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Medical assistants must not refer to themselves as “nurses”

It is unethical, illegal, and a disservice to the medical assisting profession for medical assistants to refer to themselves as “nurses,” “office nurses,” “doctors’ nurses,” or any other generic term that even remotely implies that medical assistants are nurses.

The *Model Nurse Practice Act* published by the National Council of State Boards of Nursing (NCSBN) includes the following language:

Article VII. Title and Abbreviations

Section 1.

a.

...

b. It shall be unlawful for any person to use the title “nurse,” “registered nurse,” “licensed practical/vocational nurse,” “advanced practice registered nurse,” their authorized abbreviations, or any other title that would lead a person to believe the individual is a licensed nurse unless permitted by this Act.

Note that this NCSBN document not only forbids the use of certain terms and abbreviations, but also prohibits “any other title that would lead a person to believe the individual is a licensed nurse.” In other words, if a title or abbreviation or any other type of designation would cause a reasonable person to conclude that

a certain health professional is a “nurse” of some sort, there could be a violation of the law.

The following excerpts from state Nurse Practice Acts provide examples of how states are addressing this issue:

Texas—Chapter 301, Section 301.251

...

(d) Unless the person holds a license under this chapter, a person may not use, in connection with the person’s name:

- (1) the title “nurse”; or
- (2) any other designation tending to imply that the person is licensed to provide nursing care.

New York—Article 138, Nursing, Section 6903

...No person shall use the title “nurse” or any other title or abbreviation that would represent to the public that the person is authorized to practice nursing unless the person is licensed or otherwise authorized under this article.

Indiana—Article 23, Nurses, Section 25-23-1-27, Violations; penalty

A person who:

...

- (4) uses in connection with the person’s

name any designation tending to imply that the person is a registered nurse or a licensed practical nurse unless licensed to practice under this chapter...;

...

commits a Class B misdemeanor.

Florida—Chapter 464, Nursing, Part I, Nurse Practice Act, Section 464.016, Violations and penalties

...

(2) Each of the following acts constitutes a misdemeanor of the first degree...

- (a) Using the name or title “Nurse,” ...or any other name or title which implies that a person was licensed or certified as same, unless such person is duly licensed or certified.
- (b) Knowingly concealing information relating to violations of this part.

Illinois—225 ILCS 65, Nurse Practice Act, Article 50, General Provisions, Section 50-50, Prohibited acts

(a) No person shall:

- ...(6) Use any words, abbreviations, figures, letters, title, sign, card, or device tending to imply that she or he is a registered professional nurse, including the titles or initials, “Nurse,” ...or similar titles or initials with intention

of indicating practice without a valid license as a registered professional nurse;

...

- (b) Any person, including a firm, association or corporation who violates any provision of this Section shall be guilty of a Class A misdemeanor.

As this author has frequently written and spoken about during the last 20 years, it is imperative that medical assistants scrupulously avoid conveying the message that they are nursing personnel, or members of any profession other than medical assisting. Recall the following

admonition in “Your Office Staff Can Get You Sued”:

A medical assistant should never be referred to as a “nurse,” “office nurse,” or “doctor’s nurse.” In every state this is a violation of the Nurse Practice Act, and can result in fines and penalties. All office personnel should avoid referring to medical assistants as “nurses.” If a patient addresses a medical assistant as a nurse, the patient should be corrected politely and pleasantly.¹

As the medical assisting profession and, especially, the CMA (AAMA) become more prominent in the 21st century health workforce because of the Patient-Centered Medical Home movement, and in greater

demand because of President Obama’s Patient Protection and Affordable Care Act, it is more important than ever that medical assistants proudly and unambiguously identify themselves as members of one of the fastest growing and most important professions in the United States of America. ◀

References

1. Balasa DA. Your office staff can get you sued: protect your practice by employing CMAs (AAMA). *CMA Today*. 2010; 43(3): 6–7. Published July 1, 2006. Reprinted May 1, 2010.

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