

NEVADA STATE BOARD OF NURSING

PRACTICE DECISION

Practice Question: Is it within the scope of practice for a Registered Nurse to function as a sexual assault nurse examiner?

History:

The question was formally presented to the NSBN Nursing Practice Committee at their regularly scheduled meeting on February 12, 2003. The current advisory opinion regarding sexual assault nurse examiners (SANE) was adopted by the Board on December 6, 1991. On May 16, 2001, the Nursing Practice Advisory Committee reviewed the Board's 1991 practice opinion. On May 31, 2001, Kathy Apple, Executive Director of the Nevada State Board of Nursing, wrote a letter to Dr. Jay Johnson stating, "While the opinion did not address the age of the patient/client, the committee was very clear that it should not include children under the age of sixteen (16). The committee felt as you did that the examination of children required specialized knowledge and skill which is beyond the scope of practice of a Registered Nurse."

Based on the current practice opinion and Ms. Apple's letter, the Board's position is that sexual assault nurse examiners (RNs) can only perform vaginal examinations with a speculum and/or colposcope, on victims sixteen (16) years of age or older. The committee found it necessary to do further research to define parameters for SANE practice regarding age, competency, referral, and collaboration among the sexual assault team members. Public comments were taken by the committee in May 2002, September 2002, December 2002, February 2003, June 2003, August 2003, October 2003, and December 2003, for review, discussion, and revision of the current sexual assault nurse examiner practice decision. Content and philosophy were discussed, leading to a variety of suggestions for revision to the existing decision.

The committee voted to recommend to the Board that an RN may practice as sexual assault nurse examiner (SANE) under specific guidelines.

In August, 2012, the Office of the Attorney General approached the NSBN about a lack of certified SANEs to meet the needs of the citizens of Nevada. Kari Ramos, the Program Director of The Nevada Coalition Against Sexual Violence and Debbi Robison, Medical Coordinator for the Northern Nevada CARES/SART Program met with Board staff to discuss the possibility of deleting the requirement that SANEs be certified to practice within this role in Nevada. Board staff received a letter from the International Association of Forensic Nurses on August 20, 2012, supporting the requested change. The proposed revision to the Practice Decision was presented at the Nurse Practice Advisory Committee on October 30, 2012. The proposed changes are reflected in this document.

The Nevada State Board of Nursing finds that it is within the scope of practice of a Registered Nurse to function as a sexual assault nurse examiner provided the following guidelines are followed:

1. Forensic examinations are performed by SANEs on victims of sexual assault for purposes of evidence collection in a criminal case. SANEs may perform forensic examinations upon:
 - a. Successful completion of an IAFN-approved course of study, including clinical hours required by the program and
 - b. Maintenance of proficiency, as required by the current standards of nursing practice, to be verified in circumstances of gaining/maintaining employment as a forensic nurse or upon request by the NSBN pursuant to NAC 632.071, 224, and 225.
2. While completing the approved SANE education program (currently 40 hours for either a SANE-A or SANE-P course or 64 hours for a combined course), the Registered Nurse practices within the SANE scope of practice under the direct supervision of the SANE instructor, another SANE, a physician, or an Advanced Practitioner of Nursing.
3. There are agency policies and procedures and any required standardized protocols in place allowing the SANE to administer and dispense specific drugs and devices. These protocols are approved by both medicine and nursing.
4. The nurse maintains accountability and responsibility for nursing care related to this procedure and follows the accepted standard of care, which would be provided by a reasonable and prudent nurse. Protocols for this procedure are to be maintained at the practice site and be available for review by the Board.
5. The SANE performs this procedure in consultation with the physician or advanced practice nurse, never independently.

Additional requirements for pediatric cases (individuals of less than thirteen years of age include:

1. Every pediatric case shall undergo retrospective peer review.
2. All exams, which are deemed to have abnormal genital findings, shall be referred to a recognized child abuse expert who is a physician or advanced practice nurse for final diagnosis.
3. Collection of evidential material on a pediatric victim shall only be performed by a SANE who has ongoing, documented competency based on the Pediatric Education Guidelines for Sexual Assault Nurse Examiners of the IAFN.

Adopted by the Board: 4/1/04

Supersedes previous decision of 12/6/91.

Reviewed by the Nurse Practice Advisory Committee: 10/30/12

Revisions Adopted by the Board: 11/7/12