



LEGAL NURSE CONSULTANT
CERTIFIED

Accredited by the American Board of Nursing Specialties

Certification Information Handbook and Application

Examination date:

Computer Based Test: March 21 – April 4, 2011
Computer Based Test: October 17 – October 31, 2011
Computer Based Test: March 19 – April 2, 2012
Computer Based Test: October 15 – October 29, 2012

**Postmark application
deadline:**

February 7, 2011
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September 3, 2012

Effective through October 2012

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About the American Legal Nurse Consultant Certification Board® (ALNCCB)

The ALNCCB administers the Legal Nurse Consultant Certified (LNCC®) program. It is a functionally autonomous component of the American Association of Legal Nurse Consultants. The policies, fees, and procedures outlined in this handbook are subject to change without notice.

American Legal Nurse Consultant Certification Board

401 North Michigan Avenue, Suite 2200

Chicago, IL 60611

877/402-2562 or 312/321-5177

E-mail: info@lncertified.org

About Schroeder Measurement Technologies, Inc. (SMT)

By contract with the ALNCCB, SMT provides examination development, administration, and application services for the LNCC examination.

SMT

25400 US Hwy 19 N, Suite 285

Clearwater, FL 33763

Toll Free 800/556-0484 or (727) 738-8727 Fax (727) 734-9578

LEGAL NURSE CONSULTANT CERTIFIED CERTIFICATION HANDBOOK

INTRODUCTION

Certification as a Legal Nurse Consultant Certified (LNCC[®]) shows nurse colleagues, clients, employers, and others in the medical-legal system that you are knowledgeable of, experienced in, and committed to the specialty of legal nurse consulting. The process of becoming certified enhances your professional development and provides opportunities for professional growth. Individuals who earn the LNCC credential obtain objective validation of their expertise.

MISSION

The mission of the LNCC program is to promote expertise and professionalism in the practice of legal nurse consulting by recognizing practitioners who have met defined criteria and demonstrated knowledge on a certification examination in the specialty. The certification program is not designed to determine who is qualified or who shall engage in legal nurse consulting, but rather to promote a level of expertise and professionalism by documenting individual performance as measured against a predetermined level of knowledge about legal nurse consulting.

PROGRAM DEVELOPMENT AND ADMINISTRATION

The LNCC program is administered by the American Legal Nurse Consultant Certification Board[®] (ALNCCB). ALNCCB was founded by the American Association of Legal Nurse Consultants (AALNC) in 1997 as a functionally autonomous component of AALNC. ALNCCB is composed of six board members who are legal nurse consultants and LNCC's, plus a public representative. ALNCCB members are elected to represent the diverse roles and settings in which legal nurse consultants practice as well as varied demographic characteristics.

ALNCCB works with a testing company, SMT, to offer the LNCC examination. SMT staff members have extensive experience in the development and administration of certification and licensure examinations for nurses.

The LNCC program is accredited by the American Board of Nursing Specialties (ABNS). ABNS accreditation means that nursing certification programs have met high standards for testing.

ELIGIBILITY CRITERIA

To become an LNCC, the ALNCCB requires that a candidate meet all eligibility criteria, complete the enclosed application form, pay all fees, and achieve a passing score on the certification examination. No individual shall be excluded from the opportunity to participate in ALNCCB's certification program on the basis of race, color, national origin, religion, sex, age, marital and sexual orientation or disability. To be eligible to take the examination, candidates must have the following **at the time of application**:

- ◆ current licensure as a registered nurse in the United States or its territories, with a full and unrestricted license
- ◆ a minimum of five years experience practicing as a registered nurse
- ◆ 2000 hours of legal nurse consulting experience within the past three years.

PRACTICE OF LEGAL NURSE CONSULTING

The following guidelines are intended to provide a framework for defining experience that meets the eligibility criteria for LNCC certification. They are based on *Legal Nurse Consulting: Scope and Standards of Practice* (July 2006) published by ANA.

The activities that satisfy the eligibility requirement for 2000 hours of legal nurse consulting experience must meet all three of the following criteria:

1. The activities must be performed at the request of a client (e.g., a law firm, insurance company, hospital, or other agency involved in legal processes), and
2. The activities must be related to claims or cases in which the education and experience of a registered nurse are necessary, and
3. The activities must be of the kind that are generally considered billable.

