

**WEST VIRGINIA
SECRETARY OF STATE
BETTY IRELAND
ADMINISTRATIVE LAW DIVISION**

Form #2

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WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Exam. for Reg. Prof. Nurses TITLE NUMBER: 19

RULE TYPE: Legislative CITE AUTHORITY: §30-1-4 and §30-7-4

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Policies and Criteria for the Evaluation and Accreditation of
Colleges, Departments or Schools of Nursing

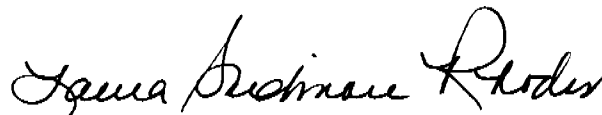
IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

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 25, 2006 AT 4:00 P.M. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia RN Board
101 Dec Drive, Suite 102
Charleston, WV 25311

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



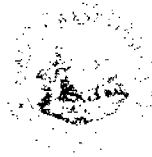
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

\$5.00

Laura S. Rhodes, M.S.N., R.N.
Executive Director

email:rnboard@state.wv.us
web address:www.wvrnboard.com



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STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES
101 Dee Drive, Suite 102
Charleston, WV 25311-1620

March 27, 2006

The Honorable Betty Ireland
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd
Charleston, WV 25305-0770

RE: Proposed Rule Revisions

Dear Secretary Ireland:

The West Virginia Board of Examiners for Registered Professional Nurses in session March 16 and 17, 2006 approved revisions to WV 19 CSR 1 Policies and Criteria for the Evaluation and Accreditation of Colleges, Departments or Schools of Nursing. This letter serves to provide the required brief summary for the proposed changes.

The proposed revisions clarify and change the requirements for a "preceptor" in nursing programs. These changes were requested by the Deans and Directors of Nursing Education in West Virginia. The Board reviewed and approved this request finding that public safety remained protected with these revisions. Both groups agreed to the new language which changes the qualifications that must be met for a registered professional nurse to function in the role of "preceptor" with a student nurse.

Should you have any questions or desire more information please contact me.

For the Board,

A handwritten signature in cursive script that reads "Laura Skidmore Rhodes".

Laura Skidmore Rhodes, MSN, RN
Executive Director

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BETTY IRELAND
MAY 1 2006

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: March 27, 2006

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No) West Virginia Board of Exam for Registered Professional Nurses
101 Dee Drive, Suite 102
Charleston, WV 25311

LEGISLATIVE RULE TITLE: _____
WV 19 CSR 1 Policies and Criteria for the Evaluation and Accreditation of Colleges, Departments or Schools of Nursing

1. Authorizing statute(s) citation §30-7-4 and §30-1-4

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
Filed with Secretary of State March 28, 2006

b. What other notice, including advertising, did you give of the hearing?
Notice of the Comment Period is on the Board's web site, and will be sent to all schools of nursing, hospitals and to licensees in a newsletter

c. Date of Public Hearing(s) *or* Public Comment Period ended:
May 25, 2006

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.
Attached _____ No comments received _____

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Laura Skidmore Rhodes, Executive Director
West Virginia Board of Examiners for Registered Professional Nurses
101 Dee Drive, Suite 102

Charleston, WV 25311

g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

Filed Comment Period with Secretary of State on March 28, 2006

b. Date of hearing or comment period:

Comment Period ends May 25, 2006

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

March 28, 2006

d. Attach findings and determinations and reasons:

Attached Brief Summary of the Rule is attached.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: WV 19 CSR 1 Policies and Criteria for the Evaluation and Accreditation of Colleges

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Board of Exam. for Reg. Prof. Nurses

Address: 101 Dee Drive, Suite 102
Charleston, WV 25311

Phone Number: 304-558-3596 Email: rnboard@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.

