

DEPARTMENT OF REGULATORY AGENCIES

Division of Professions and Occupations - Board of Nursing

NURSING RULES AND REGULATIONS

3 CCR 716-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

**1.27 EXPANDED DELEGATION FOR ADVANCED PRACTICE REGISTERED NURSES, CERTIFIED REGISTERED NURSE ANESTHETISTS, AND PROFESSIONAL NURSES AND EXPANDED SCOPE OF PRACTICE FOR CERTIFIED REGISTERED NURSE ANESTHETISTS, VOLUNTEER RETIRED NURSES, VOLUNTEER NURSING STUDENTS AND NURSE AIDES PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDER D 2020 038**

A. Basis. Through Executive Order D 2020 038, Governor Jared Polis governor temporarily suspended the rulemaking authorities for the State Board of Nursing ("Board") set forth in section 24-1- 122(3)(gg), C.R.S. and directed the Executive Director of DORA, through the Director of the Division of Professions and Occupations (Division Director), to promulgate and issue temporary emergency rules consistent with the Executive Order. The basis for these emergency rules is Executive Order 2020-038 issued by Governor Jared Polis pursuant to the State of Emergency Declaration found in Executive Orders 2020 003, 2020 027 and 2020 032, Article IV, Section 2 of the Colorado Constitution, and the Colorado Disaster Emergency Act, sections 24-33.5-701, et. seq., C.R.S.

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B. Purpose. These Emergency Rules are adopted by the Executive Director of the Department of Regulatory Agencies, through the Division Director, to effectuate Executive Order D 2020 038 directing the immediate expansion of the workforce of trained medical personnel available to provide healthcare services within inpatient facilities due to the coronavirus disease 2019 (COVID-19) pandemic in Colorado.

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C. EXPANDED DELEGATION OF SERVICES

1. In addition to any delegation authorized by the Nurse Practice Act, advanced practice registered nurses, including certified registered nurse anesthetists, and professional nurses are authorized to delegate services within their scope of practice to the following Colorado licensed professionals working in a hospital or inpatient facility:

- a. Podiatrists
- b. Optometrists
- c. Chiropractors
- d. Veterinarians
- e. Dentists
- f. Physical Therapists

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- g. Physical Therapy Assistants
- h. Occupational Therapists
- i. Occupational Therapy Assistants
- j. Speech-Language Pathologists
- k. Surgical Assistants
- l. Surgical Technologists
- m. Volunteer Retired Nurses
- n. Nurse Aides

2. Advanced practice registered nurses, including certified registered nurse anesthetists, and professional nurses may delegate services within their scope of practice to the following unlicensed persons working in a hospital or inpatient facility:

- a. Volunteer Nursing Students
- b. Medical Assistants

3. Advanced practice registered nurses, including certified registered nurse anesthetists, and professional nurses are authorized to provide training to the Colorado licensed professionals and unlicensed persons set forth in Rule 1.27(C)(1) and(2).

4. In order to delegate services pursuant to Rule 1.27(c)(1) and (2), the advanced practice registered nurse, including certified registered nurse anesthetists, and professional nurse shall ensure, prior to the delegation, that the delegated service is within the knowledge, skill and training of the delegatee.

5. The advanced practice registered nurse, including certified registered nurse anesthetists, and professional nurse shall ensure on-premises availability to provide direction and supervision of the delegatee.

6. The delegated services shall be routine, technical services, the performance of which do not require the special skill or decision making ability of an advanced practice nurse, certified registered nurse anesthetist or professional nurse.

7. The prescription or selection of medications, performance of surgical or other invasive procedures and anesthesia services may not be delegated.

D. EXPANDED SCOPE OF PRACTICE

1. Certified registered nurse anesthetists may expand their scope of practice while working in a hospital or inpatient facility as needed to perform airway management outside of the operative setting.

2. Notwithstanding section 12-255-111(2), C.R.S., and 3 CCR 716-1 Rules 1.14(C) and (D), which were suspended pursuant to EO D 2020 038, advanced practice registered nurses are authorized to evaluate and treat COVID-19 patients regardless of national certification or designated population focus.

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3. Volunteer retired nurses, volunteer nursing students in the last semester of an educational program and nurse aides may perform services while working in a hospital or inpatient facility as delegated by physicians, physician assistants, advanced practice registered nurses, certified registered nurse anesthetists, professional nurses and respiratory therapists.
- a. Volunteer retired nurses, volunteer nursing students in the last semester of an educational program and nurse aides are authorized to perform delegated services upon adequate cross-training as determined necessary by the hospital or inpatient facility.
- b. Volunteer retired nurses, volunteer nursing students in the last semester of an educational program and nurse aides shall not accept delegation of a service for which the licensee or student does not possess the knowledge, skill or training to perform.
3. Volunteer retired nurses, volunteer nursing students in the last semester of an educational program and nurse aides shall not perform a delegated service for which the licensee or student does not possess the knowledge, skill or training to perform.
4. Delegated services shall not be re-delegated to another person or licensee by the delegatee
5. Volunteer retired nurses, volunteer nursing students in the last semester of an educational program and nurse aides shall not prescribe or select medications, perform surgical or other invasive procedures or perform anesthesia services regardless of delegation.

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