

MEMORANDUM

Texas Department of Human Services * Long Term Care/Policy

TO: LTC-R Regional Directors & Program Managers
State Office Section/Unit Managers
HCSSA Program Administrators
ICFMR/RC Program Administrators

FROM: Jim Lehrman
Associate Commissioner
Long Term Care-Regulatory & HCSSA
State Office MC: E-340

SUBJECT: Licensed Vocational Nurses (LVN) - Standard of Practice - **S&CC #01-01**

NOTE: Replacement for S&CC #00-07: Licensed Vocational Nurses (LVN) - Standard of Practice

DATE: January 25, 2001

The purpose of this letter is to inform all LTC-R staff of the Board of Vocational Nurse Examiners (BVNE) clarification regarding the reinsertion of gastric tubes by Licensed Vocational Nurses (LVNs). This clarification replaces information in the previous S&CC #00-07.

In a letter to the Texas Department of Human Services (TDHS), the BVNE stated:

"The Board approved curriculum for vocational nurses does not provide the vocational nurse with the knowledge, skills and ability to reinsert gastrostomy tubes. However, the Board does allow LVNs to expand their practice beyond the basic education through continuing education and specifically prepared courses for certain tasks and procedures.

It is the opinion of the Board of Vocational Nurse Examiners that the LVN shall not be responsible for the reinsertion of a gastrostomy tube in an established tract until the following criteria are met:

- 1) *The LVN has received appropriate training by completion of a course designed specifically for gastrostomy tube replacement, overall patient assessment, and, particularly, assessment of the gastrostomy site.*
- 2) *A registered nurse or a physician must provide supervision during the learning process.*
- 3) *The LVN shall demonstrate competency in performing the procedure.*
- 4) *The patient must have an established tract. The established tract is **not** determined by the LVN.*
- 5) *The facility must have resources available to develop an educational program for primary instruction and ongoing evaluation.*
- 6) *Initial education and ongoing re-evaluation shall be documented in the LVN's personnel file.*

LVNs shall follow the established and valid policies and procedures of the facility.

This advisory letter is intended to make LVNs and their employers aware of the Board's position, and to afford an opportunity to LVN's for voluntary compliance. As an advisory guideline, this letter does not purport to express a final opinion on the issue or practice in question."

During the information gathering portion of a visit, if LTC-R survey staff identify a potential non-compliant situation relating to LVN acceptable standards of practice, further investigation will be needed to determine facility compliance with requirements. Items 1 through 6 of the BVNE letter should serve as additional guidelines. **LTC-R staff are not expected to evaluate the training regarding gastric tube re-insertion, but the knowledge, skills, abilities and/or performance of an LVN in re-inserting gastric tubes.**

If acceptable standards of practice were not met, the following rule violations may be cited:

- **NURSING FACILITY, SKILLED NURSING FACILITY**
Federal Regulation: 42 CFR 483.20(k)(3)(i) - TAG #F281
State License and Medicaid Standard: **§19.1010(a)** or **(c)** for nursing practice - (may be needed in Licensed Only nursing facilities)
- **INTERMEDIATE CARE FACILITY FOR PERSONS WITH MENTAL RETARDATION OR A RELATED CONDITION:**
Federal Regulation: **42 CFR 483.460(d)(2)**
- **HOME AND COMMUNITY SUPPORT SERVICES AGENCIES:**
 - **LICENSED HOME HEALTH, LICENSED and CERTIFIED HOME HEALTH, and HOSPICE:**
§97.21(b)(1)(F) - TAG #Z117
or
§97.21(b)(5)(C)(v) - TAG #Z136
 - **MEDICARE, LICENSED and CERTIFIED HOME HEALTH AGENCIES:**
Federal Regulation: **42 CFR 484.12(c)** - TAG #G121 or **42 CFR 484.30(b)** - TAG #G181
 - **HOSPICE:**
Federal Regulation: **42 CFR 418.50(b)** - TAG #L105
- **ADULT DAY CARE:**
§98.62(b)(5)
or
§92.62(d)(2)(A)
- **ASSISTED LIVING:**
§92.41(a)(3)(C)(v)
or
§92.41(e)(1)(A)

NOTE: Although the Licensing Standards for Assisted Living Facilities do not specifically address the appropriateness of residents with gastrostomy tubes, a facility LVN should follow these guidelines for reinsertion of a gastrostomy tube.

If you have any questions or require additional information, please contact Mary Sidelnik at (512) 438-2324.

{Original Signature on File}

Jim Lehrman

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