

## **ALTERNATE REPORTING FORM REPORTING TO NURSING PEER REVIEW COMMITTEE IN LIEU OF TO BON**

*NPA §301.402 and BON Rule 217.19 permit individual nurses to satisfy a duty to report a nurse to the BON by reporting that nurse to a nursing peer review committee.. BON Rule 217.19 requires that for the report to the nursing peer review committee to satisfy the individual nurse's duty to report to the BON only if:*

1. *the reporting nurse is notified of the committee's finding subject to maintaining confidentiality.*
2. *the nurse has no reason to believe that the nursing peer review committee made its determination in bad faith*

*NPA §301.407 and Rule 217.19 permit state agencies to satisfy a duty to report a nurse to the BON by reporting that nurse to a nursing peer review committee. There is no requirement that nursing peer review report its determination to the state agency.*

*This form is designed to facilitate alternate reporting by either individual nurses or state agencies. It can also serve as a template for any reporting to nursing peer review.*

### **1. Nurse Being Reported (Please provide the following information about the Nurse being reported.)**

Name: \_\_\_\_\_ Unit: \_\_\_\_\_

RN \_\_\_\_ LVN \_\_\_\_ Position: \_\_\_\_\_

### **2. Incident Being Reported (Describe briefly. Do not use patient's name. You will be contacted if patient names are needed. Please indicate dates. If more space is needed, use additional sheets.)**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Unit/Location: \_\_\_\_\_

### **3. Witness (Identify other persons who have information about the incident/conduct.)**

### **4. Duty to Report to BON**

*Note: BON Rule 217.19 provides that reporting to a nursing peer review committee satisfies a nurse's duty to report to the BON. If so, you will be notified of the committee's findings as required by BON Rule 217.19.*

Are you reporting to nursing peer review to satisfy a duty you believe you have to report to BON? Yes \_\_\_\_ No \_\_\_\_

You understand:

- a. Rule 217.19 requires you to maintain the confidentiality of any committee findings shared with you? Yes \_\_\_\_
- b. Your duty to report to BON is satisfied only if you believe the committee's determination was made in good faith? Otherwise, you are obligated to report the nurse to the BON. Yes \_\_\_\_

### **5. Minor Incident**

Do you believe the nurse's conduct indicates the nurse's continuing to practice would pose a risk of harm to patients or others? Yes \_\_\_\_ No \_\_\_\_

If so, do you have any reason to believe that remediation could not remove that risk? Yes \_\_\_\_ No \_\_\_\_

### **6. Chemical Dependency or Mental Illness (The Nursing Practice Act and Nursing Peer Review Law have special provisions relating to nurses whose practice may be impaired by chemical dependency or mental illness.)**

Do you suspect the nurse's behavior is related to chemical dependency or mental illness?

Dependency \_\_\_\_\_ Mental Illness \_\_\_\_\_ Neither \_\_\_\_\_

**7. Person Making Report** (Provide the following information about yourself.)

Name: \_\_\_\_\_ RN      LVN      Lic. #: \_\_\_\_\_  
Unit: \_\_\_\_\_ Position: \_\_\_\_\_

I swear that, to the best of my knowledge, the information provided is true.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

**FOR COMMITTEE USE ONLY**

Date Received: \_\_\_\_\_ Time: \_\_\_\_\_ Case # Assigned: \_\_\_\_\_

---

**INSTRUCTIONS**

1. Description of conduct/incident should be limited to a factual statement(s) and avoid accusations or subjective conclusions.
2. Reporting a nurse to a nursing peer review committee satisfies the duty of the nurse to report to the BON. If a nurse reports another nurse to the nursing peer review committee in lieu of reporting to the BON, Rule 217.19 requires the reporting nurse be informed of the committee's findings and for the nurse to believe that peer review was conducted in good faith.
3. "Conduct Subject to Reporting" means conduct by a nurse that:
  - violates the NPA or a BON rule and contributed to the death or serious injury of a patient;
  - causes a person to suspect that the nurse's practice is impaired by chemical dependency or drug or alcohol abuse;
  - constitutes abuse, exploitation, fraud, or a violation of professional boundaries; or
  - indicates that the nurse lacks knowledge, skill, judgment, or conscientiousness to such an extent that the nurse's continued practice of nursing could reasonably be expected to pose a risk of harm to a patient or another person, regardless of whether the conduct consists of a single incident or a pattern of behavior.
4. The Nursing Practice Act defines a minor incident as one that does not indicate the nurse's continuing to practice would pose a risk of harm to a patient or another person. If certain procedures are in place to ensure that a minor incident does not go undocumented, it is not required that a nurse involved in the minor incident be reported to the BON. BON Rule 217.16 identifies that it is never considered a minor incident if the nurse's conduct or error:
  - contributed to a patient's death or serious harm.
  - was a serious violation of the BON's Unprofessional Conduct Rule involving intentional or unethical conduct such as fraud, theft, patient abuse or patient exploitation.
  - was a serious crime of the type that requires the BON revoke the nurse's license.