

## **SPECIAL NOTICE: ORAL ORDERS AND OTHER REGULATORY CHANGES**

Effective December 20, 2003, the Pennsylvania State Board of Nursing amended its regulations at 49 Pa.Code §21.145 (Functions of the LPN) to permit licensed practical nurses (LPNs) to accept oral orders in other than urgent medical circumstances. An oral order is defined as a spoken order issued by a practitioner authorized by law and facility policy to issue orders for medical and therapeutic measures. Oral orders include telephone orders.

### **An LPN may accept an oral order if all of the following conditions are met:**

- (1) The practitioner issuing the oral order is authorized by law and by facility policy to issue oral orders for medical and therapeutic measures.**
- (2) The LPN has received instruction and training in accepting an oral order in an approved nursing education program or has received instruction and training in accepting an oral order in accordance with the established policies and protocols of the facility.**
- (3) The regulations governing the facility permit an LPN to accept an oral order.**
- (4) The policy of the facility permits an LPN to accept an oral order.**

Prior regulations of the Board prohibited an LPN from accepting an oral order for the administration of medication or therapeutic treatment, unless the urgency of the medical circumstances required immediate medication and therapeutic treatment. This rulemaking permits LPNs to accept oral orders in non-urgent circumstances, as long as the four conditions specified above are met. Thus, LPNs may accept oral orders if: the practitioner issuing the order is authorized to issue such orders, the LPN can demonstrate that he or she has had the appropriate instruction and training, other agency regulations recognize the practice, and the facility in which the LPN is employed permits the practice.

**LPNs may only accept and act on oral orders that are within the scope of practice for the LPN and which the LPN understands.** This rulemaking does not broaden the scope of practice of the LPN to accept and execute oral orders for medical and therapeutic measures that the LPN may not otherwise accept in written form and execute. This rulemaking also does not change the requirement that the LPN immediately transcribe the oral order in the proper place on the medical record of the patient. The transcription must include the name of the ordering practitioner, the date, the time of acceptance of the oral order and the full signature of the LPN accepting the oral order. The countersignature of the ordering practitioner must still be obtained in accordance with applicable regulations of the Department of Health governing the licensed facility.

The revised regulations also require the LPN to question any order which is perceived as unsafe or contraindicated for the patient or which is not clear, and to raise the issue with the ordering practitioner first. If the ordering practitioner is not available, the LPN must raise the issue with a registered nurse or other responsible person at the facility, in a manner consistent with the protocols or policies of the facility. The Board does not mandate a single specific procedure for questioning an order. The particular situation itself may determine how an apparently unclear, unsafe or contraindicated order might be clarified. Contact with the practitioner who issued the order may be by telephone or facsimile. If that practitioner is unavailable, a registered nurse should be consulted to assist the LPN by consulting drug manuals, textbooks or other available resources. Sometimes a pharmacist or other responsible health care practitioner might be able to resolve the situation, in conjunction with the RN and LPN. Finally, a facility may well have a protocol or policy that reflects its own structure or needs.

Also noteworthy is the change to the registered nursing regulations at 49 Pa.Code §21.18 (Administration of drugs), which removes the language that the drug administered by the RN be ordered "by a licensed doctor of the healing arts." An RN may administer a drug ordered for a patient in the dosage and manner prescribed. The Board recognizes that other practitioners, such as nurse practitioners and physician assistants, are authorized by law and/or regulation to issue orders for drugs and that the RN may accept and execute such orders.

See <http://www.pabulletin.com/secure/data/vol33/33-51/2389.html> (33 Pa.B. 6219) for a copy of the published regulation.