
A Position Statement does not carry the force and effect of law and rules but is adopted by the Board as a means of providing direction to licensees who seek to engage in safe nursing practice. Board Position Statements address issues of concern to the Board relevant to protection of the public and are reviewed regularly for relevance and accuracy to current practice, the Nursing Practice Act, and Board Administrative Code Rules.

Issue:

The Nursing Practice Act (NPA) establishes legal standards that govern legally permissible practice and grounds for disciplinary action. While ethical standards can guide a licensee in determining whether an assignment is morally acceptable, the NPA and relevant law and rules establish whether an assignment is lawful. Nursing law provides licensees the right to accept or refuse lawful assignments. It is the responsibility of the individual licensee to ensure that they are safe and competent to accept an assignment and it is their individual choice to ensure the assignment is aligned with personal and professional values.

Both RN and LPN Roles:

A. Legally mandated to accept only those assignments within scope of practice and for which:

1. They are qualified and competent to perform the requisite activities;
2. They can meet complexity and frequency of nursing care needed by a given client population;
3. The proximity of clients to personnel is considered;
4. The qualifications and number of staff is considered;
5. Adequate resources are accessible, and
6. Policies and procedures support safe patient care.

B. Accept responsibility for self regarding individual nursing actions which includes:

1. Having knowledge and understanding of the statutes and rules governing nursing, and
2. Functioning within those legal boundaries.

C. Accountable for the care provided to clients, as well as all nursing care assigned and delegated.

D. May be asked to accept assignments that are lawful yet conflict with individual or professional ethical standards. Areas of potential conflict may include:

1. Reproductive rights,
2. Rights of a fetus,
3. Newborn viability,
4. End of life care, or
5. Capital punishment.

E. Must consider:

1. Employer expectations for their role, and
2. Determine whether the activities expected in the course of employment are consistent with:
 - a. Personal moral values,
 - b. Professional ethical standards, and most importantly
 - c. Legal standards of licensure.

References:

G.S. 90-171.20(7)&(8) – [Nursing Practice Act](#)

[21 NCAC 36 .0224 Components of Nursing Practice for the Registered Nurse](#)

[21 NCAC 36 .0225 Components of Nursing Practice for the Licensed Practical Nurse](#)

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