Examples of these activities are:

Collecting, organizing, and reviewing medical records and other relevant healthcare or legal documents.
Summarizing and analyzing the information in medical records and other relevant healthcare or legal documents.

- ◆ Assessing issues of liability, causation, and/or damages.

- ◆ Researching relevant healthcare-related literature, guidelines, standards, regulations, etc.
- ◆ Communicating verbally or in writing with clients, appropriate parties, experts, and witnesses.
- ◆ Identifying, locating, evaluating, and conferring with experts.
- ◆ Conferring with clients and appropriate parties regarding case strategies.
- ◆ Drafting documents or other materials to be used as attorney work product or as evidence.
- ◆ Attending interviews, depositions, hearings, mediations, arbitrations, or trials.
- ◆ Contacting and conferring with vendors to develop demonstrative evidence or to collect costs of healthcare services, supplies, and/or equipment.
- ◆ Testifying at depositions, hearings, arbitrations, or trials.
- ◆ Training or supervising other nurses in the practice of legal nurse consulting.
- ◆ Explaining the theory and practice of relevant health sciences or healthcare issues to legal professionals and other members of the legal team.
- ◆ Instructing other healthcare professionals in the aspects of legal liability pertaining to their own practice.

Activities which may be potentially billable but may **NOT** be used to satisfy this eligibility requirement are:

- ◆ Traveling to and from sites to perform any of the above activities.
- ◆ Accounting and billing as part of managing a business.
- ◆ Marketing as part of managing a business.
- ◆ Solely waiting to give testimony.

AUDITS

Random audits of applications will be conducted. Applicants who are audited are required to provide copies of logs, outlines, calendars, time sheets, billing statements, **or** documentation forms from employers or clients verifying the number of practice hours submitted. All information will be kept in confidence and used only for the purpose of determining eligibility for certification or renewal. Individuals who do not complete the audit process will not be eligible for, or be issued certification, until they do so.

COMPLETING THE APPLICATION FORM

1. Complete all sections of the application. Be sure to include your Social Security number since it will serve as your identification number.
- 2.
3. Print or type all information except your signature.
4. Attach a photocopy of your current RN license (or a letter from the state board of nursing verifying current licensure and its expiration date) to the application.
5. If you are an AALNC member, attach a photocopy of your current membership card to the application.
6. Include the appropriate application fee. Make your check payable to SMT.
7. Mail the application form with attachments and your payment ***no later than the specified postmark deadline date*** (on the cover of this booklet) to:

LNCC Certification Program
c/o SMT
2494 Bayshore Blvd. Suite 201
Dunedin, FL 34698-9961

The application will be considered incomplete if any of the requested information or the appropriate fee is not included. Candidates will be informed of any steps necessary to complete their applications. Examination permits will be issued only to candidates with complete applications.

Substitution of candidates cannot be made and no such request will be honored. ALNCCB reserves the right to verify the eligibility of any applicant.

CANCELLATIONS

Computer Based Administration

Cancellations/Reschedules must be submitted in writing to SMT within 5 business days prior to scheduled exam, unless you have a death in the family, military deployment or doctor's note in which case you must submit written documentation to receive a full refund. Those who cancel/reschedule will receive a refund of the application fee less a \$25 administrative fee.

EXAMINATION SITES AND DATES

The LNCC examination is offered twice each year, in the spring and fall, at approximately 30 SMT test sites. See the cover for test dates and application deadlines.

Additional sites can be added for groups of ten or more. Contact SMT for information on setting up a site for your group.

The Computer Based Test (CBT) examinations are offered twice each year with an approximate 2 week window. There are over 300 CBT sites to choose from and candidates will be able to schedule an exam nearest to their home/work.

More specific directions will be sent by SMT with your application confirmation prior to your testing date. Note: if traveling to any of these sites presents a major difficulty, you may contact SMT directly at (866) 773-1114 to request a special testing site. *Sites are subject to cancellation for insufficient registration.*

FEES

The fees for the 2011 -2012 LNCC examination are as follows:

Application Fee

AALNC* member	\$325
Non-member	\$395

*For information on joining AALNC, call 877/402-2562 or visit the web site at www.aalnc.org.

Returned Check Fee \$20

Any applicant whose personal check is returned for insufficient funds is required to pay this fee. Remittance of fees thereafter must be by money order or certified check.

