

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

FILED

2009 APR -9 AM 10: 37

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: WV State Board of Examiners for Licensed Practical Nurses TITLE NUMBER: 10

RULE TYPE: Legislative CITE AUTHORITY: WV Code 30-7A-1 et.seq.

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Policies and Procedures for Development and Maintenance of Educational Programs  
in Practical Nursing

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON May 22, 2009 AT 4:00 pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

WV State Board of Examiners for LPNs

101 Dec Drive, Suite 100

Charleston, WV 25311-1688

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

  
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

POLICIES AND PROCEDURES FOR DEVELOPMENT AND MAINTENANCE  
OF EDUCATIONAL PROGRAMS IN PRACTICAL NURSING

Rule Title: \_\_\_\_\_

**3. Explanation of above estimates (including long-range effect):**

Please include any increase or decrease in fees in your estimated total revenues.

N/A

**MEMORANDUM**

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

Proposed rule makes editorial and other changes to Rules for establishment and maintenance of licensed practical nursing schools

Date: \_\_\_\_\_

4/8/09

Signature of Agency Head or Authorized Representative

*Janette Anderson*

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

POLICIES AND PROCEDURES FOR DEVELOPMENT AND MAINTENANCE  
 Rule Title: OF EDUCATIONAL PROGRAMS IN PRACTICAL NURSING

Type of Rule:  Legislative  Interpretive  Procedural  
 Agency: WV State Board of Examiners for Licensed Practical Nurses  
 Address: 101 Dee Drive, Suite 100  
 Charleston, WV 25311-1688  
 Phone Number: 304-558-3572 Email: landerson@state.wv.us

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

None

**Fiscal Note Detail**

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	NONE	NONE	NONE
Personal Services			
Current Expenses			
Repairs & Alterations			
Assets			
Other			
2. Estimated Total Revenues	NONE	NONE	NONE

POLICIES AND PROCEDURES FOR DEVELOPMENT AND MAINTENANCE  
 Rule Title: OF EDUCATIONAL PROGRAMS IN PRACTICAL NURSING

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR  
LICENSED PRACTICAL NURSES

LANETTE L. ANDERSON, MSN, JD, RN  
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CHARLESTON AREA  
558-LPNS

April 8, 2009

Ms. Judy Cooper  
Administrative Law Division  
Office of the Secretary of State  
Building 1 Room 157-K  
1900 Kanawha Boulevard, E.  
Charleston, West Virginia 25311

FILED  
2009 APR -9 AM 10:38  
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

Dear Ms. Cooper:

Enclosed please find required documentation for the filing of a Notice of a Comment Period for proposed revisions to Legislative Rules 10 C.S.R. 1, Policies and Procedures for Development and Maintenance of Educational Programs in Practical Nursing. The West Virginia State Board of Examiners for Licensed Practical Nurses has approved proposed revisions to said Rule during its meeting on February 19, 2009.

If any problems exist with what is submitted herein, please feel free to contact me. Your assistance is greatly appreciated.

Very truly yours,

Lanette L. Anderson, MSN, JD, RN  
Executive Director

LLA/a

Enclosures:

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR  
LICENSED PRACTICAL NURSES

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April 8, 2009

Legislative Rule Making Review Committee  
Building 1 Suite 152  
1900 Kanawha Boulevard, E.  
Charleston, WV 25305

To All Interested Persons:

Pursuant to direction from the members of the West Virginia State Board of Examiners for Licensed Practical Nurses, the enclosed is respectfully submitted in accordance with the requirements for the initiation of the process of Legislative Rule Making. These proposed revisions to Legislative Rules 10 C.S.R. 1, Policies and Procedures for Development and Maintenance of Educational Programs in Practical Nursing were approved by the Board during its meeting on February 19, 2009.

If any problems exist with what is submitted herein, please feel free to contact me. Your assistance is greatly appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Lanette L. Anderson".

Lanette L. Anderson, MSN, JD, RN  
Executive Director

LLA/a

Enclosures:

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR  
LICENSED PRACTICAL NURSES

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TITLE 10  
LEGISLATIVE RULES  
WEST VIRGINIA STATE BOARD OF EXAMINERS  
FOR LICENSED PRACTICAL NURSES

SERIES 1 - POLICIES AND PROCEDURES FOR DEVELOPMENT AND MAINTENANCE  
OF EDUCATIONAL PROGRAMS IN PRACTICAL NURSING

SUMMARY OF PROPOSAL

Proposed changes to this Rule are primarily editorial in nature. The exceptions are the statements which address requirements for programs which have been placed on provisional accreditation status by the Board, faculty qualifications and requirements, and the inclusion of language addressing preceptorship for students, distance learning, and other use of technology.

WEST VIRGINIA STATE BOARD OF EXAMINERS FOR  
LICENSED PRACTICAL NURSES

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TITLE 10  
LEGISLATIVE RULES  
WEST VIRGINIA STATE BOARD OF EXAMINERS  
FOR LICENSED PRACTICAL NURSES

SERIES 1 - POLICIES AND PROCEDURES FOR DEVELOPMENT AND MAINTENANCE  
OF EDUCATIONAL PROGRAMS IN PRACTICAL NURSING

STATEMENT OF CIRCUMSTANCES REQUIRING RULE

Proposed changes to this Rule more specifically address the issue of educational programs which have not met all standards of accreditation by the Board, and the requirements and expectations needed for reinstatement of the program to full accreditation status. Increased use of technology in health care requires the need for the Board to address distance learning, "virtual clinical" experiences, etc. Increasing numbers of nursing educational programs are utilizing nursing preceptors to assist students in the clinical setting, and the proposed changes to the Rule specifically address the utilization of preceptors and their requirements.

