Practical Nursing Education Programs

Florida Department of Education

Commission for Independent Education

Overview

- Board of Nursing and Commission for Independent Education (CIE) Requirements
- Clinical Training
- NCLEX Passage Rates
- Current and Future Regulatory Actions
- Institutional Closure
- Program Termination
- Accreditation Requirements
- Legislative Proposals for 2017
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Approval of Nursing Programs in General

- The Board of Nursing and the Commission for Independent Education (CIE) both approve nursing programs
  - Board of Nursing approval is ministerial in nature by statute (s.464.019, F.S.)
  - The Commission's approval is based on 12 minimum standards in statute (s.1005.31, F.S.) designed to establish quality requirements
- CIE is not required to approve a program. The Commission may deny the ability to start a program if it determines that the program is not designed well enough to insure student success
- While the Board of Nursing must accept the request for a new program, even when a program has voluntarily closed, CIE is not under the same requirement. CIE can take into account the institution's history and:
  - Make demands on a institution that has not performed well in meeting the requirements of nursing licensure
  - Deny the request to add a program

Requirements for Practical Nursing Programs – Program Faculty

- 50% of the program's faculty must be registered nurses with a bachelor degree or higher in nursing
- The program director must also meet those requirements
  - Nursing program directors are critical to the success of the program

Requirements for Practical Nursing Programs – Clinical Training

- 50% of the curriculum must be clinical training
  - Competencies – medical, surgical, obstetric, pediatric, geriatric
  - Settings – include acute care, long-term care and community settings
- No more than 50% of the clinical training may be done through clinical simulation
  - Board of Nursing interpretation-50% limited to content area.
- The institution must have signed agreements with clinical sites
  - A clinical matrix is filed with CIE
  - Matrix must include detailed information on each clinical site
  - If clinical is over 50 miles from institution attach an explanation of how students will be accommodated for travel
    - Note: CIE is contacting clinical sites to verify that agreements are current
    - Let your licensure specialist know about any changes

Requirements for Practical Nursing Programs – Passage Rates

- Programs must achieve a graduate pass rate for first-time test takers who take the licensure examination within six months of graduation from the program that is not more than 10 percentage points lower than the national average of first time test takers of American educated students at comparable institutions
  - The average is a moving target
  - Failure to meet the standard for two consecutive years places a program on probation
  - Failure to achieve required pass rate during the two years following probation will lead to program termination
  - The Board of Nursing can extend probation for one additional year based on demonstration of adequate progress/benchmarks

Commission Actions

- CIE monitors NCLEX passage rates and focuses on institutions with scores that do not meet minimum requirements
- Summary reports are provided to Commissioners each time an institution is on the agenda
- Reports include:
  - Disclosure of current status (e.g. probation, termination)
  - Passage rates for previous two years
  - Current years' quarterly passage rates
  - Attachments such as clinical agreements, documentation regarding programmatic accreditation and any documents related to probationary status
    - Note: Actions taken by the Board of Nursing will be taken into consideration by the Commissioners

Commission Actions

- CIE takes action when programs or institutions fail to maintain acceptable passage rates
  - Programs on probation by the Board of Nursing will result in CIE reviewing for substantive change and issuance of provisional license
    - *Substantive change fee is $1,000*
    - *Institutions cannot add new programs while holding a provisional license*
- Programs on probation by the Board of Nursing will result in CIE reviewing for placement on probation by CIE for failure to maintain licensure standards with conditions, including limiting or ceasing enrollments
- Programs terminated by the Board of Nursing result in CIE termination

Commission Actions

- CIE takes action when passage rates are low and before an institution is on probation with the Board of Nursing
  - Require a remediation plan to address low rates
    - Be specific and include details
    - Identify benchmarks and maintain proper tracking
    - Include evaluation dates and who is accountable for each measure
    - Utilize a matrix or chart
  - Submission of an update regarding programmatic accreditation with a timeline
  - Quarterly reporting to Commission on effectiveness of the plan (report backs)
- Efforts to address poor passage rates must be handled carefully by the institution so as not to harm students
  - Do not intentionally withhold eligible students names to the Board of Nursing
  - Do not make exit exams a graduation requirement without the appropriate disclosure