EXAMINATION DESCRIPTION

The certification examination is based on an analysis of legal nurse consulting practice. The practice analysis and the examination were developed with the assistance of SMT. The test consists of 200 multiple choice items and is approximately 4 hours in length. It

is designed to test the nurse's ability to apply legal nurse consulting knowledge. Questions are in the form of case studies; a reading passage is followed by one or more questions related to the passage. The scope of the examination, content areas, and the weights assigned to each area are as follows:

Scope of the Examination

The LNCC examination is designed to measure the nurse's ability to:

- ◆ Collect and investigate/research legal documents, medical records, nursing and healthcare literature, standards/guidelines, costs, etc., as related to a case, concerning issues of duty, breach of duty, causation, and damages.
- ◆ Analyze data - medical records, legal documents, nursing and healthcare literature, standards/guidelines, costs, etc., as related to the case, concerning issues of duty, breach of duty, causation, and damages.
- ◆ Facilitate communication with: (a) clients (e.g., attorney, claims manager, agency), (b) parties (i.e., claimant, plaintiff, defendant), and (c) experts, witnesses, and vendors.
- ◆ Draft documents, including attorney work product, in healthcare related cases.
- ◆ Educate those involved (self, attorneys) in the legal process regarding: (a) the medical and healthcare facts related to the issues of the case, and (b) healthcare providers regarding real issues in the health sciences. Pursue for self and provide for others continuing education in the specialty of legal nurse consulting.
- ◆ Develop case strategies or plans, including life-care plans and/or case management plans, in collaboration with clients.
- ◆ Support the process of adjudication of legal claims (e.g., trial, settlement, arbitration, or mediation).
- ◆ Testify as an expert opinion or fact witness.

Content Areas of the Examination

Medical malpractice (27-31%)
Personal injury (19-23%)
Product liability/toxic tort (10-14%)
Workers' compensation (12-16%)
Life care planning (4-7%)
Risk management (5-9%)
Elder law (3-6%)
Criminal/forensic (1-4%)
Administrative health law/Regulatory compliance (4-8%)

CBT EXAMINATION PERMIT

Upon review of your completed application, ISO Quality Testing (IQT) will send you a pre-registration email. This will include instructions as well as your username and password to login into the IQT website and to schedule your exam. Once you have scheduled your exam, you will immediately receive your admissions letter. If you have any questions, or lose your admission document, notify IQT immediately at (866) 773-1114.

If you do not receive your examination permit 10 days prior to the examination date, please contact SMT at (727) 738-8727 and ask for the LNCC Program Manager. If you lose your admission document, notify SMT immediately and request a duplicate authorization. Exam proctors are instructed to admit only those candidates who are listed on the attendance roster for the test center and who have examination admission document or special authorization.

NOTIFICATION OF EXAMINATION SCORES

Computer Based Test candidates will receive their scores immediately following the completion of their exam.

A total score will be provided for candidates who successfully pass the examination.

A total score and subscores in all the major test areas of concentration will be provided for candidates who do not pass the examination.

Scores will also be provided to the American Legal Nurse Consultant Certification Board.

HOW EXAMS ARE SCORED

The passing score for the LNCC examination was set using the modified-Angoff approach, a standard process in the testing industry for determining a fair and appropriate passing point. Many certifying and licensing bodies use this method. The process involves a panel of legal nurse consultants evaluating the probability that a minimally qualified candidate will be able to answer each question correctly. The panelists' ratings are then combined in a statistical process to identify a recommended passing score, which is approved by the ALNCCB. This passing score identifies a standard level of knowledge needed to pass the examination.

Different forms of the examination are used over time to ensure that the examination reflects current practice and to maintain security. Because different forms may be slightly more or less difficult, a raw score, such as answering 175 of 200 questions correctly, would be unfair. To keep the passing standard consistent, examinations are equated so that differences in level of difficulty are adjusted. A scaled score is used so that the passing score is always the same. To pass the LNCC examination a scaled score of 95 is needed.

DESIGNATION OF CERTIFICATION

The LNCC credential is awarded to those who successfully complete the certification process by meeting the eligibility criteria and passing a written multiple-choice examination. Those who achieve certification are designated as Legal Nurse Consultant Certified and may use the LNCC credential after their names.

Approximately six weeks after you receive your score report, you will be sent a personalized certificate documenting your achievement of the LNCC credential along with important information about maintaining your certification. Be sure to contact the ALNCCB if you do not receive this information within two months of receiving your score report.

LNCC certification is valid for a period of five years from the last day of the month in which the examination was passed.