TITLE 10  
LEGISLATIVE RULES  
WEST VIRGINIA STATE BOARD OF EXAMINERS FOR LICENSED PRACTICAL NURSES  
SERIES I  
POLICIES AND PROCEDURES FOR DEVELOPMENT AND MAINTENANCE  
OF EDUCATIONAL PROGRAMS IN PRACTICAL NURSING

2009 APR -9 AM 10: 39

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE**§10-1-1. General.**

1.1. Scope.--This legislative rule establishes the administrative requirements for development and maintenance of educational programs in practical nursing.

1.2. Authority. -- WV Code §30-7A-5

1.3. Filing Date. -- April 6, 2004

1.4. Effective Date. -- April 12, 2004

**§10-1-2. Definition of Terms.**

2.1. "Program" means an accredited program of practical nursing that has met the requirements of WV Code §30-7A-8, and of the board as specified in this rule.

2.2. "Curriculum" means a total written plan of learning activities included during the program of practical nursing.

2.3. "Sponsoring agency" refers to those agencies providing financial and administrative support for an accredited program in practical nursing.

2.4. "Affiliating agency" refers to a health care agency used by a sponsoring agency for clinical experience for students enrolled in the program.

2.5. "Licensure examination" refers to the written examination provided to qualified applicants, as required in West Virginia State Board of Examiners for Licensed Practical Nurses Rule, Policies Regulating Licensure of the Licensed Practical Nurse, 10 CSR 2.

**§10-1-3. Accreditation**

3.1. The board shall issue a certificate of accreditation to each accredited program. The sponsoring agency shall display the certificate of accreditation at the program site.

**3.2. Goals of Accreditation**

3.2.a. The primary goal of accreditation is to graduate safe, competent practitioners of practical nursing with a skill mix adequate to meet employer demands.

**3.2.b. Contributing Goals:**

3.2.b.1. Administration, faculty and the professional community understand and support the philosophy, goals and objectives of practical nursing;

3.2.b.2. Faculty maintain current curricular concepts;

3.2.b.3. Faculty and clinical facilities staff partner to develop client care experiences which enhance student competence in the clinical area;

3.2.b.4. Faculty utilize varied and effective mechanisms for evaluating student knowledge base in practical nursing;

3.2.b.5. Administration and faculty maintain a positive learning environment for students;

3.2.b.6. Graduates successfully complete the licensure examination at a rate at least equal to the national passing standard; and

3.2.b.7. Health care agencies hire program graduates.

**3.3. Minimum requirements for accreditation**

The sponsoring agency shall:

3.3.a. maintain a practical nursing program advisory committee as required in section 5 of this rule;

3.3.b. provide classroom and clinical facilities as required by section 6 of this rule;

3.3.c. employ qualified faculty as required by section 7 of this rule;

3.3.d. provide a program of instruction as required by section 8 of this rule;

3.3.e. select students and develop student policies as required by section 9 of this rule; and

3.3.f. maintain records, reports and bulletins as required by section 10 of this rule.

**3.4. Accreditation**

3.4.a. All programs shall have tentative, provisional or full state accreditation by the board for graduates of the program to be eligible to take the licensure examination for practical nurses.

3.4.b. A new program for which the sponsoring agency requires time to demonstrate its eligibility for accreditation is known as a "State Tentatively Accredited Program." Tentative state accreditation is valid for operation of the program until after the first meeting of the board following receipt of the licensure examination results for graduates of the first class.

3.4.c. A program which meets the requirements set forth in this rule, and demonstrates the ability to provide an adequate educational program which reflects current educational trends and current concepts in the delivery of health services, is known as a "State Accredited Program."

3.5. All programs are urged to seek accreditation through appropriate national organizations authorized to grant accreditation.

### 3.6. Accreditation site visits

3.6.a. A representative of the board shall visit each program once every three (3) years to evaluate compliance with minimum requirements for maintaining an accredited program in practical nursing. A representative of the board may make additional visits based on needs of the program as determined by the board, the sponsoring agency or faculty of the program. Additional visits may be announced or unannounced. Following a visit, the board representative shall send a report to the nurse coordinator and agency administrator stating the findings and recommendations. The board representative shall provide copies of visitation reports to the Board to be utilized in determining accreditation status.

3.6.b. A representative of the board shall contact the coordinator of a program that has a failure rate on the licensure examination which exceeds the national failure rate. The board representative may ask that the coordinator develop and present to the board a plan for corrective action. The board may accept the plan devised by the coordinator or offer alternative suggestions for corrective action.

3.7. A program which fails to maintain the minimum requirements and which the board has duly notified, is known as a "State Provisionally Accredited Program". The program shall meet the board recommendations within one (1) year a time specified by the board but not greater than three (3) years from the date of the notice. Representatives of the sponsoring agency of a program being considered for placement on Provisional State Accreditation may request a hearing before the board on behalf of the program to present information not in evidence in materials provided to the board or to present specific plans for accomplishing recommendations of the board.

3.7.a. A program which has been placed on Provisional Accreditation Status shall inform all incoming students in writing of the current accreditation status.