Future Commission Actions

- The Commission will continue to take the following actions:
  - Consider a substantive change and issue a provisional license
  - Terminate programs where appropriate
  - Monitor passage rates and require remediation plans when pass rates are low
  - Track progress towards obtaining programmatic accreditation
  - The Commission will consider the following action:
    - Placing an institution on probation and restricting or ceasing enrollment where institution has history of low passage rate and failure to improve or imposing other conditions designed to protect students

Avoid this Pitfall with your Regulatory Agencies

- Failing to submit timely any required report to the Board of Nursing or to CIE
  - The Board of Nursing may not have a "hammer" to enforce its statutory requirements, but CIE is increasingly coordinating with the Board of Nursing to insure compliance with other agency requirements
  - Institution may be subject to fines by CIE

Institutional Closure

- Proper Closures
  - Notify CIE in writing 30 days prior to closure
  - Arrange for teach-out or train-out with other institutions
    - CIE monitors teach-outs
  - Forward student records to CIE
  - Transparency to students and faculty is key

Institutional Closure

- Improper Closure
  - Closing an institution without adequate notice to students and CIE can result in prosecution for a second degree misdemeanor
  - Inability to open an institution in the future

Program Closure

- Voluntary closure of a nursing program with a teach out
  - Cease enrollments
  - Submit teach-out plan to Board of Nursing/CIE
    - Provide in plan details about assisting current students in program completion
    - Make arrangements for records storage
    - Provide date of the last graduating class and projected teach-out completion date
    - Focus of teach-out plan is to ensure that all students in current programs are given the training tutoring and encouragement to pass the NCLEX exam

Train-Out Plans

- A Train-out is a contract with your institution and other institutions to complete student training
  - Not a contract with CIE
  - Can involve more than one institution
- The Commission will need to approve train-out agreements
  - Must be agreed to and signed by both parties
  - Must contain details and specify duties and responsibilities of all parties
- Work with accreditors and USDOE
- Coordinate with CIE

Program Terminations/Board of Nursing

- Approved programs that are terminated and that have students with at least 12 credits who transfer to other nursing programs licensed by CIE will not have the exam scores of the transferred students counted in their program passage rates
  - Designed to help students who have not completed program at institution closure and to minimize risk to transferring institutions
  - Only applicable if the Board of Nursing has terminated the program for failure to maintain NCLEX passage rates under s.464.019, F.S.

Accreditation Requirements for Practical Nursing Programs

- There are currently no accreditation requirements for Practical Nursing Programs
- There are unlikely to be any requirements for programmatic accreditation for such programs
- Programmatic accreditation eliminates accountability oversight by the Board of Nursing

CIE Legislative Proposals for 2017

- Consumer Protection
  - Prohibiting/restricting enrollments based on institutional performance on licensure standards, financial stability, adverse actions by other agencies, or other circumstances that render the institution unable to meet the needs of students
  - Expansion of the Student Protection Fund to include degree granting institutions
  - Requiring a surety bond or letter of credit for all new institutions
  - Requiring disclosures of tuition fees in a separate form

CIE Tips & Strategies to Ensure Success

- Watch the Commission's webcasts if you are not in attendance at the bi-monthly meetings
  - Nursing programs are discussed frequently
  - Commissioners provide advice on operating nursing programs
  - Webcast available at www.fldoe.org/cie
- If you are required to report back, <u>BE THERE IN PERSON</u>
  - Commissioners want to hear from you
  - Be prepared to provide update on passage rates and graduates
  - Have an analysis of your remediation plan and "tell your story"
  - Know your institutional statistics
    - Current population
    - Number of Testers
    - Number of Graduates

CIE Tips & Strategies to Ensure Success

- Be realistic about the costs of running a nursing program and be prepared to demonstrate to the Commissioners sufficient financial resources for operation
  - Financial stability is tied to an institution's ability to continue to enroll students and operate a successful program
- Take advantage of outside resources and professional organizations
- Keep the Commission/Executive Director informed
- Establish a good working relationship with your licensure specialist
- Communicate immediately any major changes or issues

Available Assistance to Meet Requirements

- Commission for Independent Education
  - Website - www.fldoe.org/policy/cie
- Florida Board of Nursing
  - Website – www.floridanursing.gov
- Accreditation Agencies
  - Accreditation Commission for Education in Nursing
    - Website - www.acenursing.org
  - Commission on Collegiate Nursing Education
    - Website - http://www.aacn.nche.edu/ccne-accreditation

Commission Review

Commission for Independent Education

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