The changes to Series one are budget neutral. The revision includes a change in the definition of "preceptor". The change was requested by the Deans and Directors of Nursing Education in West Virginia, reviewed by the Board and subsequently approved by the Board. The Board currently regulates the use of preceptors in schools of nursing preparing students for initial licensure as a registered professional nurse, therefore there are no expected additional expenses.

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	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: _____

Rule Title: WV 19 CSR 1 Policies and Criteria for the Evaluation and Accreditation of College

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

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

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.

The rule revision will not have a fiscal impact as the Board currently regulates preceptors in schools of nursing. The rule revision changes the definition of "preceptor". There are no additional reporting requirements. The rule revisions are budget neutral.

Date: March 27, 2006

Signature of Agency Head or Authorized Representative

Jana Sidman Rhodes

**TITLE 19
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES**

SERIES 1

FILED
2006 MAR 28 P 1:50

WEST VIRGINIA
SECRETARY OF STATE

§19-1-1. General.

1.1. Scope. -- This rule establishes the policies and criteria for the evaluation and accreditation of colleges, departments or schools of nursing.

1.2. Authority. -- W. Va. Code §§30-7-4 and 30-1-4.

1.3. Filing Date. --

1.4. Effective Date. --

§19-1-2. Definitions.

2.1. "Board" means the West Virginia board of examiners for registered professional nurses.

2.2. "College", "Department" or "School" mean a nursing education unit charged with responsibility to prepare its graduates for practice as registered professional nurses, qualified to meet licensing requirements in West Virginia. This nursing education unit may have multiple programs and may be structured in a university, college or hospital.

2.3. "Accredited college, department or school of nursing" means a college, department or school which meets the requirements of W. Va. Code §30-7-1 et seq, this rule, and any other applicable laws and rules. For purposes of considering applications for licensure, the board may recognize nursing education programs accredited or approved by a comparable board or other recognized authority in another jurisdiction.

2.4. "Provisionally accredited college, department or school of nursing" means a college, department or school of nursing which either has been temporarily approved but has not been in operation long enough to qualify for full accreditation, or one which fails to meet the requirements of the law and of the board, and has received notification of its deficiencies.

2.5. "Diploma program" means a program which is usually, but not necessarily, conducted by a hospital and leads to a diploma in nursing.

2.6. "Baccalaureate degree program in nursing" means a program conducted by a college or university and leads to a baccalaureate degree with a major in nursing.

2.7. "Associate degree program in nursing" means a program conducted by a college or university that leads to an associate degree with a major in nursing.

2.8. "Requirements" means mandatory conditions which a college, department or school of nursing must meet in order to be accredited.

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2.9. "Recommendations" means suggestions for the guidance of colleges, departments or schools of nursing in the development of their programs.

2.10. "Credit hour" means that credit assigned for one (1) hour of lecture per week, or two (2) to four (4) hours of lab per week, per semester.

2.11. "Graduation" means the candidate has satisfied all requirements of the college, department or school of nursing granting the diploma or degree.

2.12. "Recommendation for admission to the licensure examination for registered professional nurses" means a written statement required in order to take the license examination. The applicant must be recommended to the board by a faculty member of the program. This recommendation is based on satisfactory completion of the program.

2.13. "Governing organization" means the university, college, or other organization of which the nursing education unit is an integral part.

2.14. "~~Clinical~~ Preceptor" means ~~a an experienced and competent~~ registered professional nurse who ~~serves as a role model and resource to students in the clinical setting in conjunction with a faculty member.~~ meets the following requirements:

2.14.a. currently licensed as a registered professional nurse in good standing in the state in which they are providing the preceptorship with education preparation at or above the level for which the student is preparing;

2.14.b. a minimum of two (2) years of experience as a registered professional nurse providing direct patient care during the five (5) years immediately preceding the date of the written agreement;

2.14.c. a philosophy of health care congruent with that of the nursing program; and,

2.14.d. current knowledge of nursing practice at the registered professional nurse level.

§19-1-3. Purposes of Accreditation.