CERTIFICATION RENEWAL

Renewal of certification is available by examination or by continuing education. In order to renew certification, LNCCs must have a current, unrestricted RN license, evidence of 2000 hours of legal nurse consulting practice within the five years prior to renewal, and either pass the LNCC examination or submit 60 contact hours which meet specified criteria. There will be a fee to renew by examination and to renew by contact hours; these fees will be similar.

Information about renewing certification will be sent approximately one year prior to certification expiration. ***It is the responsibility of the LNCC to notify the ALNCCB of any change in address and to obtain renewal information to meet renewal deadlines.*** There is no appeal or deadline extension based on failure to receive renewal notices. Questions related to renewing certification should be directed to the ALNCCB using the contact information provided on Page 1.

CONFIDENTIALITY AND PUBLIC INFORMATION

To ensure the security of the examination, the test materials are confidential and individual results will not be released to any person or agency except the candidate and the ALNCCB. A candidate's individual test results will be released to others only upon the candidate's written request.

When a nurse has achieved LNCC certification, that fact is considered public information. It is the ALNCCB's policy to verify certification upon request and to publish names of certificants. ALNCCB does not provide information about certification status other than whether an individual is certified and when certification will expire.

RE-EXAMINATION

A candidate who does not pass the examination on the first testing may take the examination at the next scheduled test date upon payment of the fee. It is not necessary to submit a new application. However, the candidate is responsible for updating the file as needed to provide SMT with evidence of current RN licensure and, if applicable, AALNC membership. To take the examination again after the next scheduled test, the nurse must submit a new application and fee.

RECONSIDERATION AND APPEAL

A reconsideration and appeal procedure is available to individuals who wish to contest an adverse decision made by ALNCCB. All requests must go through reconsideration prior to appeal.

Exceptions: An individual does not have the right of reconsideration or appeal of actions: (1) resulting from the lack of a current, full, and unrestricted license as a registered professional nurse, (2) resulting from failure to meet published deadline(s), or (3) based on ALNCCB's actions in setting a passing score which resulted in the individual's failure to pass the certification examination. Validation of the accuracy of scoring of an examination is permitted by handscoring, which is conducted by the testing agency (SMT).

A request for reconsideration shall be filed in writing by the applicant with ALNCCB within 45 days following the date on which the adverse decision was mailed to the applicant. The request for reconsideration shall state the reasons why the decision is being contested. Following receipt of a request for reconsideration, ALNCCB shall review the request, and the applicant shall be notified in writing of the decision of ALNCCB

by letter postmarked not later than 30 days following the date of the review.

An appeal may be filed in writing by the applicant with the Appeals Panel of American Legal Nurse Consultant Certification Board within 60 days following the date on which the adverse decision on the request for reconsideration was mailed to the applicant. The applicant shall state the reasons why the decision is being contested. Following receipt of an appeal, the Appeals Panel shall notify both the ALNCCB Board of Directors. Within 30 days following such notification, ALNCCB shall submit a written statement to the appeals panel, setting forth its position with regard to the appeal, including reasons why the decision of ALNCCB should be sustained.

The Appeals Panel appointed by the ALNCCB has full and final authority to deny, revoke, or reinstate LNCC certification. Within 90 days following receipt of the appeal, the Appeals Panel shall treat the appeal at a meeting, telephone conference call, or other means. The applicant shall have the opportunity to present his or her case in person. The applicant and ALNCCB shall be notified in writing of the decision of the Appeals Panel by letter postmarked not later than 30 days following the date on which the appeal was treated.

Any expenses incurred for appeal shall be the responsibility of the individual applicant.

ARRANGEMENTS FOR APPLICANTS WITH DISABILITIES

The ALNCCB and SMT will make special testing arrangements to accommodate candidates with disabilities that interfere with test taking. If you wish to make such arrangements, you must notify SMT in writing no later than six weeks prior to the test date with documentation of the disability.

PREPARATION FOR THE EXAMINATION

Most nurses will want some level of preparation prior to taking the examination. Such preparation can take the form of a review course, study group, or independent work. The ALNCCB recommends evaluating the scope and content of the examination (pages 5-6) to identify areas upon which to focus, then determining what preparation method(s) best meet your learning needs and schedule.

The following is a list of publications that may be helpful in reviewing for the examination. ALNCCB does not intend this list to imply endorsement of these

specific publications. ALNCCB does not sponsor or endorse specific review courses for the LNCC examination.

