



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**


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MARK T. BENTON • Assistant Secretary for Public Health
Division of Public Health

MEMORANDUM

TO: Public Health Directors, Nursing Directors and Supervisors, and Nursing Consultants

FROM: Susan Haynes Little, DNP, RN, PHNA-BC, CPH, CPM 
Chief Public Health Nurse

DATE: June 14, 2021

SUBJECT: Clarification of Licensed Professional Nurse (LPN) practice in Public Health Settings.

Pursuant to a meeting with the NC Board of Nursing (NC BON) and review of applicable laws and practice authorities, we have again verified that the licensed practical nurse's (LPN) scope of practice prohibits them from functioning as public health nurses.

Public health nursing (PHN) is a specialty practice within nursing and public health. It requires independent nursing practice and judgment, application of theory and evidence, assessment skills, primary prevention focus, and system-level perspectives to meet the needs of individuals, families, communities, and populations, all of which fall within the scope and licensure of a registered nurse. **The NC Nursing Practice Act defines the LPN scope of practice as limited and focused, dependent and directed. LPNs are required by licensure to remain in a dependent and directed practice environment. An agency/employer, including a registered nurse or physician employer, may restrict the nurse's practice but never expand the practice beyond the legal scope as defined.**ⁱ According to the NCBON (2017), the *LPN Scope of Practice in all steps of the nursing process is limited and focused because, by law, it is a dependent and directed scope of practice. LPN practice requires assignment or delegation by and performance under the supervision, orders, or directions of a registered nurse (RN), physician, dentist, or other person authorized by State law to provide the supervision.*ⁱⁱ The NC BON defines supervision as the provision of guidance or direction, evaluation, and follow-up by the licensed nurse for accomplishment of an assigned or delegated nursing activity or set of activities.ⁱⁱⁱ However, *The NC Nursing Practice Act and RN Rules clearly authorize only RNs to supervise, teach and evaluate licensed nurses.*^{iv} Non-nurses do not possess the education or licensure to supervise the nursing practice of a licensed nurse.

10A NCAC 46.0301^v requires each local health department to employ a full-time public health nurse. The agency's lead public health nurse holds overall responsibility for all the administrative, supervisory, and technical components of public health services and programs

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF PUBLIC HEALTH

LOCATION: 5605 Six Forks Road, Building 3, Raleigh, NC 27609
MAILING ADDRESS: 1931 Mail Service Center, Raleigh, NC 27699-1931
www.ncdhhs.gov • TEL: 919-707-5000 • FAX: 919-870-4829

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with a nursing component and ensures consistency in the organization's practice standards. This authority supports the concept of local health departments as “Public Health Nursing driven systems of care” (previously referred to as “public health being a ‘nursing delivery systems’”). In this nurse-driven healthcare system, **LPNs must practice under the direction of a PHN in NC local public health departments**. Rationale for this includes that a PHN would have hired and trained the LPN on what activities are within the LPN’s scope to carry out in the local health department setting. A PHN would ensure that policies and procedures are in place allowing the activities to be carried out by the LPN and would ensure those activities are consistent with the LPN’s job description. A PHN would also ensure the LPN has received education and documentation of competency in performing the activities.^{vi} The NC Nursing Practice Act supports that a PHN must retain overall responsibility for managing outcomes and consequences of patient care actions and assessing client care needs, health status, response to treatment, and establishing the plan of care. The local health department must ensure that a PHN familiar with the policies, procedures, standing orders, and client population(s) is continuously available to the LPN for consultation regarding patient evaluation and care planning decisions whenever an LPN is working^{vii}. The LPN can never be the highest-level licensed nurse working in a local health department. Please refer to the attached document, *Guidance Related to LPN Practice in NC Local Health Departments*, for more information about LPNs practicing in the local health department setting.

10A NCAC 46.0301 also clarifies that all local health department nurses must have a nursing degree from an accredited baccalaureate nursing school. Those nurses who do not hold a baccalaureate degree in nursing must complete an introductory course in principles and practices of public health and public health nursing (PPPHN) sponsored by the Department within one year of employment. LPNs do not qualify to attend the PPPHN course because they have not completed the required minimum education to be eligible to practice as a PHN, nor do they possess the legal scope to function as a registered nurse.

This memo remains valid until replaced.

Attachment: *Guidance Related to LPN Practice in NC Local Health Departments* (06/2021)

ⁱ NC Board of Nursing (2017). *LPN scope of practice – Clarification: Position statement for RN and LPN practice*. <https://www.ncbon.com/vdownloads/position-statements-decision-trees/lpn-position-statement.pdf>

ⁱⁱ *ibid*.

ⁱⁱⁱ NC Board of Nursing (2017). *Delegation and assignment of nursing activities: Position statement for RN and LPN practice*. <https://www.ncbon.com/vdownloads/position-statements-decision-trees/delegation-and-assignment-of-nursing-activities.pdf>

^{iv} NC Board of Nursing (2015). *Who’s your supervisor or manager? Nursing practice: The management and supervision of nursing services*. <https://www.ncbon.com/vdownloads/course-bulletin-offerings-articles/bulletin-article-winter-2015-whos-your-supervisor.pdf>

^v 10A NCAC 46.0301 MINIMUM STANDARD HEALTH DEPARTMENT: STAFFING. <http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2046%20-%20local%20standards/10a%20ncac%2046%20.0301.pdf>

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- ^{vi} NC Board of Nursing (2018). *Scope of practice decision tree for the RN and LPN*.
<https://www.ncbon.com/vdownloads/position-statements-decision-trees/scope-of-practice-decision-tree-rn-lpn.pdf>
- ^{vii} NC Board of Nursing (2018). *Nurse-in-charge assignment to LPN: Position statement for RN and LPN practice*.
<https://www.ncbon.com/vdownloads/position-statements-decision-trees/nurse-in-charge.pdf>