3.1. The purposes of accreditation include:

3.1.a. Protection of the public through evaluation of pre-service professional nursing education programs in terms of the criteria set forth in this rule;

3.1.b. Improvement in the quality of nursing service through the improvement of professional nursing education;

3.1.c. Guidance of prospective students in the selection of approved professional nursing education programs; and

3.1.d. Assurance of eligibility to take the state licensing examination and to apply for state licensure to graduates of state accredited nursing programs.

§19-1-4. Application for Legal Accreditation.

4.1. The application fee for legal accreditation of a professional nursing education program is fifty dollars (\$50.00).

4.2. A university, college, or hospital desiring to be accredited by the board for the preparation of practitioners of registered professional nursing shall complete and submit to the board a comprehensive needs assessment establishing the need for a new undergraduate professional nursing program. The needs assessment shall provide support to show that clinical resources are available and adequate for providing clinical instruction to students; faculty resources are available; and clear documentation of the need for graduates prepared at the proposed level.

§19-1-5. Accreditation of Education Unit.

5.1. Visits and surveys. The board, through its executive secretary and staff or other qualified persons, shall periodically survey all nursing education programs accredited by the board, including all satellite sites of any program.

5.2. Maintenance of accreditation standards. The nursing education unit shall maintain accreditation standards as set forth in this rule.

5.3. Accreditation of an existing program when ownership and control are changed. When a governing organization contemplates a change of ownership and control of a program, it shall send notice of the intended change to the board ninety (90) days prior to the effective date of the intended change. The owner or governing organization expecting to assume responsibility for the program shall immediately make application for accreditation. If the board is satisfied the owner or governing organization which will be responsible for the new program meets the criteria for accreditation and will comply with the recommendations of the board, it may be provisionally accredited.

§19-1-6. Loss of Accreditation.

6.1. Loss of accreditation through failure to meet standards. The board shall notify the administrator of the nursing education unit in writing of deficiencies in the nursing education program. The board shall withdraw accreditation of any nursing education program which fails to correct the deficiencies in the nursing education program to the satisfaction of the board within a reasonable time period.

6.2. Loss of accreditation through change of organization. When a program changes ownership or control, the board shall automatically withdraw accreditation. The new owner or organization shall comply with the provisions of subsection 5.3. of this rule to continue the nursing education program.

6.3. Provisional accreditation for failure to meet standards. At the board's discretion, it may grant provisional accreditation to a nursing education program during the time in which it takes corrective action in order to meet the accreditation standards set forth in this rule.

§19-1-7. Closing of a Program.

7.1. The governing organization shall advise the board in writing of the intent to close a nursing education program, and it shall submit a plan for safeguarding the quality of instruction and practice during the closing period as well as provide for the transfer of students and custody of records. At the board's discretion, it may request additional information and plans for the closing of a nursing education program and the transfer of students and records.

7.2. The board shall automatically withdraw accreditation of the program on the day the last student completes curriculum requirements of the program that is closing.

§19-1-8. Reports.

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8.1. The nursing education unit shall submit an annual report to the board by September 15 of each year for each nursing program accredited by the board. Data included in this annual report shall be determined by the board, and shall include, but not be limited to, statistical data, faculty data, faculty qualifications information, plans for the next academic year, student enrollment data, faculty workload data and a brief evaluation statement.

8.2. The nursing education unit shall submit a self-study or program evaluation report to the board one month prior to a scheduled on-site visit to the nursing education program. The board shall determine the format and guidelines for the submission of this report.

8.3. The nursing education unit shall notify the board on forms provided by the board at the time any new faculty member is hired by the university, college, or hospital to teach in any accredited nursing program.

8.4. A university, college, or hospital desiring to initiate a new nursing education program shall complete a needs assessment report for submission to the board at least one month prior to the a scheduled board meeting. The board shall determine the format and guidelines for submitting this report.

8.5. A nursing education unit desiring to implement a substantial change to the nursing education program shall submit its request to the board one month prior to a scheduled board meeting. The nursing education unit shall not implement a substantial change to a nursing education program prior to receiving permission to do so by the board.

