

Headlines from the Hill

What's in a title?

By Janet Haebler, MSN, RN

You've just accompanied a family member to a medical appointment and noted the staff member performing the intake is wearing a name tag saying "nurse." You are curious as to which nursing education program the staff member attended, only to learn the individual is not a licensed nurse. How can this be legal? Restriction as to use of the title "nurse" varies from state to state. Do you know the status in your state?

State nurse practice acts describe professional entry requirements, practice standards, and codes of conduct with the goal of protecting its citizens against unethical, unscrupulous, and incompetent practitioners. Boards of nursing, in turn, provide regulatory oversight and are responsible for the development of practice rules and regulations and interpretation and enforcement of the nurse practice act. Restricting the use of the title "nurse" is intended to prevent individuals from misleading the public into believing they possess the education, skill, and legal authority to provide nursing care.

Twenty-five states have statutory limitations in use of the title "nurse": Arizona, California, Colorado, Florida, Hawaii, Idaho, Kentucky, Maryland, Minnesota, Missouri, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, Rhode Island, South Carolina, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming.

West Virginia is the latest state to enact a law—the Nurse Title Protection bill (House Bill 4495)—preventing anyone from holding themselves out to be a nurse, unless they are licensed as a registered nurse, nurse practitioner, or practical nurse. What makes passage of this bill in West Virginia unprecedented is the short time between introduction to West Virginia's part-time legislature in February 2008 until the governor's signature on March 16, 2008.

The West Virginia Nurses Association sought introduction of House Bill 4495 in response to their alarm in learning of another bill that would have held individuals exempt from holding a nursing license when caring for the sick in connection with the practice of certain religious tenets. More specifically, the Christian Science community was seeking recognition for the title "Christian Science Nurse."

Christian Science nursing is defined as a religious

nonmedical practice that provides spiritual reassurance and skillful physical care to those who rely on prayer for healing. Physical care includes bathing, dressing wounds, and assisting with mobility and nourishment. The Christian Science nurse traditionally works with a Christian Science practitioner described as a spiritual leader and receives training from other Christian Science nurses, though there is no standardized curriculum. Care is generally provided in the home, but there are reportedly 22 Christian Science "skilled nursing" facilities in the United States that can be found in California, Colorado, Florida, Illinois, Indiana, Massachusetts, Missouri, New Jersey, New York, Ohio, Texas, Virginia, Washington, and Wisconsin.

Defeating legislation to recognize the title "Christian Science Nurse" is not intended to limit patient choice, but rather to preserve the title "nurse" for those engaged in the practice of an applied science and art. The practice of nursing as it has been known since Florence Nightingale's contributions led to the recognition of nursing as a distinct profession was further legitimized by passage of the first nurse practice act in the United States. In addition to West Virginia, a number of other states have experienced attempts to gain recognition for the Christian Science

Nurse title, including Alaska, New York, North Dakota, Mississippi, New Mexico, North Carolina, Pennsylvania, South Carolina, Utah, and Wyoming.

ANA's Code of Ethics for Nurses begins with the expectation that "the nurse in all professional relationships, practices with compassion and respect for inherent dignity, worth and uniqueness of every individual, unrestricted by considerations of social or economic status, personal attributes, or the nature of health problems." This includes acknowledgement of spiritual beliefs and preferences for care. Restricting the use of the title "nurse" to only those who have satisfied the licensure requirements is designed to ensure protection the public deserves.

To read specific language pertaining to title "nurse" protection in each state, visit ANA's website at http://www.nursingworld.org/MainMenuCategories/ANAPoliticalPower/State/StateLegislativeAgenda/TitleNurse_1.aspx. ★

NURSE

Janet Haebler is Associate Director for ANA State Government Affairs.