SUGGESTED RESOURCES

Aiken, T.D. (2004). *Legal, ethical, and political issues in nursing*. Philadelphia: F.A. Davis.

American Association of Legal Nurse Consultants (AALNC). (2006). *Legal nurse consulting: Scope & standards of practice*. Chicago, IL: ANA and AALNC contributors.

American Association of Legal Nurse Consultants (AALNC). (2005). *AALNC code of ethics & conduct*. Chicago, IL: AALNC representatives.

American Association of Legal Nurse Consultants (AALNC). (2003). *Guidelines for practice as a nurse expert witness*. Chicago, IL: AALNC contributors.

American Association of Legal Nurse Consultants (AALNC). (Peterson, A., Kopishke, L.) (2010). *Legal nurse consulting: principles and practice*. (3rd ed.). Boca Raton, FL: CRC Press.

American Association of Legal Nurse Consultants. *Journal of legal nurse consulting*. (Published quarterly) Chicago, IL.

American Association of Legal Nurse Consultants. (2005). *Introduction to Legal Nurse Consulting*. Chicago, IL: AALNC Contributors. (Independent Study Program).

American Association of Legal Nurse Consultants. (2000). *Professional legal nurse consulting course*. Chicago, IL: Patricia Constantini and Jan Foster. (Independent Study Program).

Beckman, J. (1995). *Nursing malpractice: implications for clinical practice and nursing education*. University of Washington Press: WA.

Bernzweig, E. (1996). *The nurses liability for malpractice*. (6th ed.) St. Louis: C. V. Mosby.

Brent, N. (2001). *Nurses and the law: a guide to principles and application*. Philadelphia: W.B. Saunders.

Carroll, R. (Ed.). (2001). *Risk management handbook for health care organizations* (3rd ed.). San Francisco, Jossey-Bass.

Cohn, B., & Azara, A. (1998). *Legal aspects of emergency services*. Philadelphia: W.B. Saunders.

Cowen, P.S. & Moorhead, S. (2006). *Current issues in nursing*. 7th ed. St. Louis: Elsevier/Mosby.

Deutsch, P.M. & Sawyer, H.W. (2005). *A guide to rehabilitation testimony*. White Plains, NY: Ahab Press.

Fischbach, F. (1991). *Documenting care: Communication, the nursing process and documentation standards*. Philadelphia: F.A. Davis

Fischer, L., Schimmel, D., & Kelly, C. (2003) *Teachers and the law*. (5th ed.) Addison, NY: Wesley Pub. Co.

Fremgen, B. (2005). *Medical law and ethics*. 2nd ed. Upper Saddle River, NJ: Prentice-Hall.

Fuetz-Harter, S.A. (1997). *Nursing and the law*. (6th ed.). Eau Claire, WI: Professional Education Systems, Inc.

Guido, G.W. (2006). *Legal issues in nursing*. (4th ed.). Stanford, CT: Appleton and Lange.

Hall, M.A., Orentlicher, D., & Bobinski, M.A. (2003). *Health care law and ethics*. (6th ed). Gaithersburg, MD: Aspen Publishers, Inc.

Iyer, P. (Ed.) (2001). *Nursing malpractice*. Tuscon, AZ: Lawyers and Judges Publishing Company.

Iyer, P. (Ed.) (2001). *Nursing home litigation: investigation and case preparation*. Tuscon, AZ: Lawyers and Judges Publishing Company.

Joint Commission on Accreditation of Healthcare Organizations. *Joint Commission Comprehensive Accreditation Manual* (series) (Published annually with quarterly updates). Oakbrook Terrace; IL: Author.

Judson, K. & Hicks, S.B. (2005). *Law and ethics for medical careers*. New York: McGraw Hill.

Lee, N.G. (2001). *Legal concepts and issues in emergency care*. Philadelphia: Elsevier/Saunders.

Miller, R.D.D. (2006). *Problems in health care law*. (9th ed.) Boston: Jones & Bartlett.

Nielsen, R. (2000). *OSHA regulations & guidelines: a guide for health care providers*. Albany, NY: Delmar Publishers.

Pence, G. (1998) *Classic works in medical ethics*. Blue Ridge Summit, PA: McGraw-Hill Publishing.

Posgar, G.D. (2001). *Legal aspects of health care administration*. (8th ed.) Gaithersburg, MD: Aspen Publishers, Inc.