3.7.b. A program placed on Provisional Accreditation Status will be required to submit at least quarterly an interim report outlining the changes made to meet the standard(s) on which they were cited.

3.7.c. The board shall have the authority to limit student admissions to any program which is placed on Provisional Accreditation Status.

3.8. A representative of the board shall make an on site visits to a Provisionally Accredited Program as necessary and/or as requested by the program, and at the end of the period specified in subdivision 3.7 of this rule, to determine if the sponsoring agency and faculty have corrected deficiencies. The board shall review findings resulting from the site visits. The board shall withdraw state accreditation if the criteria for Full State Accreditation is not met.

3.8.a. The sponsoring agency of a program that has had its accreditation withdrawn shall follow established procedures for closing the program.

3.8.b. The sponsoring agency of a program that has had its accreditation withdrawn and desires to reopen a program is required to follow the established procedure for opening a new program.

3.9. When a sponsoring agency transfers a program to a new sponsoring agency, the new sponsoring agency shall notify the board, in writing, of its intent to sponsor the program and seek

board approval prior to assuming responsibility for the program.

3.10. The sponsoring agency of a program of practical nursing scheduled to close shall inform the Board, in writing, of:

3.10.a. the proposed closing date;

3.10.b. plans for students currently enrolled in the program to complete the program; and

3.10.c. provisions for permanent storage of student records.

### 3.11. Reopening a program

3.11.a. The sponsoring agency of a previously accredited program ~~in good standing with the board~~ may reopen the program within one (1) year of the date of graduation of the last class. The sponsoring agency shall notify the board, in writing, no less than eight (8) weeks prior to the proposed reopening date. The Executive Secretary or a member of the board shall visit the program prior to the opening date.

3.11.b. The sponsoring agency of a previously accredited program which has been closed for more than one (1) year from the date of graduation of the last class shall reapply to the board as a new program.

### \$10-1-4. Establishing a New Program

4.1. An agency contemplating sponsoring a new program of practical nursing shall request from the board a copy of the manual entitled, "Manual of Recommendations and Requirements for Education and Licensure". Sponsoring agencies should consult with board staff throughout the planning process.

4.2. The following steps shall be included in planning a program of practical nursing.

4.2.a. Representatives of a sponsoring agency and the board shall hold a pre-planning conference to begin preliminary discussions about the roles and responsibilities of faculty and administration in practical nursing education.

4.2.b. Representatives of the board, the sponsoring agency, the clinical facilities, potential employers, resource people and interested citizens shall hold a community meeting to discuss:

4.2.b.1. present and the future local need for additional licensed practical nurses;

4.2.b.2. the implications of the local expansion of existing health services;

4.2.b.3. LPN staffing patterns of local health care facilities;

4.2.b.4. the use of clinical facilities for student experience; and

4.2.b.5. the role and function of the licensed practical nurse in the geographic local area where the program will be sponsored.

4.2.c. The sponsoring agency shall plan the meeting.

4.2.d. The sponsoring agency shall submit ten (10) copies of the application for a new program with resumes of the potential nurse coordinator and instructors to the board with the fee

required in West Virginia State Board of Examiners for Licensed Practical Nurses Rule, Fees for Services Rendered by the Board, 10 CSR 4. Prior to or at the time of application the sponsoring agency shall submit:

4.2.d.1. documentation of the local need for graduates of the program;

4.2.d.2. verification that adequate clinical facilities are available for student experience;

4.2.d.3. the estimated number of ~~qualified applicants for initial and future classes~~; students which will be admitted to the program annually initially and in the future;

4.2.d.4. a description of classroom and laboratory facilities; and

4.2.d.5. the basis for financial support during the planning phase and for initial and future classes.

4.2.e. The board may seek validation of the information and data submitted by the sponsoring agency from another source at its discretion.

4.2.e.f. The sponsoring agency shall submit this material no less than ~~three (3)~~ six (6) weeks in advance of the board meeting during which the program is scheduled to be considered for temporary approval to proceed with the planning process.

4.2.f.g. The sponsoring agency shall employ a nurse coordinator after the board has granted temporary approval to plan a program of practical nursing.

4.2.g.h. The sponsoring agency shall submit a draft copy of the curriculum and supplementary materials to the board including:

4.2.g.h.1. the program philosophy;

4.2.g.h.2. the student terminal objectives;

4.2.g.h.3. the administrative structure of the sponsoring agency;

4.2.g.h.4. the functions and names of advisory committee members;

4.2.g.h.5. the faculties' qualifications and job descriptions;

4.2.g.h.6. the program and student policies;

4.2.g.h.7. the rotation schedule; and

4.2.g.h.8. the affiliation agreements between clinical facilities and the sponsoring agency.

4.2.h.i. The sponsoring agency may submit this material all at once or in sections as it is completed. A representative of the board shall review the materials and make recommendations for revision where necessary to meet board requirements.

4.2.i.j. Representatives of the board shall conduct an official visit to review the final draft of program materials and to survey clinical facilities planned for use by the program.

4.2.j.k. The sponsoring agency shall submit ten (10) copies of the curriculum and supplementary materials identified in paragraph 4.2.g. of this rule, with necessary revisions, to the board. The sponsoring agency shall submit the materials to the

board office no less than ~~three (3)~~ six (6) weeks in advance of the date scheduled by the board for consideration of the new program for tentative state accreditation.

