



COLORADO
Department of Education

Health and Wellness Unit
1580 Logan, Suite 200
Denver, CO 80203

The Title “Nurse” is Protected

In August 2004 a bill was passed that limits the use of the title “Nurse” to RNs and LPNs. Now it is a class 3 misdemeanor for anyone to use this title unless they are licensed as a professional or practical nurse. Any person who violates the provisions of this section commits a class 3 misdemeanor and shall be punished as provided in section 18-1-106 C.R.S (\$50 - \$750 fine and/or up to six month imprisonment).

The Colorado Nurse Practice Act, Section 12-13-128, (amended language in italics) now reads
It is unlawful for any person:

- a) To practice as a practical or professional nurse unless licensed therefore;
- b) *To represent himself or herself to an individual or to the general public by use of any word or abbreviation to indicate or induce others to believe that he or she is a licensed practical or professional nurse unless the person is actually licensed as a practical nurse or professional nurse, respectively;*
- c) To practice as a practical or professional nurse during a period when his license has been suspended or revoked;
- d) To sell or fraudulently obtain or furnish a license to practice as a nurse or to aid or abet therein;
- e) *To use the title “nurse,” “registered nurse,” “R.N.,” “practical nurse,” “trained practical nurse,” “licensed vocational nurse,” “licensed practical nurse,” or “L.P.N.” unless the person is licensed by the Board;*

Unlicensed individuals (UAPs) working as health office assistants or health techs in schools may not call themselves the school “nurse” or indicate in any way to staff, students, or families that they are the “nurse.” Only RNs and LPNs may use this title. School health staff should give careful thought to these concerns and, if necessary, make changes that will bring them into compliance with the law. It is recommended that school nurses and UAPs wear name tags that clearly identify their name and job title, that health offices be labeled with names and titles of individuals who work there, that school communications clearly identify correct titles, and that UAPs that answer phones state their title to indicate that a nurse is not answering the phone. It is also suggested that breaches that continue following this notification be brought to the attention of the Board of Nursing.

The intent of protecting the title nurse is to protect the public from individuals who are not nurses, yet lead the public to believe they are. There have been a number of situations described about UAPs in schools who call themselves nurses or answer the phone “nurse’s office” without indicating that they are not a nurse, who provide inaccurate, inappropriate, or even dangerous advice when questioned. These individuals do not have the education, knowledge, and licensing that is required to become an LPN or RN and are unlikely to understand or value the importance of updated treatment standards, precautions, and assessments.

Student safety and respect for nursing knowledge and expertise were cornerstone arguments for this amendment to the Nurse Practice Act. Fifteen states now have a nurse protection title protection clause.

Excerpted from Stearns, P., (September 2004). *Colorado Nurse*. The Title “Nurse” Now Protected in Colorado.