Ronstant, D.M. & Cady, R.F. (1999). *AWHONN'S liability issues in perinatal nursing*. Philadelphia: Lippincott-Raven.

Rozovsky, F.A. (2000). *Consent to treatment: a practical guide*. (3rd ed.) Gaithersburg, MD: Aspen Publishers, Inc.

Weed, R., & Field, T. (2001). *The rehabilitation consultant's handbook*. (3rd ed.) Athens, GA: Elliot and Fitzpatrick, Inc.

Wheeler, S. & Windt, H. (1993). *Telephone triage: theory, practice & professional development*. Albany, NY: Delmar Publishers.

AALNC has additional educational resources available that may be useful for LNCC exam preparation. For information on educational materials published by AALNC, visit the online bookstore at www.aalnc.org or contact:

AALNC
401 North Michigan Avenue
Chicago, IL 60611
877/402-2562
E-mail: info@aalnc.org

SAMPLE QUESTIONS

The following questions are examples of the type of scenario and multiple-choice items that appear on the LNCC examinations. They do not reflect levels of difficulty or full range of content of the actual LNCC examinations. Answers to these questions are at the end of each scenario.

Scenario #1

Darla Simpson, 50 years old, visited her primary care practitioner's (PCP's) office with complaints of shortness of breath and generalized edema. The physician advised hospitalization. At 4:00 p.m., she was admitted to a general medical-surgical unit of the local community hospital. Arterial blood gases (ABGs) were drawn, and oxygen was administered at two liters per minute. At 5:00 p.m., the evening nurse called the PCP with the ABG results, which indicated Mrs. Simpson's pO₂ was abnormally low. The physician instructed the nurse to increase the oxygen flow to four liters per minute. The evening nurse, a newly licensed RN, documented these activities on the medical record; however, when giving the change-of-shift report to the night nurse, the evening nurse did not mention the ABG results.

At midnight, the nurse noted Mrs. Simpson's vital signs were stable and she was resting comfortably. At 3:00a.m., the nurse heard Mrs. Simpson singing and went to her room. Mrs. Simpson said, "Am I being bad? I want a cigarette!" The nurse disconnected the oxygen and gave Mrs. Simpson a cigarette. When talking to Mrs. Simpson, the nurse observed she appeared confused. At 3:30 a.m., the nurse gave Mrs. Simpson her hs prn sedative, zolpidem tartrate (Ambien) 10mg po. Oxygen administration was not resumed because Mrs. Simpson refused to keep the oxygen tubing in place. Mrs. Simpson remained confused. The nurse accurately documented all of these events.

At 5:30 a.m., the nurse found Mrs. Simpson unresponsive and called a code. Mrs. Simpson was resuscitated, and at 6:15 a.m., she was transferred to the intensive care unit. Mrs. Simpson remained in a permanent vegetative state and, after 2 months, was transferred to a long-term care facility. Her family has sought legal counsel to file a lawsuit.

Questions

1. For which of these reasons might the evening nurse be found liable?
 - a. The nurse did not report the ABG results to the night nurse.
 - b. The evening nurse took a verbal order to raise Mrs. Simpson's oxygen flow rate.
 - c. The evening nurse did not have the ABG results rechecked.
 - d. The evening nurse did not assign a staff member to stay with Mrs. Simpson.
2. The defense LNC is summarizing Mrs. Simpson's medical record. Which of these segments of time deserves the *most* detail?
 - a. From the time of the visit to the general practitioner's office to 5:30 a.m.
 - b. From 5:30 a.m. to 6:15 a.m.
 - c. From the time of admission to the hospital to 6:15 a.m.
 - d. From the time of admission to the hospital to the time of admission to the long-term care facility.

Answers and Rationales

1. A - An essential part of a nurse's role is to report pertinent data from shift to shift. The ABGs showed a significant change and should have been reported to the right nurse. If the night nurse had been aware, the outcome of the case might have been changed.
2. C - The defense LNC is interested in discovering if the nurses, indeed, were at fault; in this case, the hospital needs to settle the case; therefore, the time from admission to the time of the transfer to ICU (6:15 a.m.) is the most important period to review in detail.

