

FILED

DEC 26 1990

FLORIDA BOARD OF NURSING

STATE OF FLORIDA  
DEPARTMENT OF PROFESSIONAL REGULATION  
BOARD OF NURSING

IN RE: THE PETITION FOR DECLARATORY  
STATEMENT OF:

JOAN R. FUTCH, R.N.  
CASE NO.: BON-DS-90-3

FINAL ORDER

This matter came before the Board of Nursing pursuant to Section 120.565, Florida Statutes, and Chapter 28-4, Florida Administrative Code on December 7, 1990, in Tampa, Florida for the purpose of considering the Petition for Declaratory Statement filed by Joan R. Futch. Having considered the petition and supporting documentation provided by Petitioner, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. Petitioner is a registered nurse in the state of Florida, employed by Tallahassee Memorial Regional Medical Center, Tallahassee, Florida.
2. Petitioner asks whether it is within the scope of practice for nurses as defined in Section 464.003(3), Florida Statutes, to monitor dermatone levels on patients receiving epidural anesthesia for labor and delivery.
3. The Petition was noticed by the Board in the March 2, 1990, issue of Florida Administrative Weekly, Volume 16, No. 9, Page 1049.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Section 120.565, Florida Statutes, and Chapter 28-4, Florida Administrative Code.

2. The Petition filed by the Petitioner is in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Rule 28-4.001, Florida Administrative Code, and Petitioner has the requisite interest to maintain this proceeding.

3. Section 464.003(3)(a), Florida Statutes, in pertinent part provides:

(3)(a) "Practice of professional nursing" means the performance of those acts requiring substantial specialized knowledge, judgement, and nursing skill based upon applied principles of psychological, biological, physical, and social sciences which shall include, but not be limited to:

(1) The observation, assessment, nursing diagnosis, planning, intervention, and evaluation of care; health teaching and counseling of the ill, injured, or infirm; and the promotion of wellness, maintenance of health, and prevention of illness of others.

(2) The administration of medications and treatments as prescribed or authorized by a duly licensed practitioner authorized by the laws of this state to prescribe such medications and treatments.

4. Within the context of Section 464.003(a)1, Florida Statutes, registered nurses are permitted to make assessments of their patients. Therefore the R.N., if properly trained, may monitor the dermatone levels on patients receiving epidural anesthesia for labor and delivery for the purpose of assessing that patient's status.

Petitioner is notified that she may appeal this order by filing one copy of the Notice of Appeal to the Clerk of the agency, and by filing a filing fee and one copy of the Notice of Appeal with the District Court of Appeal within thirty (30) days of the date this order is filed.

DONE and ORDERED this 26th day of December, 1990.

BOARD OF NURSING



NATALIA N. CRUZ, A.R.N.P.  
CHAIRMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished by certified mail to Joan R. Futch, R.N., B.S.N., Senior Vice President, Nursing Service, Tallahassee Memorial Regional Medical Center, Magnolia Drive at Miccosukee Road, Tallahassee, Florida 32308 this 26th day of December, 1990.

  
JUDIE K. RITTER  
EXECUTIVE DIRECTOR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by certified mail to Katherine Scholl, 362 Summers Creek Drive, Merritt Island, FL, 32952, and by interoffice delivery to Rosanna Catalano, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, FL 32399-1050, and William Large, General Counsel, Department of Health, 4052 Bald Cypress Way, Bin A-02, Tallahassee, FL 32399-1703 this 20 day of January, 2004.

Sharon Dykes

RC  
1/12/04