>The Board adopts the following procedure related to YKHC, to comply with 12 AAC 44.960(c) "The delegating nurse ...must perform an evaluation on-site at least once every 90 days after the delegation is made." includes:</p> <ol style="list-style-type: none"> <li>1. If on-site evaluation is not possible due to distance and/or logistics, the delegating nurse may administer performance evaluation of the delegation of medications, utilizing distance administered competency methods. This must be done every 90 days.</li> <li>2. The competency evaluation should be administered immediately prior to the delegated medication administration.</li> <li>3. There must be a face-to-face evaluation of skills annually between the delegating nurse and the UAP.</li> <li>4. All other conditions in 12 AAC 44.960(c) must be met.</li> </ol>	Yukon Kuskokwim Health Corporation	September-07
<b>Delegation evaluation 90 day evaluation after delegation</b>	RN Ausman requests that the DJJ be allowed to perform the evaluation required in 12 AAC 44.960 (c) on an annual basis, rather than every 90 days. The Board made several suggestions for implementing the existing regulation effectively and cannot make exemption to DJJ for this regulation.	LaVon Ausman, RN, Division of Juvenile Justice, State of Alaska	June-07

<b>Delegation of controlled substance administration</b>	The Board reviewed the presented clinical scenario as well as past advisory opinions from 1994-1996, 2005 and 2007. The Board advised RN Mistler that in accordance with 12 AAC 44.965, administration of controlled substances that were <u>routinely scheduled</u> would be a delegatable nursing duty, under the conditions specified in that regulation section.	Barbara Mistler, MatSu Regional Home Care and Hospice	June-07
<b>Epi pen</b>	Use of epi-pen by UAP is permitted in an emergency situation if staff is trained to use this as first aid. See 12 AAC 44.955 (a)(2-5).	Sara Harvison, Division of Juvenile Justice	September-05
<b>Feeding/Dining Assistants program approval</b>	The Board reviewed a course outline from Providence Alaska Medical Center, Continuing Care Service. It was determined that the Board of Nursing does not regulate personal care technicians and it is therefore not within the Board's jurisdiction to make a statement concerning this course.	Belle Cunningham, LPN and Jody Howorth, RN	June-07
<b>Medications</b> Crushing, measuring and calculating medications	Crushing, measuring and calculating medications cannot be delegated. Reaffirming conclusion in 1993 position statement "Activities of Unlicensed Assistive Personnel" after a request from Pioneer's Home for board opinion. SEE REVISION OCTOBER 2004, 12 AAC 44.950-975. Measuring and calculating medications can not be delegated. Crushing of medications is acceptable after an RN verifies that a medication may be crushed with a pharmacist.	Alaska Pioneer Homes	March-99
<b>PRN controlled substances</b>	Administration of controlled substances cannot be delegated. RN may NOT do telephonic interview with client to authorize administration of controlled substance. According to 12AAC 44.965(e), a nurse must be present.	Sara Harvison, Division of Juvenile Justice	September-05

<b>PRN controlled substances assisted living homes</b>	See 12 AAC 44.965, which does not allow the delegation of the administration of controlled substances .	assisted living homes	September-05
<b>PRN controlled substances Division Juvenile Justice</b>	RN Ausman requests the Board make exemption to 12 AAC 44.965 (e) to allow DJO staff to administer controlled substances to youths in the facilities on a PRN basis. The board cannot make exception to the law.	LaVon Ausman, RN, Division of Juvenile Justice, State of Alaska	September-05
<b>Training Course for UAPs administering medications in schools</b>	After review and discussion, the Board expressed many concerns about the contents of the course and the delegation of PRN controlled substances to UAPs. Controlled substances cannot be delegated to an UAP per 12 AAC 44.955(3). Nancy Sanders, PhD, RN, Executive Administrator will communicate these concerns in a letter to the School District.	Fairbanks North Star Borough School District	June-07
<b>Vital signs</b>	vital signs on admit done by UAP is data collection only and must be reported to Registered Nurse (12 AAC 44.955(b)(2)	Sara Harvison, Division of Juvenile Justice	September-05

revised July 2014