4.2.k.l. The Executive Secretary of the board and/or a member of the board shall conduct a consultation visit to a program with tentative state accreditation when:

4.2.k.l.1. the program has been in operation six (6) months;

4.2.k.l.2. the sponsoring agency or faculty of an accredited program requests a visit; or

4.2.k.l.3. the board determines the need for a visit.

#### **§10-1-5. Practical Nursing Program Advisory Committee**

5.1. The sponsoring agency offering a program in practical nursing shall appoint an advisory committee composed of members of the community interested in the education of practical nurses and the health care of individuals.

5.2. The practical nursing program advisory committee shall meet at least twice each year.

5.3. The committee should include at least one (1) of each of the following: a consumer; a director of nursing service; a hospital administrator; a licensed practical nurse; ~~a physician; and, a registered nurse.. and an educator not associated with the program.~~ The committee members shall represent acute and long term care facilities and community health agencies. A current student representative from the program shall participate on the Advisory Committee with the exception of discussions and decisions pertaining to confidential student, faculty, or program information. The nurse coordinator and sponsoring agency administrator are ex officio members of the advisory committee. Other program faculty and staff do not serve as voting members on the Program Advisory Committee.

5.4. The sponsoring agency and/or faculty of the program shall provide all new Advisory Committee Members with an orientation to the program, the Committee's role and functions, and any other information which is relevant to the performance of their duties.

5.4.5. Members of the advisory committee should:

5.4.5.a. be familiar with the relationships between the program and clinical practice areas;

5.4.5.b. assist in interpreting the program to the community, e.g., function in a liaison capacity;

5.4.5.c. be aware of the current concepts in practical nurse education and health trends in the area; and

5.4.5.d. make recommendations for improvement in the program.

#### **§10-1-6. Classroom, and Clinical Facilities, and Offices**

6.1. The sponsoring agency shall provide:

6.1.a. a nursing laboratory with sufficient numbers of modern patient care units and up-to-date equipment and training aides to meet the objectives of the program and the learning needs of students;

~~6.1.b. a classroom or a lecture room that is well lighted and well ventilated and contains desk-arm chairs or tables and chairs, a chalkboard, a bulletin board and visual aids;~~

~~6.1.c. access to a computer lab for development of computer skills;~~

~~6.1.d. a reference library containing the latest editions of practical nursing textbooks, nursing review books and periodicals; an appropriately equipped library;~~

~~6.1.e. a student lounge, lavatory facilities and space for students' personal belongings;~~

~~6.1.f. e. a separate office with a telephone for the nurse coordinator; and,~~

~~6.1.g. f. faculty offices adequate in size and number to provide the faculty with privacy for work and for student conferences.~~

~~6.2. The sponsoring agency should provide an office for the secretary, in close proximity to the nurse coordinator.~~

6.2. The sponsoring agency shall provide at least twenty (20) hours per week of secretarial assistance to the faculty of a program.

### 6.3. Clinical Facilities

6.3.a. Agencies used as clinical facilities shall meet the minimum requirements set forth in this section.

6.3.b. Acute care and long term care facilities shall:

6.3.b.1. be licensed by the State Department of Health and Human Resources;

6.3.b.2. be accredited or certified by an appropriate and recognized state or national agency/organization;

6.3.b.3. have an active in-service education program; and,

6.3.b.4. be staffed by qualified service personnel.

6.3.c. Long-term care facilities shall:

~~6.3.c.1. be licensed by the State Department of Health and Human Resources;~~

~~6.3.c.2. be accredited or certified by an appropriate and recognized state or national agency/organization;~~

~~6.3.c.3. have an active in-service education program; and~~

~~6.3.c.4. be staffed by qualified service personnel.~~

6.3.d.c. Other inpatient and outpatient facilities and agencies shall meet appropriate state requirements for operation.

### §10-1-7. Faculty

7.1. The sponsoring agency shall submit evidence that all faculty members meet minimum requirements of the board as set forth in this section.

7.2. The number of faculty members in an accredited program of practical nursing may vary according to the size of the class, distribution of students in the clinical facilities and the

philosophy of the educational program. The sponsoring agency shall employ part-time instructors to assist faculties numbering less than three (3) and in other instances as considered necessary by the board or the sponsoring agency.

7.3. The ratio of students to faculty in the clinical area shall be ~~ten (10)~~ eight (8) students to one (1) instructor. The sponsoring agency shall consider a lower ratio when clinical space and patient census are not sufficient to accommodate the ~~ten (10)~~ eight (8) to one (1) ratio or when the nature of the student assignment requires close individual supervision.

7.4. The sponsoring agency shall designate a nurse coordinator for each practical nursing program. The nurse coordinator is the supervisor of the program of instruction and is responsible for planning, implementing and evaluating the entire program.

7.5. Instructors are responsible for the supervision of students within the clinical areas, and for the development and teaching of theory.

7.6. Each faculty member shall have experience as a registered professional nurse within the three (3) years immediately preceding employment as a faculty member; and

7.6.a. be a registered professional nurse currently licensed in West Virginia;

7.6.b. have or be working toward a baccalaureate degree; preferably in nursing; enrolled in a baccalaureate degree program, preferably in nursing, with completion within three (3) years of date of hire as demonstrated by submission of transcripts to the program coordinator; and,

7.6.c. have a minimum of three (3) years of experience as a registered professional nurse which should include:

7.6.c.1. ~~one (1)~~ two (2) years of patient side nursing care experience in an acute, intermediate or long term care clinical facility; and,

7.6.c.2. ~~two (2)~~ one (1) year experience in one or more of the following areas: teaching, supervision or administration; and,

7.6.c.3. present evidence of continuing education.

