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June 28, 2010

MEMORANDUM

TO: Career and Technical Education Directors
Technical Center Directors
Florida College Occupational Deans

FROM: Loretta Costin, Interim Chancellor, Division of Career and Adult Education

SUBJECT: Changes to Nursing Education - 2010 HB1337

To address the state's lack of nursing education program capacity, the 2009 Legislature took action to expedite and streamline the nursing education program approval and regulatory processes in Florida with the passage of House Bill 1209 (2009). This legislation repealed the Florida Board of Nursing's (BON's) authority to prescribe the nursing education program approval and regulation processes by rule and, instead, set forth these processes in statute.

House Bill 1337 builds upon the 2009 legislation by further streamlining these processes. Under the bill, a nursing education program that is accredited by one of the two United States Department of Education recognized nursing accrediting agencies (NLNAC or the CCNE) is no longer subject to BON regulation for as long as the program maintains its accreditation. The BON-approval process for non-accredited programs, as adopted in last year's bill, is largely retained, but implementation issues identified by the Office of Program Policy Analysis and Government Accountability (OPPAGA), Florida Center for Nursing, and stakeholders are addressed. The bill's changes include:

- Clarifying that the BON must approve or deny a nursing education program application within 90 days after receipt of a *complete* application.

- Providing that faculty education requirements for a nursing program may be documented by an official transcript or a written statement from an educational institution verifying that it conferred a degree.
- Providing that the graduate passage rate on the National Council Licensure Examination (NCLEX), which must be achieved by approved programs, is 10 percentage points, rather than 10 percent below, the national average passage rate.
- Clarifying that the requirements for NCLEX graduate passage rates, as adopted in last year's legislation for approved programs, should only be applied prospectively beginning with the 2010 calendar year.
- Specifying that approved programs placed on probation for inadequate NCLEX graduate passage rates shall be removed from probation after attaining the required passage rate for one calendar year.
- Eliminating probation as a penalty for an approved program's failure to submit an annual report and, instead, requiring the program's director to appear before the BON to explain the delay.
- Authorizing nursing program directors to request and receive information on the NCLEX exam date and pass/fail score for program graduates included in the program's graduate passage rate.

Additional changes include the following:

- Definition for "clinical preceptor" is amended to include the following:
 - Authorizes Licensed Practical Nurses (LPNs) to act as clinical preceptors in LPN programs.
 - Specifies that a clinical preceptor who supervises students in a professional nursing program (Registered Nurse [RN] in an Associate Degree Nursing [ADN] or Bachelor of Science in Nursing [BSN]) must be an RN.
- The faculty requirements were amended to require that the program director and 50 percent of the faculty for the RN program must have a master's degree or higher in nursing or a bachelor's degree in nursing and a master's degree or higher in a related field; and for a LPN program they must have at least a bachelor's degree in nursing.

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- The bill was amended to allow the Office of Program Policy Analysis and Government Accountability (OPPAGA) to assume all reporting responsibilities required by HB 1209 of the Florida Center for Nursing because they did not receive an appropriation.

If you have any questions, please contact Ms. Tracy Yacobellis at tracy.yacobellis@fldoe.org or by phone at 850-245-9018.

You may also contact Dr. Patricia Seabrooks, Director of Education for the Board of Nursing at Patricia_Seabrooks@doh.state.fl.us or by phone at (850) 245-4174.

Thank you.

LC/dwj