

**DEPARTMENT OF HEALTH
NURSING CARE QUALITY ASSURANCE COMMISSION
POLICY**

Title:	Safe to Practice	Number	A40.01
Reference:			
Contact:	Discipline Manager		
Effective Date:	May 13, 2011		
Supersedes:			
Approved:	Chair Washington State Nursing Care Quality Assurance Commission		

PURPOSE:

This guideline addresses “safe to practice” concerns expressed by nurses and employers. Concerns expressed include, but are not limited to practicing while taking prescribed medications, including pain medications; refusing assignments to work overtime or extra shifts when feeling unsafe to practice; and retiring from practice when reaching a certain chronological age. This guideline provides direction to assist nurses and employers in addressing these concerns.

POLICY

One essential element of safe nursing practice is a nurse’s functional ability. It is the competence and reliability with which a nurse is able to practice at any given time that determines the functional ability of the nurse.

The Nursing Care Quality Assurance Commission (NCQAC) is aware that nurses experience situations on occasion that may compromise their ability to safely practice for either a short or long period of time. Some of these situations involve personal or job-related stress, sleep deprivation, the normal effects of aging, and episodic or persistent health conditions, some of which may require pain management or the use of maintenance-level prescribed medication. The list is not all inclusive of every possible event that may limit a nurse’s functional ability.

The nurse’s ability to function safely and effectively determines whether a nurse should continue active nursing practice. The assessment of functional ability is an individualized process that does not lend itself to application of a set format based on select elements. On the contrary,

assessment of functional ability requires active consideration of all relevant factors, such as diagnosis, prescribed treatment and situational events, as well as an evaluation of the impact of those factors on the individual.

Constant evaluation of one's ability to safely and competently practice nursing is the responsibility of each individual nurse. Licensed nurses are accountable for assuring that their actions and behaviors meet all applicable standards at all times. This requires constant awareness of the demands of the job and a continual process of evaluation and assessment in order to make sure that the nurse is fit to practice and competent to safely perform those functions that fall within the defined scope of nursing practice and for which the nurse has accepted responsibility.

Employers are required to report nurses that are unsafe in practice to the NCQAC and must protect patients from harm.

The NCQAC investigates and evaluates violations of safe practice. In some instances, it may be necessary for the NCQAC to require objective physical and or functional assessment of the nurse using reliable psychometric instruments and methods administered by qualified licensed professionals. For example, even though an individual nurse might perceive that he is capable of safe practice, a neuropsychiatric assessment, done at the NCQAC request, may indicate functional impairment.

Nurses who practice while not fit to do so may be subject to discipline. Sanctions may include action by the NCQAC including, among others, remedial measures, monitored practice, license suspension or revocation.