

REPUBLIC OF CROATIA
MINISTRY OF HEALTH

NURSING ACT

Zagreb, July 2003.

NURSING ACT

I. GENERAL PROVISIONS

Article 1

This Act regulates the contents and the method of effectiveness education standard, conditions of practice, responsibilities, quality control and professional supervision of nursing practice in Republic of Croatia.

Provisions of this Act which are related to the nurses are applied to male persons - medical technicians.

Article 2

Nurses are health professionals and they act as integral part of health care setting with aim to serve and protect the public and act in the interest of Republic of Croatia, under the conditions conferred by this Act.

II. PROFESSIONAL NURSING PRACTISE

Article 3

The scope of nursing practice covers the range of activities, knowledge and skills of health care.

A nurse is trough practising nursing, obliged to apply best professional knowledge, respecting the principles of the patient's rights, ethical and professional standards, which are the part of nursing care of the individuals, group and community.

A nurse is responsible for holding all confidential information concerning patient's record.

Article 4

Nurses conduct their activities in all levels of health care settings according to standards approved by Minister of Health.

Nurses can practice nursing out of health care settings under the conditions from the article 14. Paragraph 2. of this Act.

Article 5

Nursing care as a public service succumbs controlled standards of education.

Article 6

Practicing of nursing care shall be based upon the needs of population in accordance with the National Plan and Program of Health Care Measures.

III. EDUCATION

Educational standard

Article 7

Vocational nursing education nurses acquire when successfully finished vocational school program for nurses in accordance to legal framework.

Article 8

Diploma level nursing education is higher level of education and it is considered as continuation of education that assures high educational level, in accordance with regulations of high education in Republic of Croatia.

Additional nursing training

Article 9

Additional nursing training is conducted in the case when scope and complexity of practice and accepted results require additional qualification, i.e. specialisation in the specific area of nursing care.

Additional nursing training leads to improving the quality and effectiveness of nursing care.

Article 10

Enlarged or changed complexity of practice shall be determined based on content and mode of procedures and skills that are expected from the nurse on specific levels of health care related to changed population's and patient's needs for health care, new scientific discoveries or new diagnostic and therapeutical processes.

Need, content and duration of the program of additional nursing training shall be regulated by the act of Croatian Nursing Council.

Article 11

Additional nursing training shall be conducted in the health institutions or in the third level education institutions.

Continuous education

Article 12

Nurses are required to permanently renew acquired knowledge and adopt new knowledge in accordance with the newest achievements and the knowledge in the nursing field.

Continuous education shall be conducted by participation in professional seminars, courses, attendance at conferences and congresses.

Contents, term and procedure of continuous education and verification the competence of nurses shall be regulated by general act of Croatian Nursing Council.

IV. CONDITIONS FOR PERFORMING NURSING PRACTISE

Article 13

Nurse who has completed vocational nursing school program, according to Article 7 of this Act, can practice nursing only under supervision.

A nurse from Paragraph 1 of this Article conducts nursing care as a trainee nurse.

Clinical supervision over trainee nurse can conduct only a registered nurse with a valid licence in accordance with Article 15 of this Act.

Article 14

Registered graduate nurse with valid professional licence issued from Croatian Nursing Council is authorised and responsible to lead a nursing team.

Registered nurse with completion of vocational nursing education programme is authorised to practice as nurse practitioner and as a member of nursing team.

The right to enter the Register of Croatian Nursing Council has the nurse who has gained vocational nursing education programme, completed internship and passed the state exam.

On the contents, duration of internship and the method of examination for the professional state exam at Ministry of Health, shall apply the provisions of Health care Act and implementing acts based on it.

A nurse who practises nursing care in the social care institutions can sit for the professional exam according to the rules from the Paragraph 4 of this Article.

Article 15

The right to practise nursing has a nurse which has been given a valid professional licence.

Professional licence to the registered nurse issues and denies the body regulated by Croatian Nursing Council Statutes.

The decision according to Croatian Nursing Council Statutes is final, and administrative dispute may be instituted against the same decision on Administrative Court.

A nurse can practise nursing care only within the frame of his/her education and additional qualification confirmed by the professional licence.

Professional licence has to be renewed every six years.

Conditions for issuing, renewing and requisition of professional licence is regulated by the general act of Croatian Nursing Council.

Procedure of renewing and requisition professional licence is regulated by provisions on Paragraph 2. and 3. of this Article.

