

FILED DATE - JUN 21 2022
Department of Health
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

IN RE: PETITION FOR DECLARATORY STATEMENT OF:
CAROL MILLIKEN, DNP RN CEN CCRN CLSSBB

FINAL ORDER

THIS MATTER came before the Board of Nursing (Board) pursuant to Section 120.565, Florida Statutes and Rule 28-105, Florida Administrative Code, at a duly-noticed public meeting held on June 2, 2022, in Lake Buena Vista, Florida, for the purpose of considering the Petition for Declaratory Statement (attached as Exhibit A), filed by Carol Milliken (Petitioner). Petitioner was present. The Board was represented by Deborah Bartholow Loucks, Senior Assistant Attorney General.

The Petition was filed with the Department of Health on March 21, 2022. Petitioner seeks the Board's opinion as to whether it is within the scope of Petitioner's practice as a registered nurse to insert intraosseous cannulation in emergency situations at the place of her employment.

Having considered the Petition, relevant statutes and rules, arguments submitted by counsel for Petitioner and being otherwise fully advised in the premises, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. The Petition was duly filed and noticed in the Florida Administrative Register; Volume 48 Number 57 published on March 23, 2022.
2. The Petition is attached hereto and incorporated herein by reference.
3. Petitioner, Carol Milliken, is a Registered Nurse licensed to practice nursing in

the State of Florida, having been issued license number RN 2225822.

4. Petitioner is employed at a health care facility where emergency vascular access is essential to the care of the facility's emergency patients.

5. Petitioner seeks clarification of whether it is in the scope of her practice as a registered nurse to insert intraosseous cannulation with the proper training.

6. Petitioner has received the necessary education and training and has been deemed competent to insert intraosseous cannulation by her place of employment.

CONCLUSIONS OF LAW

7. The Board has jurisdiction over this matter pursuant to section 120.565, and Chapter 464, Florida Statutes.

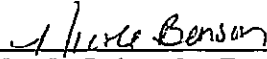
8. The petition filed in this matter is in substantial compliance with the provisions of Section 120.565, Florida Statutes and Rule 28-105, Florida Administrative Code.

9. Section 464.003(19), Florida Statutes, defines the "practice of professional nursing." The scope of practice includes providing treatments as prescribed or authorized by a duly licensed practitioner. This section also provides that the registered nurse is responsible and accountable for making decisions that are based upon the individual's educational preparation and nursing experience.

10. The Board found that under the specific facts of the petition, it is within the scope of Petitioner's specific and particular education, training, and experience that the emergent insertion of intraosseous cannulation is within the scope of her practice.

DONE AND ORDERED this 20th day of June, 2022.

BOARD OF NURSING



Joe R. Baker, Jr., Executive Director
for Maggie Hansen, MHSc, RN, Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to judicial review pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Notice of Appeal with the Agency Clerk of the Department of Health and a second copy, accompanied by filing fees prescribed by law, with the District Court of Appeal, First District, or with the District Court of Appeal in the Florida Appellate District where the party resides. The Notice of Appeal must be filed within thirty (30) days of rendition of the order to be reviewed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. mail to **Carol Milliken**, 8735 SE Bahama Circle, Hobe Sound, Florida 33455 and via electronic mail to: **Deborah B. Loucks**, Senior Assistant Attorney General, deborah.loucks@myfloridalegal.com, **Cassandra Fullove**, Senior Legal Specialist, Office of the Attorney General, Cassandra.fullove@myfloridalegal.com; and **Angela Southwell**, Paralegal Specialist, Office of the Attorney General, angela.southwell@myfloridalegal.com, on June 21, 2022.



Deputy Agency Clerk



TO: Janet Hartman, Chief
Bureau of HCPR

FROM: Joe Baker, Jr., Executive Director
FBON

DATE: June 17, 2022

RE: Delegation of Authority

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Nicole Benson, Program Ops Administrator, is delegated authority for the Board office on Monday, June 20, 2022, through Thursday, June 23, 2022.

Thank you.

JBjr/ms

March 16, 2022

Department of Health's Agency Clerk's Office
4052 Bald Cypress Way, Bin #A02,
Tallahassee, Florida
32399-1703

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LEGAL OFFICE

Petitioner: Carol Milliken, DNP RN CEN CCRN CLSSBB
Florida Nursing License: RN2225822
8735 SE Bahama Circle
Hobe Sound, FL 33455
carolmilliken@gmail.com
Phone: 561-512-4790
Fax: 561-263-4498

Petition for Declaratory Statement Before the Florida Board of Nursing on Florida Statute
464.003

I am a Registered Nurse in the state of Florida (RN2225822) and am seeking clarification surrounding intraosseous (IO) cannulation being within the Registered Nurse (RN) scope of practice in the state of Florida. The Florida Board of Nursing does not specifically address intraosseous cannulation in the Nurse Practice Act, or in any other previous declaratory statements.

I have been asked to insert IOs, in emergency situations, in patients at my place of employment. In my role, as the director of professional practice and clinical education, and responding to emergent events within my place of employment, emergency vascular access is essential to the care of our emergency patients. I have received the necessary education and training and have been deemed competent to insert IOs. Our policy and procedures at my place of employment support nurses inserting IOs (once competency is validated). Is IO insertion within my scope of practice?

Sincerely,



Carol Milliken, DNP RN CEN CCRN CLSSBB

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Department of Health
Legal Office

Exhibit A



1210 South Old Dixie Highway
Jupiter, Florida 33458-7205

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