

STATE OF FLORIDA  
BOARD OF NURSING

Final Order No. DOH-12-0025-<sup>DS</sup>-MQA  
FILED DATE - 1-11-12  
Department of Health

*Angela Sanders*  
Deputy Agency Clerk

IN RE: THE PETITION  
FOR DECLARATORY  
STATEMENT OF  
DANA MCCRONE

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**FINAL ORDER**

THIS CAUSE came before the BOARD OF NURSING (hereinafter Board) pursuant to §120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code, at a duly-noticed meeting in Dania, Florida on December 1, 2011, for the purpose of considering the Petition for Declaratory Statement (attached as Exhibit A) filed by DANA MCCRONE (hereinafter Petitioner). Having considered the petition, the 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. Petitioner, DANA MCCRONE, is registered nurse licensed to practice nursing in the State of Florida. Petitioner did not supply her license number.
2. Petitioner did not cite to a statute or administrative rule that she wanted the Board to interpret.
3. Petitioner did not identify her particular circumstances that would establish that the issuance of a declaratory statement would be appropriate.

**CONCLUSIONS OF LAW**

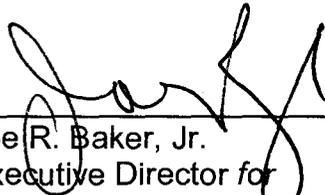
1. The Board has jurisdiction over this matter pursuant to Section 120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code.

2. The petition filed in this cause is not in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code.

WHEREFORE, the Board hereby dismisses the petition.

DONE AND ORDERED this 10<sup>th</sup> day of Jan, 2012.

**BOARD OF NURSING**

  
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Joe R. Baker, Jr.  
Executive Director for  
Jessie Colin, RN, PhD, Chair

**NOTICE OF APPEAL RIGHTS**

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished by U.S. Mail to Petitioner DANA MCCRONE, 800 Prudential Drive, Jacksonville FL 32207, and by interoffice mail to Marcella Blocker, Department of Legal Affairs, PL-01 The Capitol, Tallahassee FL 32399-1050 this 11<sup>th</sup> day of January, 2012.



DEPARTMENT OF HEALTH **Deputy Agency Clerk**

Petition for Declaratory Statement before the Florida State Board of Nursing

Dana McCrone, MSN, RN, CNL

800 Prudential Drive Jacksonville, FL. 32207

904-202-9398

904-202-9387

RECEIVED  
OCT 10 2011  
DEPARTMENT OF HEALTH  
LEGAL OFFICE

This statement is regarding "Pigtail" chest tubes. Is it within a RN's scope of practice to irrigate a pigtail chest tube when ordered by a physician?

There is a second part to this question, is it within the scope of care if special instruction or competency is validated prior to any nurse performing this intervention?

*D. McCrone*  
10/4/11

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OCT 12 2011  
FLORIDA BOARD OF NURSING