7.7. Each part-time and substitute faculty shall meet the same criteria as full-time faculty. The board may make exceptions for faculty employed to teach specific subject areas, i.e., nutrition. A program may request an exemption from the board on a time-limited basis in an emergency situation for the use of faculty who do not fully meet the above-stated criteria.

7.7.a. The nurse coordinator will require each adjunct, part time, or substitute faculty to demonstrate their participation in the planning and evaluation of each course they teach, co-teach, or for which they supervise students in the clinical area.

7.7.b. The nurse coordinator shall determine how this participation shall be demonstrated in each program.

7.8. Faculty members are responsible for all activities relating to classroom and clinical experience, administration and organization, curriculum development, classroom and clinical instruction, student guidance and for maintaining a learning environment for the student. Faculty shall participate in a minimum of fifteen (15) contact hours of continuing education each year relating to their specific employment responsibilities as identified under faculty functions outlined in subsection 7.9 of this

rule. Faculty members shall annually submit evidence of continuing education to the board:

#### 7.9. Faculty functions

7.9.a. The nurse coordinator shall:

7.9.a.1. assume responsibility for organizing and directing the program under the jurisdiction of the sponsoring agency;

7.9.a.2. seek recommendations from the practical nursing advisory committee for establishing policies for the recruitment, selection, admission, progression, dismissal and counseling of students;

7.9.a.3. schedule regular faculty conferences and maintain a written record of discussions and decisions;

7.9.a.4. establish a system to maintain essential records that will be used to evaluate a student progress while the student is enrolled in the program and to follow up on the student after his or her graduation;

7.9.a.5. report, at least monthly, the status of the program to the sponsoring agency administrator and to the advisory committee as necessary;

7.9.a.6. visit clinical practice areas regularly to evaluate student experience and maintain communications with facility administration and staff;

7.9.a.7. plan and implement, with the sponsoring agency administrator, an annual budget for the program;

7.9.a.8. make recommendations for faculty appointments and promotions;

7.9.a.9. arrange for activities for selecting students including testing and interviewing;

7.9.a.10. interpret changing practices in the utilization of the graduate practical nurse and adjust the educational program to accommodate these changes;

7.9.a.11. develop short and long range objectives and strategies for strengthening the program;

7.9.a.12. establish criteria for the ongoing evaluation of the curriculum, the clinical facilities and the faculty; and,

7.9.a.13. either individually or in collaboration with the administrator of the sponsoring agency, evaluate and document, at least every six (6) months, a new instructor's performance in terms of personal and professional achievement. ; and evaluate tenured faculty annually: Evaluation and documentation of a new instructor's performance in the clinical area shall be completed by the nurse coordinator.

7.9.a.14. either individually or in collaboration with the administrator of the sponsoring agency, evaluate and document, annually an experienced faculty member's performance in terms of personal and professional achievement.. ; and evaluate tenured faculty annually: Evaluation and documentation of an instructor's performance in the clinical area shall be completed by the nurse coordinator.

7.9.b. The nurse coordinator is not expected to carry a teaching load equal to that of other faculty members. The sponsoring agency administrator shall allot adequate time to the

nurse coordinator to carry out activities related to coordination of the program.

7.9.c. The nurse coordinator may:

7.9.c.1. develop course outlines and lesson plans for teaching the nursing skills and related courses;

7.9.c.2. direct and supervise student learning in the classroom and clinical areas;

7.9.c.3. evaluate and record student performance;

7.9.c.4. participate in the counseling and guidance of students related to their course of instruction; and

7.9.c.5. perform other duties, related to the program of practical nursing, assigned by the sponsoring agency administrator.

7.9.d. The instructors shall:

7.9.d.1. develop course outlines and lesson plans for teaching nursing skills and related courses;

7.9.d.2. direct and supervise student learning in the classroom and clinical areas;

7.9.d.3. evaluate and record student performance;

7.9.d.4. participate in the counseling and guidance of students related to their course of instruction;

7.9.d.5. assist with administrative duties when requested by the nurse coordinator or sponsoring agency administrator including the reviewing, testing and selecting of students; and

7.9.d.6. performs other duties, related to the program of practical nursing, assigned by the nurse coordinator.

~~7.9.e. The sponsoring agency shall provide adequate secretarial assistance to the faculty of a program:~~

#### §10-1-8. Program of Instruction

8.1. The program of instruction shall be twelve (12) months in length unless the sponsoring agency administrator provides written justification for the change in program length to the board and the variance is approved by the board.

8.2. Curriculum concepts.

8.2.a. The faculty should develop the philosophy and student terminal objectives for the program. The faculty shall use these philosophy and objectives as a basis for curriculum development.

8.2.b. The faculty should plan the curriculum for the program of practical nursing to meet community nursing needs. The faculty shall consider current concepts in health care and the changing roles of all levels of nursing in developing and evaluating the curriculum.

8.2.c. The faculty shall place emphasis on development and achievement of measurable objectives for the total program based upon the recommended number of clock hours. The faculty may adapt and enrich curriculum in accordance with stated objectives, clinical resources and facilities.

