



Nursing Practice and Patient Advocacy Alert

COMPETENCY VALIDATION

What is Competency Validation?

Competency validation is a requirement under Title 22. One of the functions of the California Code of Regulations, Title 22 is to set minimum requirements for how acute care hospitals are administered, staffed and equipped. Section 70214 of Title 22 defines competency validation, for registered nurses, as a determination based on the satisfactory performance of the following:

- (1) The statutorily recognized duties and responsibilities of the Registered Nurse, as is set forth in Title 22 Section 70215, the Nursing Practice Act and the Standards of Competent Performance; AND
- (2) Standards specific to each patient care unit (required by law in AB 394, Title 22, Section 70217 and 70213(c)).

Why is it important to every RN?

NO more "a nurse is a nurse is a nurse."

Unit Specific Standards

Title 22, Section 70213 requires that hospitals develop written policies and procedures which include competency standards for *each* nursing unit. These unit specific standards must include elements of competency validation for Registered Nurses and all other patient care personnel. This regulation also requires annual written performance evaluations which measure individual performance against the unit's competency standards.

Current competency is demonstrated by the direct observation of the Registered Nurse by another Registered Nurse with current, demonstrated, validated competency in the relevant patient population and unit.

Rapid Deployment Plan

This means there has to be a plan to obtain additional staff to assist in a crisis. The hospital is required to develop and implement mechanisms for "rapid deployment" of nursing personnel when any "labor intensive" event occurs which prevents nursing staff from providing attention to all assigned patients. Labor intensive events include multiple admissions or discharges or an emergency health crisis, such as a patient whose condition unexpectedly deteriorates.



AB 394 Legal Requirements:

No registered nurse shall be assigned to a nursing unit or clinical area unless that nurse has first received orientation in that clinical area sufficient to provide competent care to patients in that area, and has demonstrated current competence in providing care in that area.

Patient Assignments and Competency Validation

If you are a staff nurse who is FLOATED, these regulations mean that your orientation and evaluation are to be compared to criteria specific to a particular nursing unit. When you are given a patient care assignment, or if you are FLOATED, Title 22 regulations say you cannot be given full responsibility for a patient assignment unless you have demonstrated competency in the patient care standards specific to the particular unit on which you are given the assignment. This means, for example that you may not accept an assignment which requires skills for which your competency has not been validated. If you have never been oriented and demonstrated the ability to perform a particular procedure, for example, management of an intra-aortic balloon pump, you may not be assigned responsibility for the care of such a patient. When floated, it means that, for example, that a med/surg nurse is not a perinatal nurse and a perinatal nurse is not an oncology nurse.

However, you may properly be given an assignment, with a resource RN competent on that specific unit, to perform those functions for which your competency has been validated. Until competencies specific to a given unit are demonstrated, you may not be made responsible for complete patient assessment, planning and evaluation of care, or patient education.

You may not be included in the count for the purpose of complying with the minimum nurse to patient ratio for that unit; however you may be added as determined by the patient classification (acuity) system.

A nurse is a nurse is a nurse is not a valid approach to staffing.

If you are responsible for making patient care assignments, these regulations mean that you cannot assign full responsibility for a patient care assignment to any patient care personnel, RN, LVN or unlicensed personnel, float, per diem or registry, who has not completed an orientation and been determined to be competent in the standards specific to your unit. Such personnel may be given assignments for which competencies have been validated, but must also be assigned a resource nurse. Resource nurses are RN's who have completed orientation and competency validation for the particular unit.



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WHAT IF MY FACILITY IS NOT FOLLOWING THE REGULATIONS?

Title 22 regulations addressing competency validation became effective in late 1996. If you believe your facility is not complying with the regulations compliance, **fill out ADO forms whenever the opportunity presents itself.** Inform your CNA labor representative or CNA Nursing Practice. Failure to comply with these regulations is a violation of Title 22.

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