



**MESTRADO
PROFISSIONAL
ENSINO EM CIÊNCIAS
DA SAÚDE E DO MEIO AMBIENTE**

**COMPENDIUM OF LEGISLATION TO SUPPORT
ENTREPRENEURSHIP IN NURSING:
FROM FUNDAMENTALS TO DIGITAL HEALTH**



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INTRODUCTION

“Entrepreneurship is defined as the creation or improvement of something, with the purpose of generating benefits for individuals and society”. (ANDRADE, BEN, & SANNA, 2015).

In nursing, we find the entrepreneurship present in pioneering actions that marked professional history, such as Nurse Florence Nightingale when advancing with nursing care to soldiers wounded in the War, in addition to being the precursor of the scientific education of the profession with the foundation of a School of Nursing. inside the hospital where he worked (COPELLI, ERDMANN & SANTOS, 2019).

In this way, it is possible to understand that entrepreneurship in nursing has, by definition, the union of an action with social impact with the determined behavior of the professional nurse in transforming in a resolute way the reality that surrounds him.

In the research by Colichi et al. (2019) the following characteristics found in an enterprising nurse are listed:

“having a sense of opportunity, being autonomous, independent, flexible, determined, innovative, proactive, self-confident, disciplined, communicative, responsible, taking calculated risks, acting holistically, conquering new scenarios of care-oriented action, adding value to the profession towards society, boost the country's economic growth, carry out financial and conflict management, have legislative awareness and look to the future”.

“The sense of opportunity also appears in the findings as the main characteristic of an entrepreneur in Nursing” (COLICHI et al., 2019).

The private autonomous practice of Nurses has advanced in Brazil and begins to gain prominence with the registration of clinics and offices according to COFEN - Federal Nursing Council.

“Nursing offices are starting to become a reality in several Brazilian states.” (COFEN, 2020)

Specialized service clinics have the opportunity to enter the market in a differentiated way, offering personalized service, with payment facilities, strategic location and agility in service.

The Technical Chamber of Primary Care (CTAB) of the Federal Nursing Council hopes that with the structuring of the network and the registration of Nursing offices and clinics in the Regional Councils, the professional category can advance receiving its recognition in the ANS and consequently its link to the plans. and health insurance (COFEN, 2020).

In order to know how to safely advance and implement an autonomous career plan in the exercise of the Nursing profession, it is imperative to first know its legal and ethical basis.

Nursing consultation, already foreseen and authorized in previous legislation, gained strength with COFEN Resolution 568/2018, which regulates the operation of clinics and offices. (COFEN, 2020)

To undertake is to go in search of an accomplishment. Brazil is a country of entrepreneurs. It is part of the dream of many Brazilians to have or boost their own business. But the road that takes us from dream to reality is made up of a lot of work and knowledge; talent and persistence; focus on goals and commitment. In a word: attitude.

Entrepreneurship is a topic of relevance for professional success, it grows in importance in all areas and gains prominence in the health area. According to SEBRAE (2015), the professionals who are most successful and stand out in the job market are entrepreneurs.

For Gonçalves (2015), health professionals in general do not invest in the competitive market and consequently do not undertake. In practice, we observed that health professionals are interested in professional training, especially in technical knowledge, new forms of treatment and prevention, with excellence in care. However, in everyday life it is clear that the vast majority have little information and guidance to sell their services, in addition to lack of expertise in attracting customers, charging for services provided and thinking of the profession as a business in the self-employment market.

“Health professionals are not very entrepreneurial and, due to the lack of this important behavior, they suffer relatively often from a lack of professional recognition, appreciation and even financial return,” says Gonçalves (2015).

It is worth mentioning that one of the greatest authors in the area of administration, marketing and strategy, Philip Kotler, cited in the articles by Gonçalves (2015) defines that entrepreneurship is a set of behaviors and habits that can be acquired, practiced and reinforced in individuals.

In this way, it is understood that anyone who does not have entrepreneurial characteristics, that is, who does not have this set of behaviors and habits, can become entrepreneurs if they are trained.

For Gonçalves (2015) “Entrepreneurs are those who create something, something different, they change or transform values. This means that the characteristics of a successful entrepreneur, in any area, can be learned with adequate training”. In view of the authors' statements, it is clear that non-conformism and the capacity for action is one of the great qualities of the entrepreneur, who can work both inside or outside an institution.