V. DUTIES OF NURSES

Article 16

Nurses' duties are:

- application of approachable knowledge from the nursing area,
- application of methods to solve problems in conducting nursing care which require expertise in critical analytical approach,
- approach according to the stated rules and protocols for conducting nursing care procedures ,
- conducting nursing care according to the stated plan of care,
- applying, conducting and recording local, per oral and parenteral therapy, ordered by physicians
- informing the physician at the right time in case of establishment of a complication due to applied therapy,
- conducting procedures in order to prevent illness,
- conducting nursing documentation by which all of the conducting procedures were done during the 24 hour period for the recording purpose,
- informing the physician at the right time about the state of the patient, especially during the change of patient's health status,
- joining in the resuscitation procedure in case of physician's absence,
- keeping the professional confidentiality,
- respecting the patient's rights,
- respecting the nursing code of ethics,
- respecting religious principles of the patients,
- co-operation with all team members,
- protect employer,
- economical and effective use of apparatus and equipment and
- always act in the interest of the patient.

Article 17

A nurse is required to keep an evidence of all conducted procedures on a nursing list for each individual patient in all levels of health care settings.

Nursing list according to Paragraph 1 of this Article is a set of data which are used to control quality of planned and conducted nursing care.

Contents and form of nursing list on the recommendation of the Croatian Nursing Council shall regulate the Minister of Health.

Serious violation of duties

Article 18

A nurse can cause a serious violation of duty:

- because of negligence or lack of skills, when procedures causes damage to the patient's health,
- when he/ she changes the method and the content ordered drug therapy
- when he/she intentionally causes material damage.

Exception from responsibility

Article 19

A nurse is not allowed to conduct procedures for which she is not authorised and can directly or indirectly cause harm to the patient.

Article 20

In case when a patient consciously rejects a procedure or application of ordered therapy or procedure, nurse is responsible to immediately notify the authorised physician.

Article 21

A nurse is not responsible for unconducted procedure in case when in spite of applying the best knowledge and expertise, the employer did not provide

medication, appliances, technical or any other necessary equipment congruently with the minimal standards for conducting a successful nursing care.

Nurse is immediately required to inform the person in charge in case of not being able to perform a procedure from Paragraph 1. of this Article.

Article 22

A nurse is responsible for minor and serious violations of duties constituted by this Act and general acts of the Croatian Nursing Council in front of disciplinary body from the Croatian Nursing Council.

A disciplinary measure for minor and serious violations caused by the nurses establishes Croatian Nursing Council.

VI. QUALITY CONTROL

Article 23

Quality control of nursing care is conducted by a specially educated nursing team, nominated by the employer in cooperation with Minister of Health and the Croatian Nursing Council.

Quality control especially covers: nursing care plan, conducting nursing care procedures, outcomes of care and the impact of care on the health status of the patient.

VII. PRIVATE PRACTICE

Article 24.

A private practice can conduct only a nurse, who has entered the Register, holds professional licence given by the Croatian Nursing Council.

The procedure of commencing, temporary leave and cession of private practice is carried out by Ministry of Health according to Health Care Act.

VIII. CROATIAN NURSING COUNCIL

Article 25

Croatian Nursing Council (in the following text: Council) is an expert independent organisation of nurses with capacity of legal person and public authority.

Council promotes, represents and coordinates interests of nurses in front of national and other bodies in the Republic of Croatia and in the foreign countries.

Membership in Council for all nurses practising nursing in Republic of Croatia is compulsory.

Council has its sign, emblem, seal and insignias.

Seat of the Chamber is in City of Zagreb.

Article 26

Council conducts the following public authority:

- maintains a register of qualified nurses,
- issues, renews and requisits professional licence,
- conducts a professional supervision.

Manner and conditions under which a professional supervision are regulated by paragraph 1 Sub paragraph 3 of this Article is regulated by a general Act of the Council, approved by Minister of Health.

Article 27

Council performs the following tasks, besides of public authorities from Paragraph 26. of this Act:

1. Conveys a Nursing Code of Ethics.
2. Cooperates with the Minister of Health in all areas of interests for nurses and provides professional opinions in preparing regulations affecting the nursing profession.

