

4723-4-06

Standards of nursing practice promoting patient safety.

- (A) At all times when a licensed nurse is providing direct nursing care to a patient the licensed nurse shall display the applicable title or initials set forth in division ~~(C)~~(E) of section 4723.03 of the Revised Code to identify the nurse's relevant licensure as a registered nurse or as a licensed practical nurse.
- (B) At all times when a certified nurse-midwife, certified nurse practitioner, certified registered nurse anesthetist, or clinical nurse specialist is providing direct nursing care to a patient, the nurse shall display the applicable title or initials set forth in division ~~(C)~~(E) of section 4723.03 of the Revised Code to identify relevant approval either as a certified nurse-midwife, certified nurse practitioner, certified registered nurse anesthetist, or clinical nurse specialist.
- (C) At all times when a licensed nurse is engaged in nursing practice and interacting with the patient, or health care providers on behalf of the patient, through any form of telecommunication, the licensed nurse shall identify to each patient or health care provider the nurse's title or initials set forth in division (E) of section 4723.03 of the Revised Code to identify applicable licensure as a registered nurse, licensed practical nurse, certified nurse-midwife, certified nurse practitioner, certified registered nurse anesthetist, or clinical nurse specialist.
- (D) A licensed nurse shall delegate a nursing task, including medication administration, only in accordance with Chapter 4723-13, 4723-23, 4723-26, or 4723-27 of the Administrative Code.
- (E) A licensed nurse shall, in a complete, accurate, and timely manner, report and document nursing assessments or observations, the care provided by the nurse for the patient, and the patient's response to that care.
- (F) A licensed nurse shall, in an accurate and timely manner, report to the appropriate practitioner errors in or deviations from the current valid order.
- (G) A licensed nurse shall not falsify, or conceal by any method, any patient record or any other document prepared or utilized in the course of, or in conjunction with, nursing practice. This includes, but is not limited to, case management documents or reports or time records, reports, and other documents related to billing for nursing services.
- (H) A licensed nurse shall implement measures to promote a safe environment for each patient.
- (I) A licensed nurse shall delineate, establish, and maintain professional boundaries with each patient.

(J) At all times when a licensed nurse is providing direct nursing care to a patient the licensed nurse shall:

- (1) Provide privacy during examination or treatment and in the care of personal or bodily needs; and
- (2) Treat each patient with courtesy, respect, and with full recognition of dignity and individuality.

(K) A licensed nurse shall not:

- (1) Engage in behavior that causes or may cause physical, verbal, mental, or emotional abuse to a patient;
- (2) Engage in behavior toward a patient that may reasonably be interpreted as physical, verbal, mental, or emotional abuse.

(L) A licensed nurse shall not misappropriate a patient's property or:

- (1) Engage in behavior to seek or obtain personal gain at the patient's expense;
- (2) Engage in behavior that may reasonably be interpreted as behavior to seek or obtain personal gain at the patient's expense;
- (3) Engage in behavior that constitutes inappropriate involvement in the patient's personal relationships or financial matters; or
- (4) Engage in behavior that may reasonably be interpreted as inappropriate involvement in the patient's personal relationships or financial matters.

For the purpose of this paragraph, the patient is always presumed incapable of giving free, full, or informed consent to the behaviors by the nurse set forth in this paragraph.

(M) A licensed nurse shall not:

- (1) Engage in sexual conduct with a patient;
- (2) Engage in conduct in the course of practice that may reasonably be interpreted as sexual;
- (3) Engage in any verbal behavior that is seductive or sexually demeaning to a patient;
or

- (4) Engage in verbal behavior that may reasonably be interpreted as seductive, or sexually demeaning to a patient..

For the purpose of this paragraph, the patient is always presumed incapable of giving free, full, or informed consent to sexual activity with the nurse.

- (N) A licensed nurse, when functioning in an administrative role, shall verify that each nurse, dialysis technician, or medication aide under the nurse administrator has:

- (1) A current valid license to practice nursing in Ohio or a current valid certificate to practice as a dialysis technician or medication aide in Ohio; and
- (2) If applicable, other documents of approval or certification as required by the board.

- (O) When nursing practice, as set forth in section 4723.01 of the Revised Code, is supervised or evaluated:

- (1) Only a registered nurse shall supervise or evaluate the practice of nursing, as set forth in Chapter 4723. of the Revised Code and the rules of the board, performed by other registered nurses and licensed practical nurses; or
- (2) In matters other than the practice of nursing, a non-nursing supervisor may evaluate a nurse employee.
- (3) Supervision or evaluation by a registered nurse does not require that the registered nurse be present on-site on a routine basis, but at minimum:
 - (a) Supervision requires that the registered nurse be continuously available through some form of telecommunication with the supervised nurse, and take all action necessary, including but not limited to conducting periodic on-site visits, to insure that the supervised nurse is practicing in accordance with acceptable and prevailing standards of safe nursing care as set forth in Chapter 4723. of the Revised Code and the rules of the board; and
 - (b) Evaluation requires that the registered nurse conduct periodic on-site visits sufficient to enable the evaluating nurse to evaluate the evaluated nurse's performance.

Nothing in this paragraph shall be construed to authorize a licensed practical nurse to practice without direction, as required by division (F) of section 4723.01 of the Revised Code.

Nothing in this paragraph shall be construed to prohibit a licensed practical nurse from participating in activities that contribute to the delivery of patient care services. Such participation may include, but is not limited to, scheduling of coverage for nursing services and observation and documentation by a licensed practical nurse regarding care provided by assistive personnel.

(P) A licensed nurse shall not make any false, misleading, or deceptive statements, or submit or cause to be submitted any false, misleading or deceptive information, or documentation to:

- (1) The board or any representative of the board;
- (2) Current employers;
- (3) Prospective employers when applying for positions requiring a nursing license;
- (4) Facilities in which, or organizations for whom, the nurse is working a temporary, agency, or locus tenens assignment;
- (5) Other members of the patient's health care team; or
- (6) Law enforcement personnel.

(Q) For purposes of paragraphs (I), (J), (K), (L), and (M) of this rule, a nurse shall not use social media, texting, emailing, or other forms of communication with, or about a patient, for non-health care purposes or for purposes other than fulfilling the nurse's assigned job responsibilities.

Effective: 2/1/2021

Five Year Review (FYR) Dates: 10/16/2023

CERTIFIED ELECTRONICALLY

Certification

01/05/2021

Date

Promulgated Under: 119.03

Statutory Authority: 4723.07

Rule Amplifies: 4723.28

Prior Effective Dates: 12/01/1995, 04/01/1997, 04/01/1999, 02/01/2002,
02/01/2003, 02/01/2004, 02/01/2009, 02/01/2014,
02/01/2015, 02/01/2019