The foundations for teaching entrepreneurship are provided for in Resolution CNE/CES No. 3, of November 7, 2001, which establishes the National Curriculum Guidelines for the Undergraduate Nursing Course, and in its art. 4

resolves that the training of Nurses aims to provide the professional with the knowledge required for the exercise of general skills and abilities, among which, "they must be able to be entrepreneurs, managers, employers or leaders in the health team". the art. 6 defines the essential contents for the Undergraduate Nursing Course and emphasizes that they should "promote in the student and in the nurse the capacity for autonomous and permanent intellectual and professional development" (CNE/CES; 2001).

Andrade, Angnacci and Sanna (2011) state that "currently in Nursing education, schools find it difficult to incorporate proposals to increase changes in the training of professionals". Corroborating this assertion, Andrade, Dal Bem and Sanna (2015) consider that "training, and adequate preparation, is an important way to stimulate entrepreneurship in nurses, causing effective changes in the view of this professional", making them able to the protagonism of companies with Nursing activities that respond to social issues and also to the needs of the labor market.

It is worth mentioning that for Sales et.al (2008) "it is necessary that all nursing students and professionals follow the path of learning and entrepreneurship".

In search of an encouraging proposal for entrepreneurial practice in Nursing, the present study apprehends the scenario of world health that is suddenly installed during its elaboration.

We could approach entrepreneurship in Nursing through its academic teaching or even about its practice in the opening of health establishments such as the Nursing office, however this study, impacted by the global health reality, was limited to the explanation of entrepreneurship in a new market that emerged before the social isolation introduced in the Sars-cov-2 pandemic, which provided an opportunity to advance the professional exercise of telenursing.

"Telenursing is the nurse-health professional, nurse-nurse or nurse-patient interaction, mediated by devices that overcome the barriers of distance and time." (BARBOSA, 2016)

On March 11, 2020, with the declaration of the World Health Organization (WHO) about the pandemic related to the infectious disease caused by the new Corona virus (Sars-Cov-2), the state of maximum alert of severity in health was established and countless cities, states and countries started the extreme measure of social isolation with lockdowns (WHO, 2020). Free access to various services including face-to-face care in health facilities, such as clinics and offices. Faced with a calamitous scenario, it was urgent and necessary for health professionals and patients to join telemedicine en masse, using video calls (BALDISSERA, 2021). Online consultation, also called teleconsultation, was the fastest and most effective way (Cofen, 2020) found to reach patients in social isolation during the pandemic.

When we consider the new job market that has emerged with the advent of digital technologies, increasingly driven by social media marketing and the

ease of access to the internet in the most remote places, we observe the progressive advance of health professionals who have opened the doors of their offices through digital technology.

“Telenursing has expanded health care coverage to distant, rural, small or sparsely populated regions.” (KURIAKOSE, 2011).

Faced with the challenges of the Sars-Cov-2 pandemic, other categories of health professionals obtained the regulation to exercise teleconsultation, among them nursing professionals.

With the worsening of the health situation, teleconsultations emerged as a new form of assistance. (COFEN, 2020)

Cofen Resolution nº 643/2020 authorizes and regulates, for the duration of the pandemic caused by the new coronavirus, nursing teleconsultation through consultations, clarifications, referrals and guidelines using information and communication technology, with audiovisual and data that allow the remote exchange between the nurse and the patient simultaneously or asynchronously. (COFEN, 2020)

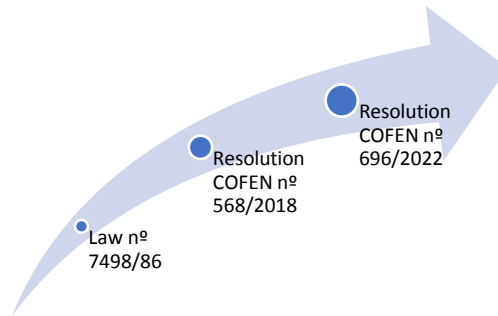
In addition to considering the importance of nurses in the fight against the pandemic, Cofen Resolution No. 634/2020 is also based on Law No. Nursing, explicitly demonstrating the framework of the Nurse in the job market as an autonomous professional.

In the study on the professional autonomy of Nursing, it is imperative to know and understand the relevance of this professional category and the regulation of its private exercise, in accordance with Law No. 7,498/86.

Sachett (2020) highlights the importance of moving towards digital health as a way to reduce secondary emotional damage to patients in isolation.

