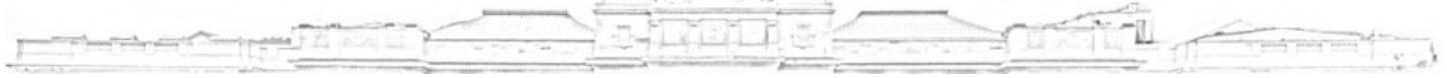




ADMINISTRATIVE RULES OF MONTANA



24.159.2301 CONDUCT OF NURSES

- (1) Professional conduct for nurses is behavior including acts, knowledge, and practices, which through professional experience, has become established by practicing nurses as conduct which is reasonably necessary for the protection of the public interests.
 - (a) While working as a nurse, the nurse will identify himself or herself with a name badge disclosing, at a minimum, first name, first initial of last name, and license type. The identification badge will be written in a standard bold face font with a font size of no less than 18 point.
 - (b) All nurses shall notify the board of any change in address within ten days of the change. Failure to notify the board of an address change may result in a fine.
 - (c) All nurses are required to report unprofessional conduct of nurses to the board.
- (2) Unprofessional conduct, for purposes of defining 37-1-307, MCA, in addition to unprofessional conduct listed at 37-1-316, MCA, the following being unique, is determined by the board to mean behavior (acts, omissions, knowledge, and practices) which fails to conform to the accepted standards of the nursing profession and which could jeopardize the health and welfare of the people and shall include, but not be limited to, the following:
 - (a) failing to utilize appropriate judgment in administering safe nursing practice based upon the level of nursing for which the individual is licensed;
 - (b) failing to exercise technical competence in carrying out nursing care;
 - (c) failing to follow policies or procedures defined in the practice situation to safeguard patient care;
 - (d) failing to safeguard the patient's dignity and right to privacy;
 - (e) verbally or physically abusing patients;
 - (f) performing procedures beyond the authorized scope of the level of nursing and/or health care for which the individual is licensed as defined by rules;
 - (g) altering and/or manipulating drug supplies, narcotics, or patients' records;
 - (h) falsifying patients' records, intentionally charting incorrectly or failing to chart;
 - (i) regarding patient records, to fail to:
 - (i) appropriately secure records;
 - (ii) appropriately document patient care; or

- (iii) for licensees in private practice and in accordance with applicable law, transfer records to another licensed health care provider, the patient, or the patient's representative when requested to do so by the patient or the patient's legally designated representative;
- (j) diversion of a medication for any purpose;
- (k) violating state or federal laws relative to drugs;
- (l) intentionally committing any act that adversely affects the physical or psychosocial welfare of the patient;
- (m) delegating nursing care, functions, tasks and/or responsibilities to others contrary to the Montana laws and rules governing nursing and/or to the detriment of patient safety;
- (n) failing to exercise appropriate supervision over persons who are practicing under the supervision of the licensed professional;
- (o) leaving a nursing assignment without properly notifying appropriate personnel;
- (p) practicing professional or practical nursing as a registered or practical nurse in this state without a current active Montana license or permit;
- (q) failing to report to the board information known to the individual regarding any possible violation of the statutes or rules relating to nursing;
- (r) a license or certificate in a related health care discipline in Montana, another state or any jurisdiction denied, revoked, suspended, placed on probation or voluntarily surrendered for any reason that would constitute a basis for disciplinary action in this state;
- (s) failing to comply with the contract provisions of the nurses' assistance program;
- (t) refusing to sign for or accept a certified mailing from the board; or
- (u) failing to participate and cooperate in a Department of Labor and Industry investigation;
- (v) failing to report to the board within 30 days of the date of the final judgment, order, or agency action, any malpractice, professional misconduct, criminal, or disciplinary action in which the nurse or the nurse's employer, on account of the nurse's conduct, is a named party;
- (w) failing to report voluntary surrender of a DEA registration to the board within 30 days of the date of the voluntary surrender; and
- (x) violating a state or federal statute while performing or attempting to perform the practice of nursing.

Authorizing statute(s): 37-1-319, 37-8-202, MCA

Implementing statute(s): 37-1-316, 37-1-319, 37-8-202, MCA

History: NEW, 1979 MAR p. 1247, Eff. 10/12/79; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; AMD, 1985 MAR p. 1556, Eff. 10/18/85; AMD, 1988 MAR p. 2720, Eff. 12/23/88; AMD, 1994 MAR p.

1424, Eff. 5/27/94; AMD, 1996 MAR p. 418, Eff. 2/9/96; AMD, 1996 MAR p. 1489, Eff. 6/7/96; AMD, 1997 MAR p. 626, Eff. 4/8/97; AMD, 2000 MAR p. 2681, Eff. 10/6/00; AMD, 2002 MAR p. 3399, Eff. 12/13/02; AMD, 2005 MAR p. 1686, Eff. 9/9/05; TRANS, from Commerce, & AMD, 2006 MAR p. 2035, Eff. 8/25/06; AMD, 2010 MAR p. 2651, Eff. 11/13/10; AMD, 2021 MAR p. 991, Eff. 8/7/21; AMD, 2026 MAR, Notice No. 2026-114, Eff. 9/26/26.