

NURSING PEER REVIEW

A White Paper from the Texas Center for Quality & Patient Safety



TEXAS CENTER FOR
QUALITY & PATIENT SAFETY

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The Texas Center for Quality & Patient Safety brings together Texas hospitals, state and national experts and evidence-based health care practices in an effort to improve the quality of care at the bedside. Current grant-funded initiatives are focused on eliminating health care-associated infections, reducing hospital readmissions and improving processes that enhance quality of care such as nursing peer review programs.

For information on participating in an upcoming collaborative, contact the center at 512/465-1000.

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What is Peer Review?

Peer review is a practice long adopted by physicians and more recently by nurses, by which health care professionals evaluate each other's clinical performance. A nursing peer review committee focuses on the evaluation of nursing services, the qualifications of nurses, the quality of patient care rendered by nurses and the merits of complaints concerning a nurse or nursing care. The committee may review the nursing practice of a licensed vocational nurse, registered nurse or advanced practice registered nurse. Nursing peer review provisions became part of Texas law in 1987 with the passage of legislation popularly known as the Professional Nursing Quality Assurance Act. Through this addition to the Nursing Practice Act of 1909, Texas became the first and only state in the country to mandate the use of nursing peer review. Additionally, in 2007, several amendments were made to the Nursing Practice Act, including special focus on the role of environmental factors and systems issues affecting nurses' performance. According to state law, the committee must be composed of a minimum of 75 percent RNs or LVNs.

Types of Nursing Peer Review

There are two kinds of nursing peer review: Incident-based and safe harbor. Incident-based peer review occurs when a facility, association, school, agency or any other setting that utilizes the services of nurses chooses to review a particular case to determine if the nurse should be reported to the Texas Board of Nursing. The case may be related to a single event or multiple events. For instance, an IBPR could review up to five minor incidents by the same nurse within a year's period of time to determine if the nurse's conduct can be remediated instead of being reported to the Texas Board of Nursing.

A safe harbor peer review may be initiated by an RN, LVN or APRN prior to accepting an assignment or engaging in requested conduct that the nurse believes would place patients at risk of harm, thus potentially causing the nurse to violate his or her duty to the patient(s). The safe harbor nature of this request protects the nurse from licensure action by the Board of Nursing as well as any retaliatory action by the employer.

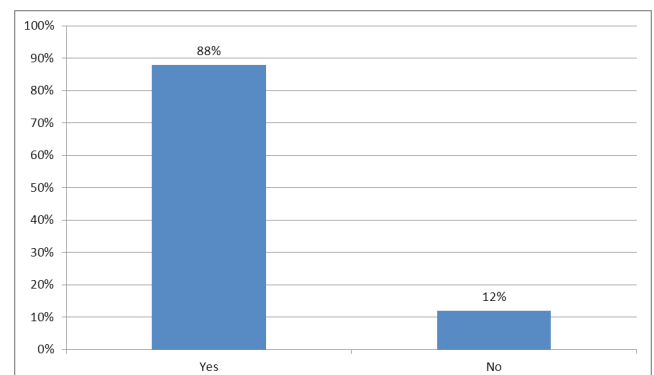
When is Nursing Peer Review Required?

Under Texas law, any person or entity that employs, hires or contracts for the services of 10 or more nurses (RNs, LVNs, APRNs or any combination thereof) must utilize peer review. However, a facility employing fewer than five RNs is not mandated to conduct peer review. Any facility may choose to contract with another entity to conduct nursing peer review. It is the chief nursing officer's responsibility to ensure that the proper peer review process is in place, which is critical in that a facility may face administrative penalties if not conducting nursing peer review when necessary.

Moving Peer Review from Concept to Reality

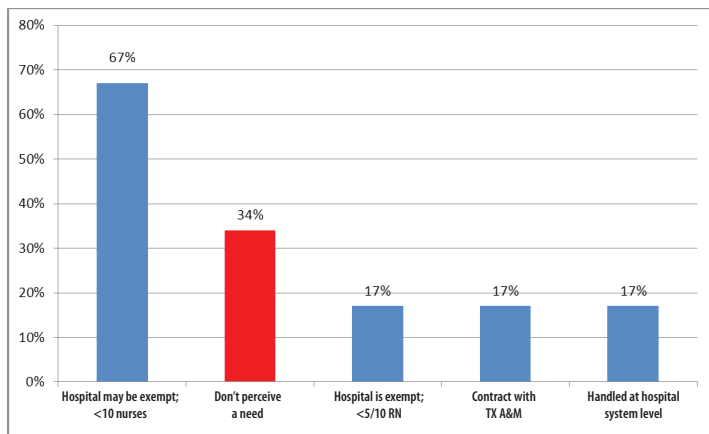
Although mandated under Texas law, the reality is that nursing peer review is not universally practiced in Texas hospitals. Rural hospitals in particular report challenges in establishing a meaningful peer review process in their facilities. A January 2011 survey of rural Texas hospitals conducted by the Texas Center for Quality & Patient Safety, an affiliate of the Texas Hospital

Figure 1 - Does Your Hospital Conduct Nursing Peer Review?



Association, found that 12 percent of respondents did not conduct nursing peer review at their facility. (Figure 1). Furthermore, 34 percent indicated ‘no need’ as the reason for lack of nursing peer review. (Figure 2).

Figure 2 - Reasons Why Facility Isn't Conducting Nursing Peer Review



Source: January 2011 survey of rural Texas hospitals conducted by the Texas Center for Quality & Patient Safety

One challenge faced by rural hospitals when establishing a peer review committee is the lack of confidentiality achievable due to a small nursing staff. Rural facilities may find it beneficial to utilize an outside organization such as the Rural Community Health

Institute to conduct peer review on the hospital's behalf. The RCHI model emphasizes a systems focused, non-punitive approach and provides a blinded, confidential process resulting in peer and facility recommendations. Organizations such as RCHI can provide rural facilities with the mandated incident-based and safe harbor peer review processes, as well as voluntary quality reviews, monthly education and literature.

Nursing Peer Review: One Tool in Improving Quality

Since the first nurse conferred with another about caring for a patient, some level of peer review, however informal, has been in place. Peer review provides a structure to look at quality of care issues and examine the reasons behind them, not just at an individual level, but at a system and environmental level as well. Through the 2007 amendments to the Nursing Practice Act, the Texas Board of Nursing made a conscious effort to focus peer review on a broader range of factors beyond the individual nurse. Without education, many nurses may mistakenly believe peer review is intended to punish nurses' mistakes, rather than to evaluate processes, improve care and fix system failures.

Whether conducted within the facility or through an outside organization, peer review is not only required by Texas law but is also an important tool in improving the care provided by individuals and facilities.

Register Now!

Shift the Paradigm on Nursing Peer Review

Pay for 1 line – educate your entire team!

Want to know more about nursing peer review? Be among the first Texas hospital nursing leaders to learn about the Texas Board of Nursing's error classification system, TERCAP®, available to nursing peer review committees thanks to the passage of S.B. 193. In two hours, you will get the tools and information you need to begin shifting the paradigm in nursing peer review in your hospital.

Register at www.tha.org/EduCal

Two-part Webinar
Aug. 10 and 17
Noon - 1 p.m. Central

FEES

Full series: \$225 for THA/TONE members; \$325 for nonmembers
 \$125/session for THA/TONE members; \$175 for nonmembers

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