

STATE OF FLORIDA
DEPARTMENT OF PROFESSIONAL REGULATION
BOARD OF NURSING

IN RE: THE PETITION FOR
DECLARATORY STATEMENT
OF:

BON-DS-89-2

MICHELLE PRESTON, RN
Suite 395
333 Tamiami Trail South
Venice, Florida 34285

FINAL ORDER

This matter came before the Board of Nursing pursuant to Section 120.565, Florida Statutes, Rule 210-6.018 and Chapter 28-4, Florida Administrative Code, on October 13, 1989 in Orlando, Florida, for the purpose of considering the Petition for Declaratory Statement filed by Michelle Preston, RN.

Shirley Trowbridge, RN, requested the Board's permission to replace Ms. Preston as the Petitioner in this matter. It was reported that Ms. Trowbridge has taken over the duties that prompted Ms. Preston to request a declaratory statement from the Board. The Board granted the request of Ms. Trowbridge to take the place of the Petitioner.

The Board, having considered the petition and being otherwise fully advised in the premises, makes the following findings and conclusions:

FINDINGS OF FACT

1. Petitioner is licensed to practice professional nursing as a registered nurse (RN) in the State of Florida. Her last known address is Suite 395, 333 Tamiami Trail South, Venice, Florida 34285.

2. In a petition for declaratory statement dated January 23, 1989, Petitioner requested an interpretation by the Board of Chapter 464, Florida Statutes. The petition was received by the Board on February 3, 1989.

3. In describing how the interpretation of the statute would effect her in her particular set of circumstances only, the Petitioner stated the following:

I am a registered nurse... I perform the pre-operative history and physical for our ambulatory cataract surgery patients... Further, I would be responsible for modifying anticoagulant therapy as per standing orders of the Center For Sight.

4. The Board published notice of its receipt of the petition in the April 21, 1989, issue of the Florida Administrative Weekly, Vol. 15, No. 16, page 1699.

5. The petition was discussed by the Board at its meeting on October 13, 1989, in Orlando, Florida.

6. Petitioner appeared and offered her own testimony. Mr. Tony L. Rovinsky, Chief Operating Officer of the office of Petitioner's employer (Center For Sight) also appeared as a witness.

7. Pre-operative histories and physicals include reviewing the patient's chief complaint and medical history with emphasis on the cardiovascular and pulmonary systems, vital signs and general inspection of the patient.

8. Section 464.003(3), Florida Statutes, provides in part for RNs to observe, assess, and provide nursing diagnosis of others.

9. Section 464.012, Florida Statutes, provides for an advanced registered nurse practitioner (ARNP) to monitor and alter drug therapies within the framework of an established protocol under the supervision of a licensed physician. There is no other similar provision for other nurses within Chapter 464, Florida Statutes.

10. No evidence was provided to establish that Petitioner is an ARNP or that she works under protocols regarding modification of medications.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.565, Florida Statutes, Rule 210-6.018 and Chapter 28-4, Florida Administrative Code.

2. Petitioner, as an RN, is permitted to do a pre-operative history and physical examination.

3. Petitioner, not being an ARNP, is prohibited from modifying or altering anti-coagulant or any other medication. Such modification or alteration may be performed only by a physician or by an ARNP pursuant to the provisions of Chapter 464, Florida Statutes.

4. There is competent, substantial evidence to support the Board's Findings of Fact and Conclusions of Law.

WHEREFORE, it is the opinion of the Board of Nursing that Petitioner, Shirley Trowbridge, RN, is permitted to do pre-operative histories and physical examinations of ambulatory cataract surgery patients. However, Petitioner is prohibited from modifying anticoagulant therapy.

Petitioner is hereby notified that she may appeal this Final Order by filing one copy of a notice of appeal with the Clerk of the Board of Nursing, and by filing an appropriate filing fee and one copy of a notice of appeal with the District Court of Appeal within 30 days of the date this Final Order is filed.

This Final Order becomes effective upon being filed with the Clerk of the Board of Nursing.

DONE AND ORDERED this 22nd day of January, 1989.

BOARD OF NURSING

Jeanne Stark
JEANNE STARK, R.N.
Chairman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been forwarded by U.S. Mail, this 22nd day of January, 1989 to: Shirley Trowbridge, RN, and Tony L. Rovinsky at Suite 395, 333 Tamiami Trail South, Venice, Florida 34285.

Judie Ritter
JUDIE RITTER
Executive Director

FILED

JAN 22 1990

FLORIDA STATE
BOARD OF NURSING