8.6. At the board's discretion, it may request additional reports from a nursing education unit to include, but not be limited to, written plans for improving licensure examination pass rates of graduates and progress reports.

§19-1-9. Mission and Goals/Outcomes of the Nursing Education Unit.

9.1. The mission or philosophy and goals or outcomes of the nursing education unit shall be clearly stated, periodically reviewed by nursing faculty, and consistent with those of the governing organization.

9.2. Implementation through an adequate program. The nursing education unit shall accomplish its stated goals or outcomes.

§19-1-10. Organization and Administrative Control of the Nursing Education Unit.

10.1. The nursing education unit in the governing organization.

10.1.a. Organization of the nursing education unit. The organization pattern of the nursing education unit shall be comparable to that of other like education units in the governing organization. The nursing education unit shall make a chart showing the structure of the nursing education unit, its relationship to administration, and with other education units available to the board upon request.

10.1.b. Budget of the nursing education unit. The budget of the nursing education unit shall be part of the budget of the governing organization. The administrator of the nursing education unit is responsible for the preparation, presentation and administration of the budget for the nursing education unit. The budget shall be adequate to achieve the mission of the nursing education unit.

10.1.b.1. Financial support for faculty, equipment, supplies and services shall be adequate to achieve the outcomes of all nursing programs within the nursing education unit.

19CSR1

10.1.b.2. Secretarial and other support services shall be sufficient to accomplish the goals and expected outcomes of all nursing programs within the nursing education unit.

10.1.c. Administration of the nursing education unit. The nursing education unit shall be administered by a nurse who (a) holds a graduate degree with a major in nursing, (b) has five (5) years professional nursing experience, two (2) years of which were teaching in a professional nursing program, and (c) holds a license as a registered professional nurse in the state of West Virginia. In addition, qualifications are comparable to those qualifications required of other faculty in the governing organization. The administrator of the nursing education unit is responsible for the following:

10.1.c.1. Providing leadership for faculty and staff;

10.1.c.2. Developing and maintaining relationships with local, state, regional, and national agencies involved in professional nursing or nursing education;

10.1.c.3. Establishing and maintaining liaison with the central administration and other departments of the governing organization;

10.1.c.4. Preparing and administering the budget;

10.1.c.5. Facilitating faculty development and conducting performance reviews;

10.1.c.6. Recommending faculty for appointment, promotion, tenure and retention; and

10.1.c.7. Notifying the board of any major changes in the nursing education program or its administration.

10.1.d. Agreements with an agency or agencies for clinical practice experiences. There shall be a written agreement between the governing organization and the agency or agencies which provide clinical education experiences for students.

§19-1-11. Faculty of the Nursing Education Unit.

11.1. Nursing faculty members, both full and part-time shall be academically and professionally qualified and shall:

11.1.a. Have a graduate degree with a major in nursing;

11.1.a.1. The Board may grant an exception to the requirements in subdivision 11.1.a. for faculty members who:

11.1.a.1.A. Have a bachelor degree with a major in nursing and are admitted and enrolled in a graduate degree program with a major in nursing within one (1) year of employment in the faculty position;

11.1.a.1.B. Have a bachelor degree with a major in nursing and are only employed part-time solely for the purposes of working with students in lab and clinical settings; or,

11.1.a.1.C. Have qualifications other than those set forth in this subsection which are acceptable to the board.

11.1.b. Have evidence of current experience in nursing practice and education; and

19CSR1

11.1.c. Have credentials which verify status as a registered professional nurse in West Virginia.

11.2. Reports on faculty qualifications. At the time of appointment of a faculty member, the nursing education unit shall submit to the board on special forms, a record of the qualifications of each faculty member.

11.3. Conditions of nursing faculty employment. Faculty policies of the nursing education unit shall be nondiscriminatory and consistent with that of the governing organization. Faculty policies which differ from the governing organization shall be justified by the nursing education unit goals. The policies shall be written, implemented and available to faculty and to the board upon request.