In order to obtain the scientific basis of this Flipbook, a descriptive research of a qualitative and quantitative nature was carried out on the official website of the Federal Nursing Council - COFEN Portal (<http://www.cofen.gov.br>), with the objective of surveying the Laws , Norms and Resolutions that legitimize, support and guide the professional practice of Nursing, as well as its advancement in the space of digital technology.

Through this electronic book, it is intended to allude to the chronological course of the legislation that legitimizes the autonomy of the professional practice of the Nurse and to provide readers with the texts in full of the main legislation from Law nº 7.498/86 that provides for the regulation of the practice of Nursing until the most current COFEN Resolution nº 696/2022 that authorizes and regulates the Nursing Teleconsultation, available on the COFEN Portal (<http://www.cofen.gov.br>).



“Knowing the legislation that governs Nursing is essential for a safe and ethical professional practice”. (ARRUDA et al., 2020)

Propagating the advancement of the practice of Nursing professionals must be a commitment of all categories and a duty of professionals to update the norms that give legitimacy to their practice.

It is worth mentioning that the speed of sharing information through networks and social media guaranteed a new space for health promotion. However, to undertake in this new space requires knowledge and behavior appropriate to the professional duty.

“Although social networks present facilities, the trivialization of sharing personal health data should not occur. Respect for standards is essential so that professionals do not infringe ethical and legal aspects. This topic should be discussed widely, considering the repercussions of using data without proper legal observance”. (DOS SANTOS & DOS SANTOS, 2022)

The Product was divided into five volumes, named *Introduction*, *Caderno 1*, *Caderno 2*, *Caderno 3* and *Caderno 4*.

The purpose of separating the Flipbook content into five notebooks was to facilitate reader access according to the content of the legislation that is its object of interest.

The laws selected from the research on the COFEN Portal are cataloged in Table 2 “Main Legislations about the autonomous professional practice of nurses”.

The complete contents of the *Introduction* flipbook can be accessed via the following link:

<https://www.flipsnack.com/AE757D77C6F/disserta-o-juliana-produto-introdu-o.html>

Table 2 - Main Legislations about the autonomous professional practice of Nurses

Nº	Type	Year	Number	Title	Menu
1	Law	1986	7498	LAW N 7.498/86, OF JUNE 25, 1986	Provides for the regulation of nursing practice and other provisions.
2	Resolution	2005	264	RESOLUTION COFEN-301/2005 – REPEALS COFEN RESOLUTION nº 264/2001.	Updates the minimum values of the nursing services fee table
3	Resolution	2009	358	RESOLUTION COFEN-358/2009	Provides for the systematization of nursing care and the implementation of the nursing process in environments, public or private, in which professional nursing care takes place, and other measures.
4	Resolution	2017	554	RESOLUTION COFEN Nº 554/2017	It establishes the guiding criteria for the practices of use and behavior of nursing professionals, in the mass media: in the printed media, in advertising, urban furniture and in social media.
5	Resolution	2017	564	RESOLUTION COFEN Nº 564/2017	Approves the new code of ethics for nursing professionals.
6	Resolution	2018	568	RESOLUTION COFEN Nº 568/2018 – AMENDED BY COFEN RESOLUTION Nº 606/2019	Approves the regulation of nursing offices and nursing clinics.
7	Resolution	2020	634	RESOLUTION COFEN Nº 634/2020	Authorizes and regulates, "ad referendum" of the cofen plenary, nursing teleconsultation as a way of combating the pandemic caused by the new coronavirus (sars-cov-2), through consultations, clarifications, referrals and guidelines using technological means, and takes other measures.
8	Resolution	2021	673	RESOLUTION COFEN Nº 673/2021 – AMENDED BY THE ERRATA OF COFEN RESOLUTION Nº 673/2021	Establishes the nurse's work monetary unit (urte) to index the minimum values of their fees and updates the minimum values of nurses' fees in urte.
9	Resolution	2022	696	RESOLUTION COFEN Nº 696/2022	Provides for the role of nursing in digital health, standardizing telenursing.

NOTEBOOK 1

THE AUTONOMOUS AND PRIVATE PROFESSIONAL EXERCISE IN NURSING

Notebook 1 addresses the issue of Entrepreneurship in Nursing and provides Law No. 7,498/86, which regulates the practice of Nursing, and Cofen Resolution No. 358/2009 Provides for the Systematization of Nursing Care, both legislations must be apprehended. by Nurses as the basis for employing all other regulations for autonomous action.