Scenario #2

A mill in rural northern Wisconsin supplies asphalt to various road construction companies. Ben Johnson worked at the mill from spring through fall each year for 10 years. His responsibilities included cleaning the mill every day with the solvent benzene. Because of the rustic surroundings, Mr. Johnson lived at the mill during the work week. Since there was no water on the premises, he brought a supply of drinking water with him at the beginning of each week, but he had no means to shower or clean his clothes at the mill. After 10 years of employment, Mr. Johnson was diagnosed with acute myelocytic leukemia. He received workers' compensation benefits until his death 8 months later. Following Mr. Johnson's death, his family sought counsel to inquire about a potential suit against the owner of the mill.

Questions

1. The LNC working with the plaintiff attorney should understand the mill owner cannot be sued because the Johnson case involves
 - a. a toxic tort.
 - b. criminal liability.
 - c. workers' compensation.
 - d. product liability.
2. The plaintiff LNC should be aware that since Mr. Johnson worked outdoors, the expert retained to determine if his exposure exceeded the permissible exposure limit (PEL) of benzene will have difficulty measuring its
 - a. route.
 - b. duration.
 - c. frequency.
 - d. dose.
3. To determine the permissible exposure limit (PEL) of benzene, the plaintiff LNC should contact which of these agencies?
 - a. Society of Toxicology (SOT).
 - b. Environmental Protection Agency (EPA).
 - c. Centers for Disease Control and Prevention (CDC).
 - d. Occupational Safety and Health Administration (OSHA).
4. In order for the plaintiff LNC to communicate to the attorney pertinent information about the safe handling of benzene, the LNC should provide the attorney with the
 - a. Material Safety Data Sheet (MSDS).
 - b. Threshold limit value (TLV).
 - c. Recommended exposure limit (REL).
 - d. Hazards Communication Standard (HCS).
5. Prior to expert depositions, the defense LNC is asked to prepare a report of Mr. Johnson's medical events. The best format for the LNC's report would be a
 - a. detailed chronology from the time of his employment.
 - b. narrative summary of each of his health care provider's records.
 - c. detailed chronology of his lifetime medical history
 - d. narrative summary outlining his adult health history.

Answers and Rationales

1. C - In general, workers' compensation laws provide that in exchange for paying workers' compensation for damages, the employer receives immunity from lawsuits. Although this immunity may not apply under certain circumstances, it would apply in this situation.
2. D - The exposure occurred outdoors, rather than in an enclosed space where the level of benzene could be measured. Since the exposure level was variable, it is difficult to estimate the dose of chemical he received.
3. D - OSHA is the governmental agency responsible for setting the standards for chemical exposures in the workplace.
4. A - A Material Safety Data Sheet (MSDS) must be developed by chemical manufacturers and importers for each hazardous chemical they produce or import and must be provided to distributors or employers with their initial shipment of the chemical and after a MSDS is updated. The MSDS includes information about the physical and health hazards, primary routes of entry, exposure limits, and precautionary measures for safe handling and use, as well as other information. Copies of the required MSDS for each hazardous chemical in the workplace must be maintained and made readily accessible during each work shift to all employees.
5. C - As part of the defense team, the defense LNC would look at the plaintiff's lifetime medical history to determine any contributory factors or alternative causes of illness that might weaken the plaintiff's case.

Additional information about LNCC certification can be found at www.lnccertified.org or by requesting an exam Handbook and Application by emailing info@lnccertified.org.

**Legal Nurse Consultant Certified
Certification Examination**

Application

Instructions: All candidates must complete sections A and D. Candidates applying for initial certification must complete section C. Candidates applying for certification renewal by examination must complete section B. Please type or print all information requested. All application materials must be postmarked by the specified deadline date on the front cover.

SECTION A This section must be completed by **all candidates.**

Computer Based Administration (please check box)

Name: _____
Last (Previous Last Name First Middle Initial

Social Security Number: _____

Mailing Address: _____

City State Zip

Home Phone: _____ Work Phone: _____

E-Mail Address: _____

RN licensure

State: _____ Permanent Number: _____

Date of Original Licensure: _____ Expiration Date: _____

SECTION B This section must be completed by **current LNCCs** applying for certification renewal by examination.

Date of initial certification: _____

Have you completed 2000 hours of legal nurse consulting experience within the previous 5 years?

Yes No

SECTION C This section must be completed by candidates applying for **initial certification.**

Have you practiced as a registered nurse for at least five years?

Yes No

Do you have at least 2000 hours of experience in legal nurse consulting within the past three years?

Yes No

SECTION DThis section must be completed by **all candidates**.