8.2.d. The faculty shall utilize current educational concepts and methods of teaching including integration of content, career mobility, and individualized and competency based instruction where appropriate in the curriculum.

8.2.e. The faculty may make major curriculum changes only after written consultation with the board's Executive Secretary or the board.

### 8.3. Curriculum content

8.3.a. The faculty shall develop a master plan of the curriculum and shall make the master plan available to students. The master plan shall show length and sequence of courses, areas of content to be covered and classroom and clinical settings to be used.

8.3.b. The master plan shall provide evidence that the curriculum is designed to meet the objectives of the program and shall identify that:

8.3.b.1. classroom and clinical instruction meet the physical and psychosocial needs of all age groups;

8.3.b.2. concurrent learning experiences in theory and clinical practice emphasize basic nursing principles and procedures related to nursing;

8.3.b.3. clinical practice begins the third week of the program to facilitate concurrent learning;

8.3.b.4. basic concepts of nutrition, anatomy, physiology, pharmacology, mental health, communications, history and trends in nursing, vocational responsibilities, computer skills and family living are integrated into the program;

8.3.b.5. learning is arranged to progress from simple procedures to complex procedures; and

8.3.b.6. clinical instruction is included for medical, surgical, geriatric, mental health, maternal infant care, pharmacology, and pediatric areas.

8.3.c. The faculty shall utilize acute, long-term and community health facilities and agencies in the program if appropriate learning experiences are available. The faculty shall utilize specialty areas, such as intensive care, coronary care and emergency rooms in the program only with faculty supervision and after providing written justification to the board.

8.4. The board suggests the following subjects and combined classroom and clinical instructional hours.

Subject	Actual Instructional Time
Principles and Fundamentals	200
* Social Sciences Integrated	150
<del>Body Structure</del>	
<del>Anatomy and Physiology</del>	60
Nutrition and Diet Therapy	40
Pharmacology	80
** Medical-Surgical	450
Geriatrics	100
<del>Mental Health</del>	
<del>Psychiatric Nursing</del>	100
Obstetrics	60
Pediatrics	60
Total Instructional Hours	1,300

\* To include ethical and legal responsibilities such as ad-

vance directives, advocacy, professional boundaries, confidentiality, client rights, organ donation, informed consent, incident reporting, resource management, scope of practice, delegation/assignment, leadership, legal standards, endorsement, continuing competence, and grounds for disciplinary action including procedures and penalties.

\*\* To include prevention and early detection of health problems.

8.5. The faculty shall devote not less than one fourth (1/4) nor more than one half (1/2) of the actual instructional time to theory unless the faculty provides written justification for a waiver of the requirements for instructional time devoted to theory to the board and the waiver is approved by the board.

8.6. Delivery of instruction by distance education methods must be consistent with the program curriculum plan. Students utilizing this mode of learning must meet the goals, competencies, and objectives of the educational program and standards of the board.

8.7 At the discretion of the coordinator, the use of reputable "virtual clinical experiences" as found on the internet, CD-ROM, or other electronic media may be utilized by faculty to supplement clinical experiences which are not available or in other circumstances in which supplemental clinical information is needed; i.e., "snow days", etc. The use of "virtual clinical experiences" shall not be used to completely replace actual patient care experience for clinical instruction in any course.

### 8.6 8.. Rotation plan.

8.6.8.a. The nurse coordinator shall develop and post a complete rotation plan for each student showing daily classroom theory content and corresponding clinical practice for all nursing practice experiences.

8.6.8.b. The nurse coordinator should develop the rotation plan in cooperation with the affiliating facilities and agencies, taking into consideration available clinical services, quantity and quality of supervision for students and requirements of the board.

8.6.8.c. The nurse coordinator and the affiliating agency may, by mutual agreement, change the established plan for rotation of students through the clinical services.

### 8.7. Faculty Supervision of Students

8.7.a. The board recommends that both faculty and students carry liability insurance.

8.7.b. The program faculty shall supervise all clinical practice.

8.7.c. Faculty members shall be registered professional nurses. A licensed practical nurse may be employed by the sponsoring agency to aid the program faculty in the supervision of the students' laboratory and clinical practice provided that a registered nurse faculty member is immediately available for consultation. The sponsoring agency shall base student-teacher ratio, as specified in section 7.2. of this rule, on the number of registered professional nurse faculty members.

8.7.d. The faculty shall select clinical practice areas that offer the student the opportunity to observe and practice good nursing care. Faculties are encouraged to use West Virginia facilities. The faculty shall periodically evaluate clinical practice

areas to assure that adequate experiences are available to meet program objectives.

8.7.e. The overall objective of a program is to prepare the student ~~for service to provide safe and effective nursing care~~, however, the affiliating agency is responsible for the provision of service to patients. The nursing service needs of the patients should not take precedence over the educational needs of the student.

8.7.f. A representative of the board shall review a program's clinical facilities when new facilities are added. The sponsoring agency shall request this visit.

