**Wisconsin Nurses Association Position on**
**The Chemically Dependent, Impaired Nurse and Peer Assistance**

**Introduction**

The lives of our nurse colleagues whose health and professional practice have become impaired due to an addictive disease is of concern to the Wisconsin Nurses Association. The concern regarding the addicted nurse is that addiction can be disabling and fatal. The risk of RN chemical dependency and addiction can be increased as access to prescription drugs occur, the continued frequency of occupational and emotional stressors and general lack of knowledge regarding addictive diseases. The impact of nurse addiction on the nursing workforce results in the loss of an intelligent and caring professional.

Response from the nursing workforce regarding an addicted and impaired nurse is less than favorable due to lack of knowledge. This results in denial of the prevalence of the disease, judgmental attitudes regarding the impaired nurse and knowledge deficit regarding impairment, prevention, early intervention programs, and available referral, treatment and support.

**WNA Position**

WNA supports a consistent mechanism for identifying, intervening with, treating and supporting nurses who are dependent or addicted to alcohol, prescription or non-prescription drugs or other mind-altering substances.

WNA believes that the nursing profession bears the responsibility to intervene with and support an ill colleague, with the goal of restoring the individual to health and practice. In addition, in order to maintain standards of the profession, the practice of nurses who do not respond to treatment must be addressed promptly and appropriately. As nurses, we must balance the public interest with that of our peers. WNA further believes that the nursing profession can meet these responsibilities by promoting action in the areas of education, legislative and regulatory policies, workplace policies and peer assistance programs.

**Education**

*Schools of Nursing* - WNA desires that all schools of nursing provide current and relevant information related to nurse addiction and impairment. Curriculum content should include rationale as to why nurses are at risk, etiology, diagnosis, prevention, intervention, treatment, support and recovery. In
addition information about the Federal and State Laws regarding addiction and Wisconsin’s Board of Nursing regulations and discipline procedures for nurses who are reported.

Nursing Workforce – Education of the nursing workforce regarding nurses with chemical dependency, addiction and resulting impaired practice needs to be provided on a regular basis and in a variety of communication strategies. One of the components to WNA’s Peer Assistance Program includes educational materials that can be accessed online or in person.

Employers of Nurses – WNA supports institutional policies that require mandatory inservice education on the topic of chemical dependency and impaired practice. Institution’s Human Resource Department staff along with senior managers need information on best practice polices on identifying impaired nursing personnel and strategies for continued employment.

Legislation and Regulatory Policies

WNA monitors the policies and procedures of the Department of Regulation and Licensing and the Board of Nursing as it relates to impaired nurse practice. WNA seeks clarification from these two entities as necessary.

WNA also makes available to WNA members information related to federal and state employment rights and the corresponding laws, regulations and procedures.

Workplace Policies

WNA supports institutional policies that reflect the requirements of the Federal Law, Drug Free Workplace Act of 1988 and State of Wisconsin. Guidelines for policy development should include a philosophy statement regarding the institutions response to employed nurses that present with addictions and impaired practice, along with the following Policy Statements:

?? Addictive disorders are chronic, progressive and treatable illnesses.
?? Nurses with alcohol or drug related problems will be referred to the employers Employee Assistance Program and WNA’s Peer Assistance Program.
?? All efforts will be made to assist the nurse with an addictive disorder to seek treatment and return to the workforce.
?? A nurse found to be using prescribed or over-the-counter substances that result in impaired job performance may be placed on medical leave of absence until the substance is no longer medically needed or the nurse is medically cleared to return to work.
?? The facility will secure the resources necessary to achieve and maintain a drug-free and alcohol-free work environment.
?? Unauthorized use, purchase of alcohol or other drugs in the workplace, is strictly prohibited and will result in disciplinary action should the nurse fail to comply with testing requests and expert recommendations.
?? Compliance with the legal and regulatory mandates of the State of Wisconsin reporting laws regarding a suspension, restriction, termination, curtailment, or resignation of employment or privileges of a licensed nurse when the impairment is alleged to have been caused by a drug or alcohol related problem.
Commitment to annual mandatory education on addiction for all nurses. In addition, supervisory personnel will be required to receive annual education in addictive disorders recognition and management of employees whose practice may be impaired by alcohol or other drugs.

Ensure that nurses are fit for duty to provide safe care to patients. Fitness for duty is determined by effective job performance and the absence of signs and symptoms of impaired practice. Fitness for duty shall be determined by a designated person based upon reasonable and observable considerations and in good faith.

Adherence to federal and state confidentiality regulations. Written consent to release information regarding alcohol or drug addicted nurses will be obtained in accordance with the regulations. When management requires feedback regarding a nurse’s level of participation and cooperation with a treatment provider or an employee assistance program, written consent will be obtained. Limits to confidentiality may be necessary in the following instances:

- To meet legal reporting requirements.
- When nurses represent a serious and real danger to themselves or patients.
- The nurse will be advised in writing when a report is made to a legal regulatory agency.

Nurses who are deemed unfit for duty will be referred for alcohol and drug testing and assessment, and referral to one or a combination of the following:

- Employee assistance program/employee health service.
- Outside or inside workplace alcohol/drug abuse expert.

When drug testing is necessary, it shall be conducted by a laboratory that is certified by the state or federal government health authorities as a laboratory qualified to perform forensic drug testing according to the following guidelines:

- Any testing for alcohol and other drug use should be done only when there is reasonable suspicion or objective documentation that job performance is or has been impaired by alcohol or drug usage. Testing should not be done as a random procedure or general policy.
- When a supervisor or designee, who has been trained to identify drug and alcohol or controlled drugs while on duty, the supervisor or designee may require the nurse to submit to a confidential toxicology test. The supervisor or designee will have documented the behavior that provides a basis for test request.
- As part of a back to work contract, random screenings may be required.

Refusal to comply with alcohol or drug testing or evaluation and treatment will result in immediate suspension from work. The suspension may be lifted if the nurse goes to a Wisconsin approved AODA counselor for assessment and evaluation and follows through on any referral or treatment plan. Continued refusal to comply with drug testing will result in termination.

Providing the state administrative code requirements related to reporting of impaired practice.

The facility adheres to the Americans with Disabilities Act. Employees will not be discriminated against because of a past alcohol or other drug abuse problem. The facility may request recovering individuals to comply with a back to work contract.

WNA Peer Assistance Program

WNA has a voluntary confidential advocacy program that is a component of the Workforce Advocacy Program. It was established in 1993 because of the growing awareness of the need for WNA to address the needs of chemically dependent nurses.
The purpose of the Peer Assistance Program is as follows:

?? To serve as a resource for nurses with questions about alcohol and drug use.
?? To provide support and advocacy for nurses seeking assistance with recovery through the Peer Assistance Network of Volunteers.
?? To educate nurses, student nurses and employers of nurses about chemical abuse/dependency and impaired practice.

The components of the WNA’s Peer Assistance Program is as follows:

?? Support and/or advocacy is provided by the WNA Peer Assistance Network of Volunteers trained to help nurses who perceive a need for assistance in seeking treatment, remaining in recovery, or for re-entering the workplace.
?? Consultation is available for any nurse including, LPN, RN, student nurse, WNA member or non-member. Other consultation is available for the employer, family or friend concerning treatment options available.
?? Resource and information related to nursing practice issues associated with chemical dependency in the workplace and treatment program availability.
?? A variety of educational materials and methods are available to the nursing community to promote awareness and knowledge of chemical dependency, to develop skills in identification and intervention techniques, and gain knowledge of how the Peer Assistance Program can assist the dependent nurse and the employer.

Approved by the WNA Board 2/22/08