

## CHAPTER 1

### GENERAL PROVISIONS

**Section 1. Authority.** The Board is authorized under the NPA and the WAPA to promulgate rules and regulations related to the licensure and discipline of nurses and nursing assistants and regulation of the practice of nursing in Wyoming.

**Section 2. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to establish administrative procedures.

**Section 3. Severability.** If any provision of these Board Rules or the application thereof to any person or circumstance is invalid, such invalidity shall not affect other provisions or application of these regulations which can be given effect without the invalid provision or application, and to this end the provisions of these regulations are declared to be severable.

**Section 4. Board Office.** The Board Office shall be located at 130 Hobbs Avenue, Suite B, Cheyenne, WY 82002.

**Section 5. Board Meetings.** The Board shall set its regular meetings by resolution.

**Section 6. Incorporation by Reference.**

(a) For any rule or regulation incorporated by reference in these Board Rules:

(i) The Board has determined incorporation of the full text in these Board Rules would be unduly cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section;

(iii) The incorporated rule or regulation is maintained at the Board Office and is available for public inspection and copying at cost at the same location.

(b) The rule or regulation incorporated by reference is Chapter 2 – Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on July 20, 2017, found at <http://soswy.state.wy.us/Rules/RULES/9644.pdf>.

**Section 7. Terms Defined by Statute and Herein.** Terms defined in the NPA shall have the same meaning when used in these Board Rules unless the context or subject matter clearly requires a different interpretation.

**Section 8. Definitions.**

(a) “Accountability” means being responsible and answerable for actions or inactions of self and others in the context of delegation.

(b) “Applicant” means any person applying for any type of license, certificate, or

permit issued by the Board.

(c) “Application” means applying for licensure, certification, or permit by one of the following methods:

(i) Licensure or Certification by Examination means meeting competency by successfully passing a Board-approved examination.

(ii) Licensure or Certification by Endorsement means meeting competency by licensed or certified practice in another jurisdiction.

(iii) Renewal means meeting competency during the renewal period.

(iv) Relicensure or Recertification means meeting competency after failing to renew.

(v) Reactivation means meeting competency after inactive status.

(vi) Reinstatement means meeting competency after being revoked, surrendered, suspended or conditioned.

(vii) Temporary Permit means non-renewable, and may be revoked by the Board at any time.

(viii) Volunteer License means restricted ability to practice nursing pursuant to Wyoming Statute 33-21-157.

(d) “Assignment” means the performance of designated nursing activities or tasks by an APRN, RN, LPN or CNA that are consistent with the scope of practice of the APRN, RN, LPN or the role of the CNA; the distribution of work that each staff member is to accomplish on a given shift or work period.

(e) “Biennial” means every two (2) years.

(f) “Board Rules” means the administrative rules and regulations promulgated by the Wyoming State Board of Nursing.

(g) “Boundaries” mean the conscious limits of the professional relationship that allow for safe therapeutic connection between the professional and the client. Boundaries protect the space between the professional’s powers and the client’s vulnerability. Establishing boundaries provides a means for a professional’s control of this power differential and allows for a safe connection based on the client’s need. The professional is responsible for delineating and maintaining the boundaries.

(h) “Client” means a recipient of care that can be an individual, family, group, or community.

(j) “CNA” means Certified Nursing Assistant.

- (k) “CNA II” means Level II - Certified Nursing Assistant.
- (l) “Direction” means:
- (i) Monitor and guide the practice of another through written or verbal communication;
  - (ii) The intermittent observation, guidance and evaluation of the nursing practice of another by a licensed physician, APRN, dentist or RN who may only occasionally be physically present; or
  - (iii) Joint development of a plan of care in advance by those individuals involved which will be implemented without the physical presence of a licensed physician, APRN, dentist, or RN, but shall be available for consultation. The evaluation of the patient care situation and the caregiver’s educational preparation and demonstrated proficiency shall determine the degree of direction needed.
- (m) “Faculty” means RNs who:
- (i) Meet the criteria of the established standards for nursing education programs; and
  - (ii) Have been employed by the parent institution for the purpose of administration, teaching, evaluation, guidance and research in nursing.
- (n) “Jurisdiction” means the extent or range over which authority is exercised.
- (o) “Lapsed” means a license or certificate which is no longer valid due to failure to renew and results in the termination of the privilege to practice nursing.
- (p) “MAC” means Medication Assistant Certified.
- (q) “NCLEX” means National Council Licensure Examination.
- (r) “NPA” means the Nurse Practice Act, W.S. 33-21-119 *et seq.*
- (s) “Prescriptive authority” means the authority granted by the Board to the APRN to select, prescribe, administer, dispense, or provide prescriptive and non-prescriptive medications including, but not limited to, vaccines, immunizing agents and devices.
- (t) “Site visit” means a planned visit by representatives of the Board to the parent institution of a nursing education program for the purpose of program evaluation. When a site visit is deemed necessary by the Board in conjunction with a self-study, the purpose of the site visit will be to verify, clarify, and amplify information contained in the self-study evaluation.
- (u) “Standard” means an authoritative statement by which the Board can determine the quality of education and training or practice of APRN, RN, LPN and CNA.
- (v) “Supervision” means the immediate physical availability of a licensed physician,

APRN, dentist or RN for the purpose of providing assistance, coordination and evaluation of the practice of another.

(w) “WAPA” means the Wyoming Administrative Procedure Act, W.S. 16-3-101 *et seq.*

**Section 9. Public Record Access.**

(a) A member of the public may:

(i) Verify licensure or certification status and final disciplinary action on the Board’s website;

(ii) Request an electronic or hard copy of the public record which may require a fee. Such fee shall include cost of administrative time and copy production; and

(iii) Make an appointment to review the public record between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state holidays, at the Board Office.

(A) Public record review shall take place in the presence of a member of the Board staff; and

(B) Original documents must remain with the Board but may be copied at the Board Office and may require a fee. Such fee shall include cost of administrative time and copy production.

**Section 10. Licensure Verification.** A licensee or certificate holder may request verification of their Wyoming license or certificate by submitting a form and payment of the fee to the Board.

**Section 11. Change of Name, Address or Telephone Number.** Each applicant, licensee, and certificate holder shall notify the Board in writing of any change to their legal name, home address, business address, e-mail address, or telephone number with thirty (30) days of the change.