

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 610 Department or Agency Alabama Board of Nursing  
Rule No. 610-X-2-08  
Rule Title Definitions, Disciplinary Action  
         New     X     Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

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Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Genevieve Lee*

Date June 20, 2011

DATE FILED  
(STAMP)

APA-2  
11/96

**ALABAMA BOARD OF NURSING**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Board of Nursing

**RULE NO. & TITLE:** Rule 610-X-2-.08, Definitions, Disciplinary Action

**INTENDED ACTION:** The Alabama Board of Nursing proposes to amend the definitions related to disciplinary action by adding two definitions and alphabetizing remainder.

**SUBSTANCE OF PROPOSED ACTION:** The Alabama Board of Nursing proposes to amend Administrative Code, Rule 610-X-2-.08, Definitions, Disciplinary Action. A copy of the proposed amended rule may be found on the Board's web site, [www.abn.alabama.gov](http://www.abn.alabama.gov), under "Laws" and then "proposed rule changes." The proposed changes add two definitions and alphabetizes the remainder.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written or oral comments will be received by the Board of Nursing until 4:30 P.M. on Thursday, August 4, 2011. Verbal or written comments should be directed to N. Genell Lee, Executive Officer, at P.O. Box 303900, Montgomery, AL 36130-3900 or via electronic mail at [Genell.Lee@abn.alabama.gov](mailto:Genell.Lee@abn.alabama.gov) or via telephone at 334-293-5210.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**  
The record closes at 4:30 P.M. on Thursday, August 4, 2011.

**CONTACT PERSON AT AGENCY:** N. Genell Lee, Executive Officer.

  
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Executive Officer

# ALABAMA BOARD OF NURSING

## RULE 610-X-2-.08

### DEFINITIONS, DISCIPLINARY ACTION

#### Rule 610-X-2-.08 Definitions, Disciplinary Action.

~~(91)~~ Abandonment: Acceptance of a patient assignment, thus establishing a nurse-patient relationship, and then ending the nurse-patient relationship without giving reasonable notice to supervisory personnel so that others can make arrangements for continuation of nursing care.

~~(18)~~ (2) Administrative complaint: A legal document which contains notice of the time and place of an administrative hearing; contains a statement of the charges against the applicant, registered nurse, licensed practical nurse, advanced practice nurse, continuing education provider, or nursing education program; and complies with the notice provisions for contested cases as set forth in the Alabama Administrative Procedures Act.

~~(403)~~ Assessment, Comprehensive: the systematic collection and analysis of data including the physical, psychological, social, cultural and spiritual aspects of the patient by the registered nurse for the purpose of judging a patient's health and illness status and actual or potential health needs. Comprehensive assessment includes patient history, physical examination, analysis of the data collected, development of the patient plan of care, implementation and evaluation of the plan of care.

~~(114)~~ Assessment, Focused: An appraisal of a patient's status and specific complaint through observation and collection of objective and subjective data by the registered nurse or licensed practical nurse. Focused assessment involves identification of normal and abnormal findings, anticipation and recognition of changes or potential changes in patient's health status, and may contribute to a comprehensive assessment performed by the registered nurse.

(5) Board-Acceptable Licensed Healthcare Provider: A licensed healthcare provider who has been accepted, in advance, by Board staff to conduct a required evaluation of a licensee for purposes of reinstatement of a Board-Lapsed license.

(6) Board-Lapsed License: An Order of the Board that lapses a license until identified conditions are met and the license is reinstated by Order of the Board.

~~(457)~~ Dual Relationship: any time a licensed nurse interacts with a patient outside the nurse-patient relationship.

~~(4 8)~~ Fine: A monetary penalty imposed by the Board.

~~(2 9)~~ Letter of Admonishment: A letter from the Board that addresses the areas of concern over the reported conduct and notifies the registered nurse, licensed practical

nurse or applicant for licensure that the case has been closed without discipline.

(10) Letter of Closure: A letter from the Board that notifies the registered nurse, licensed practical nurse or applicant for licensure that the case has been closed without discipline.

(161) May: power, privilege or right retained by the Board.

(472) May not: prohibition.

(13) Negligent: Failure to exercise the care required by the applicable standard of care.

(5 14) Probation: The monitored practice of nursing which permits the nurse to continue to practice nursing pursuant to specified conditions as set forth by the Board.

(145) Professional Boundary: behavior of the licensed nurse in maintaining a therapeutic relationship with a patient for the patient's benefit rather than behavior that lessens the patient's care and shifts the focus to the licensed nurse.

(316) Reprimand: A formal censure by the Board.

(17) Revocation: The withdrawal of the license by Board action.

(49 18) Shall: duty, requirement, or condition precedent.

(196) Suspension: The temporary withdrawal of the license by Board action.

(820) Voluntary Surrender: The voluntary relinquishment of a license that has the force and effect of revocation.

(4921) Willful: Commission of an act or omission when the licensed nurse or applicant knows or reasonably should know that the act or omission violates the Nurse Practice Act.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Code of Alabama, 1975, § 34-21-2(l), 34-21-25.

**History:** Effective September 29, 1982. **Repealed and Replaced:** Filed January 29, 2002. Effective March 5, 2002. **Amended:** Filed July 22, 2005. Effective August 26, 2005. **Repealed and Replaced:** Filed May 21, 2010. Effective June 25, 2010. Proposed amended rule filed June 20, 2011.