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OPINION: CNA HIRED BY PRIVATE PARTY
APPROVED DATE: April 9, 2014
REVIEWED DATE: July 2016
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ORIGINATING COMMITTEE:
Practice & Education Committee

An advisory opinion adopted by WSBN 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 of WSBN regarding the practice of nursing as it relates to the functions of nursing. Facility policies may restrict practice further in their setting and/or require additional expectations related to competency, validation, training and supervision to assure the safety of their patient population and/or decrease risk.

Within the Scope of Practice/Role of ___APRN ___RN ___LPN _X_CNA

**ADVISORY OPINION
CERTIFIED NURSING ASSISTANT (CNA) HIRED BY PRIVATE PARTY**

In accordance with Wyo. Stat. §33-21-122(c)(iii) of the Wyoming Nursing Practice Act (NPA), the Wyoming State Board of Nursing (WSBN) has approved the following Advisory Opinion on the CNA Hired by Private Party.

Wyoming statute §33-21-120(a)(xii) provides the following definition:

“Practice of a certified nursing assistant/nurse aide” means, regardless of title or care setting, the performance of nursing related tasks and services delegated by a licensed nurse. The nursing assistant/nurse aide shall complete a specified course of study approved by the Board, meet minimum competency requirements and be certified by the Board.

Wyo. Stat. Ann. §33-21-120(a)(xii); *See also* Rules of Bd. of Nursing, Chapter 3, §6(a). A CNA shall work under the direction of an APRN, RN or LPN. A CNA is not an independent role. In this setting, WSBN has purview over the CNA role.

If a CNA accepts employment working independently for a private party, the role becomes one of a caregiver. The State of Wyoming does not regulate caregivers, nor does WSBN. The caregiver role does not meet the definition of CNA outlined in the NPA. As such, the working hours will not be counted towards continued competency for certification renewal of the CNA. WSBN does not have jurisdiction over the caregiver role.