8.7.g. Students assigned to community agencies, i.e., clinics, nursery schools, day care centers, community health agencies, rehabilitation centers, doctors' offices, mental health centers and other available health agencies may be supervised by ~~an employee of that agency a licensed nurse or physician employed by that agency~~ in lieu of a faculty member of the program, provided that the students do not provide direct patient care. The faculty shall develop written objectives for the experience. The written objectives shall relate to the overall objectives for the program. ~~The faculty shall hold pre and post-clinical conferences.~~

8.7.h. Clinical preceptors may be used to enhance clinical learning experiences after the student has received theory and clinical instruction including competency demonstration in the area of the specific clinical learning experience. Preceptors shall:

8.7.h.1. hold a current unencumbered license as either a licensed practical nurse or registered professional nurse in the state in which the clinical experience is to be held;

8.7.h.2. have evidence of clinical competencies related to the area of assigned clinical responsibilities with students;

8.7.h.3. serve as a role model to students;

8.7.h.4. be assigned as a preceptor to no more than two (2) students at any time; and,

8.7.h.5. not be used to replace clinical instructors as faculty retains responsibility for student learning and conferring with preceptors and students for monitoring and evaluating learning experiences.

8.7.h.6. have documentation which will also be shared with the sponsoring agency of orientation to the program outcomes, student learning objectives, evaluation methods, and role expectations of the student, faculty, and preceptor.

## 8.8. Instruction

8.8.a. The scheduled instructional time for classroom and clinical experiences shall not exceed thirty-two (32) hours per week.

8.8.b. A final passing score of "C" is required in each course.

## 8.9. Classroom instruction.

8.9.a. The faculty shall develop and utilize a written outline for each course of instruction which includes a plan for each lesson. Each lesson shall contain behavioral objectives, an outline of lesson content, time allotment for the lesson, teaching

methods, evaluation methods, visual aids and reference materials.

8.9.b. The behavioral objectives and the corresponding outline of lesson content shall be consistent with and shall contribute to the achievement of the objectives of the program.

8.9.c. The scheduled learning experiences for a unit of content shall be consistent with the master plan and rotation schedule and shall provide for concurrent clinical instruction.

8.9.d. The time allotted to each lesson shall be consistent with the content to be covered and the learning expected of the students.

8.9.e. The content of the program and teaching methods shall reflect current concepts and practices in nursing education.

## 8.10. Clinical instruction

8.10.a. The faculty shall develop written objectives for each area of clinical instruction and shall contribute to the achievement of the objectives of the program. Clinical learning experiences shall:

8.10.a.1. be concurrent with classroom instruction for a given course;

8.10.a.2. be of adequate length to permit the instructor to modify the planned assignments to meet the needs of individual students;

8.10.a.3. be selected by the program's faculty on the basis of their contribution to the objectives of the course and the total program;

8.10.a.4. include instructor-student conferences pre and post-conferences related to the care of patients;

8.10.a.5. include the opportunity for students to participate in staff conferences and inservice education programs;

8.10.a.6. provide for students to assist with the preparation, implementation and continuing evaluation of the nursing care plan for individual patients; and

8.10.a.7. provide for regular evaluation of the student's achievement utilizing measurable performance objectives.

8.10.b. The sponsoring agency shall require that a student satisfactorily achieve the clinical performance objectives to progress in the program.

## 8.11. Affiliation agreements.

8.11.a. When a sponsoring agency that conducts a program of practical nursing enters into any type of cooperative relationship for provision of student experiences with another agency, the sponsoring agency shall execute a written agreement with the other agency.

8.11.b. An Administrative representative of each agency concerned with the program shall meet to establish their respective responsibilities. The responsible persons of each agency shall sign an agreement before the board may grant final approval for use of the facility. Each agreement shall state clearly the responsibilities of each agency with regard to the educational program and the welfare of the student. If a program is using clinical preceptors, the agreement shall expressly

state the expectations the preceptors are to fulfill. The agreement shall be available for review by the board.

8.11.c. The agreement shall include:

8.11.c.1. the names of the respective agencies;

8.11.c.2. the effective date of the agreement;

8.11.c.3. the length of notice required by either party to terminate the agreement;

8.11.c.4. the signature, title and date the agreement was signed, for the administrative representatives from both agencies involved;

8.11.c.5. provision for coordinated planning between the faculty and agency;

8.11.c.6. the responsibilities of the sponsoring agency to:

8.11.c.6.A. appoint qualified faculty to teach, supervise and counsel students;

8.11.c.6.B. provide basic learning experiences related to clinical assignment prior to assignment in the clinical area;

8.11.c.6.C. arrange for orientation and supplemental teaching by agency personnel;

8.11.c.6.D. select student clinical experience;

8.11.c.6.E. maintain student records as relevant to the clinical experience;

8.11.c.6.F. notify the affiliating agency of the inclusive dates of the affiliation and the expected numbers of students, in advance;

8.11.c.6.G. schedule an annual conference for review of the program and its objectives, including the rotation plan; and,

8.11.c.6.H. prepare a written evaluation of the clinical experiences.

8.11.c.7. The nurse coordinator shall retain a copy of the evaluation for review during accreditation site visits.

8.11.c.8. the responsibilities of the affiliating agency to:

8.11.c.8.A. provide specific clinical learning experiences;

8.11.c.8.B. make available conference areas and reference materials; and

8.11.c.8.C. meet with the program faculty at regular intervals for evaluation of the program and student experiences:

8.12. Curriculum Evaluation

8.12.a. The faculty shall evaluate the program of instruction at least once every two (2) years.

8.12.b. The faculty shall utilize a variety of resources when evaluating the program, including, but not limited to textbooks and references used in the program, student evaluations, graduate and graduate employer evaluations, clinical facility evalua-

tions, advisory committee or other recommendations from the local community, student performance on the national licensure examination, and the most current job analysis and test plan used to develop the national licensure examination.