3. Establish nursing documentation list according to terminology of International Classification of Nursing Practise.
4. Recommends the standards and normative for nursing practice, to the Minister of Health.
5. Set standards for education, defines needs for additional professional qualification.
6. Convey a general act which reinforces standards of education, establish, maintain and control program of continuous education to promote high practise standard.
7. Recommends the contents of the nursing documentation list to the Minister of Health.
8. Regulates way and conditions under which the professional supervision is conducted.
9. Establishes lowest cost nursing care for nurses outside of Basic health care network.
10. Establishes cost of nursing care from the scope of the private health care.
11. Executes professional supervision.
12. Defines duty violation.
13. Establishes disciplinary measures for minor and serious duty violations.
14. Conducts a disciplinary procedure and defines disciplinary measures.
15. Cooperates with the Ministry of Health inspection.
16. Represents interests of nurses.
17. Provide legal aid to its members.
18. Takes care of other interests of its members.
19. Coordinates relationships between the members and actively participates in solving in eventually arisen disputes.
20. Cooperates with the World Health Organisation (WHO) and other international organisations relating to nursing.

21. Performs other activity directed by this Act, Constitution and other general acts from the Council.

Article 28

The Council is organised on the basis of its Statutes, adopted by the Assembly.

The Minister of Health should approve the Statutes of the Council.

The Council Statutes must include the regulations on: name and the seat, area which the Council covers, internal organisation, bodies of the Council, their structure, authorities, manner of decision making, conditions and manner of election and revocation, mandate duration and responsibilities of the members, property and possible profit management, manner of assets acquisition, accomplishing public authority of the Council, membership and membership fees, rights, duties and disciplinary procedures, cessation of the Council and the procedures with the assets in the case of Council ceasing.

Article 29

The founder of the Council is the Ministry of Health and the Croatian Nurses Association.

Article 30

Supervision of the legality of the Council's public authority is conducted by the Ministry of Health.

The Ministry of Health can request adequate reports and data from the Council.

The Council is obliged to deliver the reports and data from the Paragraph 2 of this Article to the Minister of Health within the 30-day time period or within the same period inform the Ministry of the reasons for which they cannot be delivered.

The Chamber is obliged to deliver the annual report to the Minister of Health before 1st of March for the previous year.

Article 31

The Council informs the Minister of Health, other bodies of the government and authorised bodies of the local and regional authorities, self initiated or upon their request on the state and problems in the nursing profession. The Council should also propose the measures which should be undertaken in relation to the professional advancement of the nursing profession and of the nursing care provided to the public.

The Council cooperates with the government bodies and the bodies of the local and regional authorities in solving problems related to the nursing profession.

All decisions related to nursing concerning the organisation of health care shall be made in cooperation with other Councils/regulatory bodies of health workers.

Article 32

Financing is realised::

- from the registration fee,
- from the membership fee,
- from other sources realised through different activities of the Council.

Government of the Republic of Croatia is by law obliged to finance the public authority activities of the Council, according to the Article 26, Paragraph 1, and Clause 3 of this Act.

IX. PENALTIES

Article 33

Penalty in amount of 3.000,00 to 10.000,00 kunas nurse can be charged in case if she/he:

- violates the obligation to maintain professional confidence (Article 3, Paragraph 3),
- practice nursing without fulfilling the provisions of Article 14, Paragraph 1 and 2,
- practise nursing without fulfilling the provisions of Article 15, Paragraph 1,

- fails to immediately notify in writing a person in charge of the inability to conduct the nursing care procedures (Article 21, Paragraph 2),
- obstructs an inspector in the lawful performances of duties or the lawful exercise of powers under this Act according to Article 26, Paragraph 2,
- doesn't fulfil ordered corrections determined by the Professional supervision inspection control committee.

X. TRANSITIONAL AND FINAL PROVISIONS

Article 34

Ministry of Health and Croatian Nursing Association will found a Council within the six-month period from the enforcement of this Act.

Minister of Health will appoint a Founding committee of Croatian Nursing Council within the three-month period from the enforcement of this Act.

The Council is obliged to adopt general acts defined by this Act within the six-month period from the date of its foundation.

Article 35

Regulations for which the Minister of Health is authorised should be conveyed in period of six months.

Article 36

Nurses can continue practising nursing care as team members under condition to join Council Register not latest then two year time, starting with date of enforcement of this Act.

Nurses working independently by the so far valid regulations can continue their work under condition to acquire valid professional licence, within two-year period from the date of enforcement of this Act.

Article 37

This Act comes into force on the eight day of its announcement in the National Gazette¹.

Class: 500-01/03-01/05
Zagreb, 17th July 2003

CROATIAN PARLIAMENT
President of the Croatian Parliament
Zlatko Tomčić, v.r.

¹ National gazette = Narodne novine