

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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March 1, 2016

RE: Request for Advisory Ruling:
RN Assistance in Performance
of Regional Block

Dear _____ :

This will acknowledge your request for guidance from the Louisiana State Board of Medical Examiners (the "Board") as to whether or not a physician "[C]an delegate to an RN the role of administering a local anesthetic in the context of assisting that physician with a [regional] block, while the physician is standing in the SAME room and manipulating the needle. Often times this is done with an ultrasound probe in the other hand to guide in the placement of the local anesthetic."¹ As explained in your correspondence, the specific situation subject to your inquiry involves a physician standing on one side of the patient with an assisting RN on the other. During the course of this procedure the physician is positioning the needle and periodically directs the RN to depress the plunger previously filled with a local anesthetic solution.

At its meeting last week the Board considered your inquiry and asked that I acknowledge your correspondence and advise you that in its view it is permissible for a physician to utilize the services of a registered nurse (RN) to provide assistance as outlined in the context of the limited circumstances you describe.²

¹Corr., to La. St. Bd. Med. Exam. (Jan. 21, 2016).

²La. Rev. Stat. §37:1262(1) defines 'the practice of medicine,' in pertinent part, as ' . . .

[T]he holding out of one's self to the public as being engaged in the business of, or the actual engagement in, the diagnosing, treating, curing, or relieving of any bodily or mental disease, condition, infirmity, deformity, defect, ailment, or injury in any human being, other than himself, whether by the use of any drug, instrument or force, whether physical or psychic, or of what other nature, or any other agency or means; or the examining, either gratuitously or for compensation, of any person or material from any person for such purpose whether such drug, instrument, force, or other agency or means is applied to or used by the patient or by another person;...'

In considering your inquiry the Board did not reach the issue of whether or not the services in question fall within the scope of practice of an RN because it found it unnecessary to do so. Instead, by virtue of the limited services the RN is called on to provide, the fact that the RN is not selecting the anesthetic solution, making determinations about the placement of the needle, the amount of medication provided, or when to provide it, the Board does not view the RN to be administering an anesthetic. Rather, it viewed the RN's function as purely a mechanical component *e.g.*, depressing the plunger where, when and to the extent directed by the physician who is physically at the bedside of the patient. In such limited circumstances the Board considers the physician, and not the RN, to be administering the anesthetic with the assistance of the RN. In the Board's view this is appropriate and not inconsistent with the law.

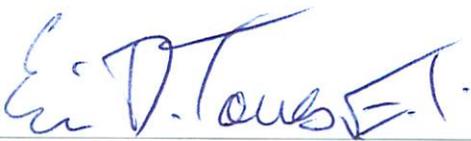
To this advice we append certain qualifications. First, our opinion is limited to the clinical description provided and could not be extended to other clinical situations. Second, the Board is in a position to provide such advice only as respects physicians. RNs are licensed by the Louisiana Board of Nursing (Nursing Board) and their practice is regulated by the laws and rules administered by that agency. However, we have not confirmed that the Nursing Board shares the Board's view on this issue and would suggest that you or your RN solicit the advice of the Nursing Board directly. Finally, in the context in which you raise the question, it should be noted that a given hospital or similar institution, as a matter of credentialing and definition of clinical privileges, could properly impose clinical restrictions on RNs generally, or an individual RN, which would confine their services within the institution more narrowly than the views expressed in this reply. Therefore, you may wish to confirm that the services provided in the manner described are consistent with the RN's clinical privileges at the facility where provided.

Subject to such qualifications, then, it is the Board's advice that it is permissible for the physician to call upon a RN for assistance with the aforementioned procedure as outlined in the context of the limited circumstances described hereinabove.

We hope that the foregoing is responsive to your inquiry. If not, or if we can clarify or supplement the Board's advice in any respect, please let us know.

Very truly yours,

**LOUISIANA STATE BOARD OF
MEDICAL EXAMINERS**

By: 

Eric D. Torres
Executive Director