**20:48:04.01:01.  General criteria for delegation.** A licensed registered nurse is responsible for the nature and quality of nursing care that a client receives under the nurse's direction. A licensed nurse may delegate selected nursing tasks to a nursing assistant. A nursing assistant may not substitute for the licensed nurse in the performance of nursing functions. A nursing assistant may not redelegate a delegated task.

A licensed nurse shall assess a situation and determine whether delegating nursing tasks to a nursing assistant is appropriate. The delegation of nursing tasks to a nursing assistant must comply with the following criteria:

(1)  The nursing task is one that a reasonable and prudent licensed nurse would find within the scope of sound nursing judgment to delegate;

(2)  The nursing task is one that, in the opinion of the delegating nurse, can be properly and safely performed by a nursing assistant without jeopardizing the client's welfare;

(3)  The nursing task does not require a nursing assistant to exercise nursing judgment;

(4)  The licensed nurse evaluates the client's nursing care needs before delegating the nursing task;

(5)  The licensed nurse verifies that the nursing assistant is competent to perform the nursing task; and

(6)  The licensed nurse supervises the performance of the delegated nursing task in accordance with the requirements of § 20:48:04.01:02.

**Source:** 21 SDR 13, effective August 7, 1994; 26 SDR 174, effective July 4, 2000; 49 SDR 51, effective November 27, 2022.

**General Authority:** SDCL 13-33A-2, 36-9-21.

**Law Implemented:** SDCL 13-33A-1, 36-9-3, 36-9-4, 36-9-4.1, 36-9-21.