8.13. Student Evaluation

8.13.a. The faculty shall evaluate a student's progress in the clinical area at regular intervals. The student shall assist with participate in this evaluation.

8.13.b. The faculty shall use standardized achievement tests in addition to the faculty designed testing program.

## §10-1-9. Students

9.1. Selection of students

9.1.a. An Applicant shall have completed the tenth grade or its equivalent, as required by WV Code §30-7A-3. Applicants shall hold a high school or equivalency diploma if a program wishes to participate in federal student loan programs. The faculty should use standardized tests that measure general intelligence and evaluate academic achievements on high school, college and GED transcripts when considering applicants. The nurse coordinator shall file a copy of the admission criteria, including the pre-entrance test used and the minimum acceptable score for admission, with the board.

9.1.b. Readmission, transfer, withdrawal and advance standing

9.1.b.1. The faculty shall prepare the written policies and evaluation procedures for readmission, transfer, withdrawal and advance standing of students. The nurse coordinator shall decide whether to accept transfer of a student.

9.1.b.2. A student shall be enrolled in a program for a minimum of ninety (90) days before a diploma may be granted, in order to allow the faculty sufficient time to evaluate the students achievements in theory and skills.

9.1.b.3. The nurse coordinator shall prepare a final transcript of the student's grades showing credits granted from the original program and credits granted from the program graduating the student.

9.1.b.4. An applicant shall meet the requirements of the board to be eligible to take the licensure examination.

9.2. The board may refuse to admit an applicant to the licensure examination who has been convicted of a felony, is habitually intemperate or addicted to the use of habit forming drugs, who is mentally incompetent or who is guilty of professional misconduct including conviction of a misdemeanor with substantial relationship to the practice of practical nursing. West Virginia State Board of Examiners for Licensed Practical Nurses Policies Regulating Licensure, of the Licensed Practical Nurse 10 CSR 2. The sponsoring agency should require that students accepted into the program have a pre-admission criminal history records check. The sponsoring agency shall develop written policies which relate to admission of students with a criminal history. The written policy shall include a statement advising the applicant to contact the board office to discuss the potential impact of a criminal conviction on the board application and licensure process as a practical nurse at the completion of the practical nursing program.

9.3. The sponsoring agency shall require that students accepted into the program have a pre-admission physical, a drug screen, a tuberculosis skin test or chest x-ray, immunization for Hepatitis B, as well as other immunizations as recommended by the Centers for Disease Control. The board recommends that a student have a pre-admission dental examination with dental repairs. The program's faculty shall develop policies related to student health services.

9.4. The sponsoring agency should develop a written policy which provides for random drug screening during the course of the instructional year.

9.5. The faculty shall develop written policies regarding absences due to illness or other causes.

9.6. The sponsoring agency shall determine the number and scheduling schedule of vacation days and holidays. The board recommends a minimum of three (3) weeks vacation and all legal holidays.

9.7. The sponsoring agency should provide for qualified counseling services for the students. The faculty should refer students to the qualified counseling service for problems which are not related to the course of instruction.

9.8. The sponsoring agency shall establish written policies regarding the scholastic and personal achievement required of students for graduation from the program. Students receiving a diploma indicating satisfactory completion of an accredited program in practical nursing are eligible to apply to take the licensure examination.

#### **§10-1-10. Records, Reports and Bulletins**

10.1. The program faculty shall maintain a comprehensive record for each student currently enrolled including:

10.1.a. admission records including interview results, the pre-admission test scores, references and transcripts for all previous education;

10.1.b. health records including physical and dental examinations, and records of immunizations;

10.1.c. counseling records;

10.1.d. a record of instruction while in the program; and

10.1.e. an evaluation of the student's progress and grades.

10.2. The sponsoring agency shall keep an individual permanent folder for each student who graduated. The graduate's permanent record shall include:

10.2.a. the high school transcript, GED score or proof of completion of the tenth grade;

10.2.b. a record of the grades on the admission examination and standardized tests administered during the program;

10.2.c. a transcript of grades with an interpretation of each credit or unit; and

10.2.d. licensure examination results.

10.3. The sponsoring agency shall keep an individual file for students who do not complete the program for five (5) years

from the date the student leaves the program. The individual file shall include:

10.3.a. entrance and departure dates;

10.3.b. the high school transcript, GED score or proof of completion of tenth grade;

10.3.c. a transcript of grades for courses completed; and

10.3.d. a brief counseling and anecdotal record.

10.4. The nurse coordinator shall submit a final transcript, including the title of courses taken, clinical and theory grades, and clock hours or an interpretation of credits or units completed, for each graduate practical nurse who applies for the licensure examination.

10.5. The nurse coordinator shall indicate on the application to the board for examination for each program graduate whether a criminal history records check was conducted upon admission to the program or during the course of the program. The nurse coordinator shall submit with the application a true copy of all documents received from any law enforcement agency indicating conviction of any crime. The student with a positive criminal history records check will also submit with the application to the board an explanation of the events surrounding the conviction.

10.6. The sponsoring agency is responsible for safeguarding student records so that graduates may obtain copies of their transcripts.

10.7. The sponsoring agency offering a program in practical nursing should publish a brochure or bulletin of information for prospective students.

10.8. The nurse coordinator shall submit an annual report to the board, on forms provided by the board, within thirty (30) days of completion of a program.