

FILED DATE - DEC 18 2020

Department of Health

By

*Amy R. Conway*  
Deputy Agency Clerk

**STATE OF FLORIDA  
BOARD OF NURSING**

IN RE: PETITION FOR DECLARATORY  
STATEMENT OF:

**AUDRA HART, RN**

**FINAL ORDER ON PETITION FOR DECLARATORY STATEMENT**

This matter came before the Board of Nursing (hereinafter the "Board") at a duly-noticed telephonic public meeting on December 3-4, 2020 for consideration of a petition for declaratory statement filed by licensed registered nurse Audra Hart (attached hereto as exhibits A). The petition was filed on November 5, 2020 and noticed in the Florida Administrative Register on November 6, 2020 in Volume 46/218. No comments were received on the petition.

Audra Hart (Petitioner) inquires as to whether she, as a Registered Nurse, may place dermal and epidermal stitches into skin following skin cancer removal.

Upon review of the Petition, the related laws and rules, and being otherwise advised on the premises, the Board answers the inquiry set forth in the Petition in the negative.

**FINDINGS OF FACT**

1. The facts set forth in the Petition are hereby adopted and incorporated herein by reference as the findings of fact by the Board.
2. Petitioner is a Florida registered nurse.
3. Petitioner has been registered nurse for nineteen years.

4. Petitioner has more than six years of surgical dermatology experience, during which time she has assisted a physician or physician's assistant in 15 to 20 reconstructive closures a day.

#### **CONCLUSIONS OF LAW**

5. The Board of Nursing has authority to issue this Final Order pursuant to Section 120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code.

6. The Petition filed in this cause is in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Rule 28-105.002, Florida Administrative Code.

7. For purposes of determining standing in this matter, the Petitioner, a registered nurse, is a substantially affected person.

8. Petitioner inquires whether she may place dermal and epidermal stitches into skin following skin cancer removal.

9. Petitioner states she would be suturing in the presence of a Florida licensed physician.

10. Section 464.003(19), Florida Statutes sets forth the scope of practice for registered nurses in Florida as follows:

"Practice of professional nursing" means the performance of those acts requiring substantial specialized knowledge, judgment, and nursing skill based upon applied principles of psychological, biological, physical, and social sciences which shall include, but not be limited to:

(a) The observation, assessment, nursing diagnosis, planning, intervention, and evaluation of care; health teaching and counseling of the ill, injured, or infirm; and the promotion of wellness, maintenance of health, and prevention of illness of others.

(b) The administration of medications and treatments as prescribed or authorized by a duly licensed practitioner authorized

by the laws of this state to prescribe such medications and treatments.

(c) The supervision and teaching of other personnel in the theory and performance of any of the acts described in this subsection.

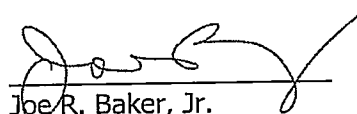
11. The safe performance of suturing requires specific techniques that are not within the scope of practice of professional nursing for this practitioner.

WHEREFORE, the Board finds that under the facts of the petition, as set forth above, it is not within the scope of practice of Audra Hart to place dermal and epidermal stitches into skin.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

**DONE AND ORDERED** this 18th day of December, 2020.

BOARD OF NURSING



Joe R. Baker, Jr.  
Executive Director for  
Deborah McKeen, CD-LPN, BS,  
Chair

#### **NOTICE OF APPEAL RIGHTS**

Pursuant to Section 120.68, 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 has been furnished by U.S. mail to: **Audra Hart**, 11322 Autumn Leaf Way, Bradenton, FL 34212; and **John B. Fricke, Jr.** at John.Fricke@myfloridalegal.com; on this 18 day of Dec, 2020.



**Deputy Agency Clerk**

November 4, 2020

Audra Hart, RN  
11322 Autumn Leaf Way  
Bradenton, FL 34212  
(941) 587-7636  
[Audra.lubs81@gmail.com](mailto:Audra.lubs81@gmail.com)

### **Petition for Declaratory Statement Before the Board of Nursing**

To Whom it May Concern:

My name is Audra Hart, and I would like to petition the Florida State Board for a declaratory statement on registered nurses being able to place top stitches (dermal and epidermal) into skin – following skin cancer removal.

I understand that this is not directly addressed in the scope of practice for a registered nurse as defined in Section 464.003(3)(a), Florida Statutes, as follows: “Practice of professional nursing” means the performance of those acts requiring substantial specialized knowledge, judgement, and nursing skill based upon applied principles of psychological, biological, physical, and social sciences which shall include, but not be limited to:

1. The observation, assessment, nursing diagnosis, planning, intervention, and evaluation of care; health teaching and counseling of the ill, injured, or infirm; and the promotion of wellness, maintenance of health, and prevention of illness of others.
2. The administration of medications and treatments as prescribed or authorized by a duly licensed practitioner authorized by the laws of this state to prescribe such medications and treatments.
3. The supervision and teaching of other personnel in the theory and performance of any of the above acts.

As a registered nurse with 19 years of experience including at least 6 years of surgical dermatology experience with Cary L. Dunn, MD, I have assisted the physician and physician’s assistants performing the reconstructions of at least 15-20 reconstructive closures daily. This has allowed me to observe and assist in a multitude of skin closures from very simple to extremely complex. I would not be performing stitches independently at any point – always in the presence of the supervising physician. The supervising physician, Cary L. Dunn, MD will establish a suture technique training program to ensure proper formal training. Given the ability to place epidermal sutures, this will allow for more efficient patient care and decreased patient wait time. These decreased wait times will only support the need for social distancing during the COVID-19 pandemic as well.

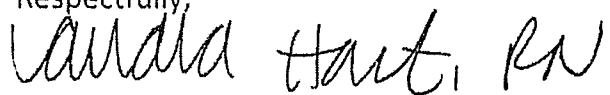
I am also currently enrolled in a Bachelor of Nursing bridge to Master’s in nursing program, with my focus on becoming a Nurse Practitioner. My final plan is to practice in dermatology and I greatly feel

having this experience will only help me to succeed in my role as a dermatology Nurse Practitioner.

I am aware that registered nurses in other states can place top sutures under a direct physician's guidance. Given my previous clinical practice, I am asking the Board for approval in the nursing task of placing epidermal sutures into skin under a direct physician's guidance.

Thank you for your time, and I look forward to your response.

Respectfully,

A handwritten signature in black ink that reads "Audra Hart, RN". The signature is written in a cursive, flowing style.

Audra Hart, RN