The full content of *Notebook 1* can be accessed through the following link:
<https://www.flipsnack.com/AE757D77C6F/disserta-o-juliana-produto-caderno-1.html>

NOTEBOOK 2

ETHICS IN NURSING: PRACTICE AND PROFESSIONAL BEHAVIOR



Fonte: Autora.

The *Notebook 2* will have as its central theme the ethics in Nursing, containing the rights and duties, the conducts for the practice of professional practice and the behavior recommended to professionals as well as the prohibitions and penalties attributed to infractions. To this end, *Notebook 2* is composed of Cofen Resolutions nº 564/2017 that approves the new Code of Ethics for Nursing Professionals and nº 554/2017 that establishes the guiding criteria for the practices of use and behavior of nursing professionals, in the midst of mass communication, in the printed media, in advertising, street furniture and in social media.

The full content of *Notebook 2* can be accessed through the following link:

<https://www.flipsnack.com/AE757D77C6F/disseta-o-juliana-produto-caderno-2.html>

NOTEBOOK 3

NURSING CONSULTANTS AND TELECONSULTATIONS



Source: Portal Cofen

For *Notebook 3*, the two main resolutions that establish the legitimacy for nurses to advance in the field of private autonomous entrepreneurship were grouped. It is highlighted in COFEN Resolution nº 568/2018 - which regulates the operation of Nursing Offices and Clinics - the guidelines for opening a nursing office or establishment, the model of "Registration Request for Nursing Offices and Clinics" and the model of "Registry of Nursing Practices and Clinics, within the scope of Regional Nursing Councils. And Resolution No. 634/2020 that authorizes and regulates the Nursing Teleconsultation, which in its body lists the data that must be recorded during patient care, and establishes the obligation of the patient's free consent and makes available in the annex the model of " Patient Consultation Consent Term".

NOTEBOOK 4

ENTERPRISE WITH A FOCUS ON FAIR REMUNERATION



In *Notebook 4*, COFEN Resolution No. 301/2005 is contemplated, which sets the annexed values of the Fees for the Provision of Nursing Services, contained in the TABLE to the present resolutive act, with the objective of guiding the enterprising Nurse as to the base value of the nursing services. nursing. And the most current reference of values of Nursing fees through Resolution COFEN nº673/2021 that Establishes the Nursing Work Reference Unit (URTE) to index the minimum values of its Fees and updates the minimum values of nursing fees in URTE .

The Fee Table can be accessed through the following link, available as an annex in COFEN Resolution No. 301/2005 on the COFEN Portal:

http://www.cofen.gov.br/wp-content/uploads/2012/03/anexo_res_301_2005.PDF

The National Table of Nursing Procedures can be accessed through the following link, available as an annex in COFEN Resolution N^o. 673/2021 on the COFEN Portal:

<http://www.cofen.gov.br/wp-content/uploads/2021/08/Resolucao-Cofen-no-673-2021-ANEXO-I-TABELA-DE-PROCEDIMENTOS-DE-ENFERMAGEM-COM-ALTERACAO-DA-ERRATA-DA-RESOLUCAO-COFEN-No-673-2021.xlsx>

The full content of *Notebook 4* can be accessed through the following link:

<https://www.flipsnack.com/69D6DBDD75E/disserta-o-juliana-produto-caderno-4.html>

CONCLUSION

The e-Book is just one of the support materials that must be added to several other subsidies and especially the permanent search for knowledge, so that the Nurse has a sufficient basis to structure and continue advancing in the digital health space. It is expected that more nurses will be able to describe their experiences in the exercise of Teleconsultation, leaving their records marked in the history of the Nursing category, as well as subsidies for more professionals to advance, to undertake care. This study does not aim to extinguish or reduce the imperative need for the professional practice of nurses in person, whether in the teaching of private care in the category or in direct assistance in the nursing consultation, mainly in view of their expertise in the pillars of the physical examination of each patient. patient who is a unique being. The aim was to produce an electronic book-type material, easily accessible to Nursing students and professionals, about the field of action through digital technology surrounded by its legal and ethical responsibilities, as well as highlighting a new entrepreneurship market for professionals and thus contribute directly to the accessibility of its services to customers with special geographic or physical needs.