11.4. Assignment and workload of nursing faculty. The governing organization shall hire sufficient faculty to accomplish the goals or outcomes of the nursing education unit.

11.5. Organization of nursing faculty. The nursing faculty shall organize under its own governing rules, and meet regularly. Students shall have opportunities to participate in meetings of the faculty organization. The nursing education unit shall maintain minutes of meetings recorded and shall maintain minutes on file.

11.6. Malpractice insurance for nursing faculty. The faculty shall have liability insurance for clinical practice required in nursing education courses.

§19-1-12. Students in the Nursing Education Unit.

12.1. The nursing education unit shall base the selection and admission of students on established criteria, and shall determine student enrollment by the clinical and teaching facilities available and by the numbers of nursing faculty.

12.1.a. Requirements for admission. A high school diploma or general education development (G.E.D.) certificate is required for admission to any nursing education program.

12.1.b. Transfer or readmission of students. The nursing faculty members shall establish policies for students requesting readmission or admission by transfer from another university, college, or hospital's nursing education program.

12.2. Student policies. Policies concerning students shall be clearly stated in the student handbook and/or catalog of the governing organization.

12.3. Liability insurance for students. Students shall be covered by liability insurance for clinical practice.

12.4. Students shall adhere to the standards for professional conduct as stated in the board's rule, Standards for Professional Nursing Practice, 19CSR10, and are subject to disciplinary action by the board as stated in the board's rule, Disciplinary Action, 19CSR9.

§19-1-13. Curriculum.

13.1. The curriculum of each nursing education program within the nursing education unit shall be based on the philosophy or mission and goals or outcomes of the nursing education unit.

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13.1.a. The curriculum shall incorporate the concepts of nursing process and the standards for nursing practice as defined in the board's rule, Standards for Professional Nursing, 19CSR10. Clinical assignments shall be designed to meet the objectives of each nursing course.

13.1.b. Curricula for programs offering the diploma, the associate degree or baccalaureate degree in nursing shall include theory and practice in nursing, encompassing the attainment and maintenance of physical and mental health and the prevention of illness for individuals and groups throughout the life process.

13.2. The nursing courses shall be supported by courses which meet the requirements of the governing organization, including biological, physical and behavioral science courses.

13.3. Major changes in the nursing curriculum or the nursing education pattern. The nursing education unit shall send eight (8) copies of proposed major changes in the curriculum or nursing education pattern of courses currently approved by the board to the board office one month prior to a scheduled board meeting. The nursing education unit shall not effect these changes unless and until it receives board approval. Examples of major changes include but are not limited to:

13.3.a. The total number of credit hours;

13.3.b. The re-distribution of credit hours;

13.3.c. An additional instructional site for the program;

13.3.d. A comprehensive change in philosophy or mission and goals or outcomes;

13.3.e. The addition of new faculty; and

13.3.f. Changes in required cognate (general education) courses.

§19-1-14. Resources, Facilities, and Services.

14.1. The nursing education unit shall provide adequate teaching facilities to accomplish the goals or outcomes of the nursing education programs. These shall include well-equipped classrooms, conference rooms, libraries, laboratories and offices for faculty members.

14.2. Comprehensive and current library resources, computer facilities, laboratory and other learning resources shall be available and accessible. The nursing faculty shall have input into the development and provision of learning resources.

14.3. The resources, facilities and services of the governing organization shall be available to and used by the nursing education unit.

14.4. The hospitals or other health care facilities and services utilized for clinical learning experiences shall be adequate in number and kind to meet program goals or outcomes. ~~Preceptors shall have a baccalaureate degree with a major in nursing.~~

§19-1-15. Evaluation of the Nursing Education Unit.

15.1. The nursing education unit shall have an ongoing systematic evaluation of all program components which is used for development, maintenance and revision of the program.

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15.2. The evaluation plan shall include measurable outcomes, e.g., licensure examination passage rate, employment patterns, graduation rates and attrition.