Please indicate your years of experience in legal nurse consulting:

- (1) 2 or less years (2) 3 – 5 years (3) 6 –10 years (4) 10 or more years

Please indicate the highest level of *nursing* education you have completed:

- (1) Diploma (3) Baccalaureate Degree (5) Doctorate
 (2) Associate Degree (4) Master's Degree

Please indicate the highest level of education you have completed that is *not in nursing*:

- (1) Associate Degree (4) Doctorate
 (2) Bachelor's Degree (5) Juris doctorate
 (3) Master's Degree (6) Other, please specify:

Please check your practice setting as a legal nurse consultant:

- (1) Independent practitioner (5) Insurance company
 (2) Law firm (6) Governmental agency
 (3) Hospital (7) Health management system (HMO)
 (4) Legal nurse consulting firm (8) Other, please specify:

Please check the area of your current practice as a legal nurse consultant. You may check more than one area.

- (1) Medical malpractice (defense) (8) Workers' compensation
 (2) Medical malpractice (plaintiff) (9) Risk management
 (3) Expert witness (10) Life-care planning
 (4) Personal injury (defense) (11) Administrative healthcare law
 (5) Personal injury (plaintiff) (12) Criminal/forensic
 (6) Product liability/toxic tort (defense) (13) Elder law
 (7) Product liability/toxic tort (plaintiff) (14) Other, please specify:

Please describe your employment history, including self-employment, for the past ten years, beginning with present employment. Do **not** send resumes. (Use a blank sheet of paper if additional space is needed.) Please include the phone number of your most recent employer. If you are self-employed, please include the name and phone number of one client.

From	To	Employer & Address	Position Title	Hours/Month
_____ Month Month _____ Year Year	_____ _____ _____ Telephone: _____ Fax: _____		Average hours per month Or Total # hours for this employer	
_____ Month Month _____ Year Year	_____ _____ _____ Telephone: _____ Fax: _____		Average hours per month Or Total # hours for this employer	
_____ Month Month _____ Year Year	_____ _____ _____ Telephone: _____ Fax: _____		Average hours per month Or Total # hours for this employer	
_____ Month Month _____ Year Year	_____ _____ _____ Telephone: _____ Fax: _____		Average hours per month Or Total # hours for this employer	

ALNCCB Policy on Denial, Suspension, or Revocation of Certification. The occurrence of any of the following actions will result in the denial, suspension, or revocation of Legal Nurse Consultant Certified (LNCC) certification: (1) falsification of the application; (2) falsification of any material information requested by the ALNCCB; (3) any restrictions such as revocation, suspension, probation, or other sanctions of professional RN license by nursing authority; (4) misrepresentation of LNCC status; and (5) violation of testing procedures.

STATEMENT OF UNDERSTANDING

I hereby apply for the Legal Nurse Consultant Certified examination and verify that all information provided is accurate. I authorize the evaluation and validation of my credentials by ALNCCB. In furtherance of my application, I authorize any individual or organization who may have information concerning my credentials to provide such information to ALNCCB. I hereby waive any claim for damages, or otherwise, that I may have against ALNCCB and any individual or organization that supplies such information by reason of any act or omission by any of them taken in good faith in connection with this application. I understand that the decision as to whether I qualify for certification rests solely and exclusively in ALNCCB and that its decision is final. By signing and submitting this application, I also agree to be bound by all policies and procedures of ALNCCB.

Indicate the appropriate fee and check the method of payment. Submit payment with this application.

\$325 AALNC member \$395 Nonmember

Check/money order enclosed payable to SMT

or

Charge my credit card: Visa MasterCard

Credit Card number: _____ Expiration date: ____/____
month/year

Security code: _____

Billing Address: _____

City

State

Zip

Authorized signature: _____

Please attach the following:

1. photocopy of current RN license or letter from your state board of nursing verifying current licensure and expiration date. Make sure the dates are clearly visible.
2. photocopy of current AALNC membership card (if applicable).

Send application materials and payment to:

LNCC Certification Program

c/o SMT

25400 US Hwy 19 N, Suite 285

Clearwater, FL 33763

If your application is complete, you will receive an Examination Admission Document by email approximately two weeks before the test date. The admission document will include the test date, test center address, and the time you should report to the test center. You will not be admitted to the examination without the admission document and proper photo identification.

If you do not receive your examination permit 10 days prior to the examination date, please contact SMT at (727) 738-8727 and ask for the LNCC Program Manager.