

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF NURSING

IN RE:

The Petition for
Declaratory Statement of

CASE NO. 30X-DS67-1

KALYNN PRESSLY, R.N., M.S.N.

FINAL ORDER

This matter came before the Board of Nursing pursuant to Chapter 120.565, Florida Statutes, and Chapter 28-4, Florida Administrative Code, on February 6, 1987, in Miami, Florida, for the purpose of considering the Petition for Declaratory Statement filed by Kalynn Pressly (hereinafter "Petitioner"). Petitioner was not present. Having considered the Petition and supporting documentation provided by Petitioner, and being otherwise fully advised in the premises, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. Petitioner is a registered nurse in the State of Florida, employed at Bay Medical Center, Panama City, Florida.
2. Petitioner is in doubt as to the scope of practice of a registered nurse with regard to the cannulation of the external jugular vein. Petitioner contends that critical care nurses who are certified as Advanced Cardiac Life Support (ACLS) providers and who complete additional training consisting of a class on the techniques and risks of the procedure, should be allowed to perform cannulation of the external jugular vein.
3. In her Petition for Declaratory Statement filed with the Board, Petitioner requested the Board to answer substantially the following question:

Whether Section 464.003(3), Florida Statutes, which defines the practice of professional nursing, can be construed to

authorizing the performance by critical care registered nurses of cannulation of the external jugular vein.

4. The Petition was noticed by the Board in the January 23, 1987, issue of the Florida Administrative Weekly. (Vol. 13, No. 4, page 311)

5. Bay Medical Center is a 184 bed acute care hospital which currently possesses 19 intensive care unit beds. The critical care nursing staff is 90% R.N. and 10% L.P.N. There are no interns or residents on the staff. Twenty-four hour physician coverage is provided to the Emergency Room.

6. The procedure at issue would be necessary in a situation where a critically ill patient has a limited number of veins suitable for intravenous therapy. With an accompanying state of vascular collapse, insertion of an I.V. catheter into a vein in the extremities is very difficult. Petitioner proposes to allow R.N.'s trained in the procedure to cannulate the external jugular when intravenous access is imperative and the veins in the extremities are not usable.

7. In a condition of vascular collapse, the external jugular vein is also subject to collapse. The external jugular vein is therefore not necessarily a viable alternative. Consequently, the proposed procedure is not done in regular practice. Generally, when the procedure is performed, it is performed by a physician.

8. Risks of the procedure include sepsis, air embolism, thrombophlebitis, and potential airway compromise from hematoma.

9. Petitioner proposes that qualifications for the procedure be training as an ACLS provider and additional unspecified training. Because of the variance in advanced cardiac life support classes, such training is not by itself sufficient to qualify for an advanced procedure. The variation in ACLS programs extends to the ACLS providers as well. Consequently, even if the procedure were authorized, the training proposed by Petitioner is not adequate.

10. Petitioner submitted for consideration the guidelines of the Alabama Board of Nursing, which authorize the procedure for specified registered nurses. The policies of the Alabama Board are not binding in Florida.

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 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), Florida Statutes, provides, in pertinent part:

"Practice of professional nursing" means the performance of those acts requiring substantial specialized knowledge, judgment, 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.

3. The supervision and teaching of other personnel in the theory and performance of any of the above acts.

* * *

The professional nurse and the practical nurse shall be responsible and accountable for making decisions that are based upon the individual's educational preparation and experience in nursing.

Any nurse is bound by her responsibility to practice within the scope of her abilities as well as the minimal standards of

acceptable and prevailing nursing practice. See Section 464.018(1)(f), Florida Statutes.

4. It is the opinion of the Board that the procedure proposed by Petitioner to be performed by a registered nurse with the level of training outlined by Petitioner, is not within the scope of practice of a registered professional nurse in the absence of a physician. This conclusion is based upon the infrequency of the procedure's use in regular practice, the viability of the procedure in the situation described by Petitioner, and the level of training proposed by Petitioner.

5. The Board takes note of the policies of the Alabama Board of Nursing, but is not persuaded that the Alabama Board's acceptance of the procedure is sufficient grounds to authorize the procedure in Florida. The Board must be guided by its own statutes and its knowledge of prevailing nursing practice in Florida.

WHEREFORE, it is ORDERED and ADJUDGED that, as proposed by Petitioner, the cannulation of the external jugular vein is beyond the scope of practice of a registered professional nurse and minimal standards of acceptable and prevailing nursing practice.

Petitioner is hereby notified that she may appeal this Order by filing one copy of a notice of appeal with the clerk of the agency and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Order is filed.

DONE and ORDERED this 6 day of July, 1987.

Jessie Trice, R.N., M.P.H.

Jessie Trice, Chairman
Florida Board of Nursing

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been furnished to KALYNN PRESSLY, R.N., Bay Medical Center, 615 North Bonita Avenue, Panama City, Florida 32401, this 6 day of July, 1987.

Judith K. Ritter
Judith Ritter
Executive Director

JKR **FILED**
JUL 06 1987

FLORIDA STATE
BOARD OF NURSING