Mechanisms of Regulation in Nursing Practice

Before you is a model that illustrates the regulatory mechanisms that work to facilitate safe and competent nursing practice. By working synchronously, these mechanisms support and adapt to the continued expansion of nursing and other scientific knowledge, advancements in technologies, shifting social norms, court decisions, enactment of federal and state law, society’s health demographics, and client choice.

Professional Regulation

Professional regulation is described by the American Nurses Association (ANA, 2010) as the principles, guidelines, and rules held important by means of the collective expertise and collaborative efforts of members of the profession of nursing.

This mechanism of regulation occurs primarily through professional and specialty nursing organizations. These organizations serve to advance the profession of nursing through their many functions: the development and dissemination of professional practice and performance standards, the promulgation of professional code of ethics, the development and promotion of specialty nursing scope of practice standards based on current science and research, and through the development and provision of certification and credentialing processes as a measure and demonstration of professional competency.

- Professional regulation includes international and national nursing organizations such as the International Council of Nurses, the Canadian Nurses Association and the American Nurses Association.
• Professional regulation includes specialty nursing organizations such as American Association of Nurse Anesthetists, National Association of School Nurses, American Holistic Nurses Association, Association of periOperative Registered Nurses, and Academy of Neonatal Nursing.

Legal Regulation
Legal regulation is the oversight, monitoring and control of designated persons based on applicable statutes and regulations (ANA, 2010). The mechanisms for legal regulation in Oregon are Oregon’s Nurse Practice Act, the Governor-appointed Oregon Board of Nursing (OSBN) Members, and OSBN staff.

Context of Care
Context of Care means the various factors that affect nursing service provision as a function of a licensee’s focus of practice and the location of the client. These factors include: the laws and regulations applicable to the practice setting, the type of nursing services provided within the setting, business/organizational credentialing directives, business/organizational the policies and procedures, licensee position description/nursing role responsibilities, and the ability of the client to direct and engage in their own care.

While the context of care might limit the individual licensee’s broader scope of nursing practice allowed by the NPA, the context of care can never expand a licensee’s scope beyond what is allow by the NPA.

Self-Regulation
Self-regulation is a licensee’s personal accountability for:
• Abiding by professional and specialty scope and practice and performance standards.
• Adhering to the laws governing the practice of nursing in Oregon.
• Practicing within the context of care of the setting.
• Developing, maintaining, and advancing individual competencies through the pursuit of ongoing educational and practice experiences.

Self-regulation a licensee's personal accountability to do the right thing!

References and Resources
• American Nurses Association (2010). Nursing’s social policy statement: The essence of the profession. Silver Spring, Maryland: Author.
• Oregon Secretary of State (2012, August 1). Oregon Administrative Rules Chapter 851 Division 45: Standards and Scope of Practice for the Licensed Practical Nurse and Registered Nurse.