

## **BEFORE THE OKLAHOMA BOARD OF NURSING**

IN THE MATTER OF THE APPLICABILITY OF THE OKLAHOMA NURSE PRACTICE ACT, 59 O.S. §§ 567.1 *ET.SEQ.*, SPECIFICALLY, § 567.3 a. 6., 8., AND OAC §485:1-1-5(c), OF THE RULES PROMULGATED BY THE OKLAHOMA BOARD OF NURSING AS TO WHETHER IT IS WITHIN THE CURRENT SCOPE OF PRACTICE FOR THE ADVANCED REGISTERED NURSE PRACTITIONER OR CERTIFIED NURSE-MIDWIFE TO ADMINISTER DIGITAL BLOCKS, PUDENDAL BLOCKS ADMINISTERED DURING THE INTRAPARTUM OR IMMEDIATE POSTPARTUM PERIOD AND PENILE BLOCKS FOR PURPOSES OF CIRCUMCISION, AND PROVIDED THAT THE ADVANCED REGISTERED NURSE PRACTITIONER OR CERTIFIED NURSE-MIDWIFE HAS BEEN FORMALLY EDUCATED AND/OR TRAINED AND HAS DEMONSTRATED COMPETENCE TO PERFORM THE PROPER TECHNIQUES FOR THE PROCEDURE.

### **DECLARATORY RULING**

The Amended Petition of Lee Slater, J.D., on behalf of the Oklahoma Nurse Practitioners and the Oklahoma Chapter of the American College of Nurse-Midwives, requesting a Declaratory Ruling as to the applicability of the Oklahoma Nurse Practice Act, 59 O.S. §§ 567.1 *et. seq.*, specifically, § 567.3a 6., 8., and OAC § 485:1-1-5(c), of the Rules promulgated by the Oklahoma Board of Nursing (“Board”) as to whether it is within the current scope of practice of the Advanced Registered Nurse Practitioner or Certified Nurse-Midwife to administer digital blocks, pudendal blocks administered during the intrapartum or immediate postpartum period, and penile blocks for purposes of circumcision, and provided that the Advanced Registered Nurse Practitioner or Certified Nurse-Midwife has been formally educated and/or trained and has demonstrated competence to perform the proper techniques for the procedure, presents for hearing this 25th day of January, 2005, all members of the Oklahoma Board of Nursing (“Board”) being present. The Board is represented by Debbie McKinney, Attorney at Law, and Petitioners appear with counsel, Lee Slater.

After considering all information relevant to the Amended Petition including testimony of witnesses and argument of counsel, the Board finds:

1. The Petition is properly before this Board pursuant to 75 O.S. § 307 and OAC § 485:1-1-5-(c) of the Rules of this Board.
2. The Oklahoma Nurse Practice Act provides the Advanced Registered Nurse Practitioner accepts responsibility, accountability, and obligation to practice in accordance with usual and customary advanced practice nursing standards and functions as defined by the scope of practice/role definition statements for the Advanced Registered Nurse Practitioner, see § 567.3a (6).
3. The Oklahoma Nurse Practice Act provides the Certified Nurse-Midwife accepts responsibility, accountability, and obligation to practice in accordance with usual and customary advanced practice nursing standards and functions as defined by the scope of practice/role definition statements for the Certified Nurse-Midwife, see § 567.3a (8).
4. It is within the national scope of practice for nurse practitioners to perform digital blocks for laceration repair or removal of nails on the fingers and/or toes if the nurse practitioner has been formally educated on this procedure in their academic preparation or through recognized continuing education courses approved for nursing contact hours.
5. It is within the national scope of practice for Certified Nurse-Midwives to perform pudendal blocks during the intrapartum or immediate postpartum period if the Certified Nurse-Midwife has been formally educated on this procedure in their academic preparation or through recognized continuing education courses approved for nursing contact hours.

6. An expanded midwifery practice provides additional training to perform penile nerve blocks as outlined in Standard VIII of the Standards for the Practice of Midwifery, this procedure is available through recognized continuing education courses approved for nursing contact hours.
7. The Decision-Making Model for Determining Scope of Practice Model for Scope of Nursing Practice Decisions provides the necessary guidelines to assist the Certified Nurse-Midwife and/or the Advanced Registered Nurse Practitioner in determining whether she/he possesses the necessary education, knowledge and experience to perform the proper techniques to administer digital blocks, pudendal blocks administered during the intrapartum or immediate postpartum period, and penile blocks for purposes of circumcision.
8. The skills and training to perform digital blocks, pudendal blocks administered during the intrapartum or immediate postpartum period, and penile blocks for purposes of circumcision are currently provided through academic formal education and/or education courses for Advanced Registered Nurse Practitioners and Certified Nurse-Midwives offered by the National Academy of Nurse Practitioners, American College of Nurse-Midwives and/or recognized continuing education courses approved for nursing contact hours.
9. OAC § 485:10-11-1 of the Rules of this Board was adopted to protect the patient from acts and procedures performed or carried out by a licensed nurse who does not have the proper education, training and preparation necessary to perform or carry out safely such acts or procedures.



The Oklahoma Board of Nursing therefore concludes and declares: It is within the current scope of practice of the Advanced Registered Nurse Practitioner or Certified Nurse-Midwife to administer digital blocks, pudendal blocks administered during the intrapartum or immediate postpartum period, and penile blocks for purposes of circumcision, provided that the Advanced Registered Nurse Practitioner or Certified Nurse-Midwife has been formally educated and/or trained and has demonstrated competence to perform the proper techniques for the procedure; therefore, the Board rescinds Interpretative Rule No. 1 of the Board. The Advanced Registered Nurse Practitioner or Certified Nurse-Midwife may perform digital blocks, pudendal blocks administered during the intrapartum or immediate postpartum period, and penile blocks for purposes of circumcision, provided that the Advanced Registered Nurse Practitioner or Certified Nurse-Midwife has been formally educated and/or trained and has demonstrated competence to perform the proper techniques for the procedure.

This Declaratory Ruling issued this 25th day of January, 2005.

**OKLAHOMA BOARD OF NURSING**



By: Sue Mitchell RN  
Sue Mitchell, RN President