

**WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION**

Form #1

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF PUBLIC HEARING ON A PROPOSED RULE

AGENCY: WV BOARD OF EXAMINERS FOR RN TITLE NUMBER: 19

RULE TYPE: LEGISLATIVE; CITE AUTHORITY §30-7-4 (a) (b)

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 19CSR 1

TITLE OF RULE BEING AMENDED: Policies and Procedures Related to
the Accreditation of Colleges, Departments or Schools of Nursing

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

DATE OF PUBLIC HEARING: July 29, 1994 TIME: 1:00 - 2:00 pm

LOCATION OF PUBLIC HEARING: Large Conference Room adjacent to Board office
101 Dee Drive
Charleston, WV 25311-1620

COMMENTS LIMITED TO: ORAL , WRITTEN , BOTH

COMMENTS MAY ALSO BE MAILED TO THE FOLLOWING ADDRESS:

West Virginia Board of
Examiners for RN

101 Dee Drive

Charleston, WV 25311-

1620

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate the review of these comments.

The issues to be heard shall be limited to the proposed rule.

4/10 ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

Janet N. Trischild
Authorized Signature

Janet H. Fairchild, M.S., R.N.
Executive Secretary



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STATE OF WEST VIRGINIA
BOARD OF EXAMINERS FOR REGISTERED PROFESSIONAL NURSES

101 Dee Drive
Charleston, WV 25311-1620

June 29, 1994

The Honorable Ken Heckler
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

Dear Mr. Heckler,

The Board in session June 23-24, 1994 approved for filing proposed legislative rule 19CSR1 titled Policies and Procedures Related to the Accreditation of Colleges, Departments, or Schools of Nursing. This is a repeal and replacement of the rule by the same title and name.

A brief summary of the rule follows:

This legislative rule sets forth the policies and procedures related to the accreditation of colleges, departments, or schools of nursing. The rule provides definitions related to accreditation procedures. The rule sets forth the purposes of accreditation; describes majors changes in a program that are reportable and reviewable by the Board; sets forth the accreditation visit and survey procedure; discusses loss of accreditation; closing of a program; and outlines the types of reports required by the Board.

The Board's rationale for proposing a repeal and replacement of this rule follows:

This rule has not been revised or updated since January 1977. Although the effective date on the rule is December 1982, there were no changes to the rule in 1982 when it was re-filed. The proposed amendments generally update the accreditation policies and procedures in light of current standards generally for nursing education programs. The overall format has been changed.

Sincerely,

A handwritten signature in cursive script that reads "Janet H. Fairchild".

Janet H. Fairchild M.S., R.N.
Executive Secretary

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Policies and Procedures Related to the Accreditation of Colleges, Departments or Schools of Nursing

Type of Rule: **Legislative** **Interpretive** **Procedural**

Agency: WV Board of Examiners for Registered Nurses

Address: 101 Dee Drive
Charleston, WV 25311-1620

1. Effect of Proposed Rule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	\$	\$	\$	\$	\$
PERSONAL SERVICES	No change				
CURRENT EXPENSE	No change				
REPAIRS & ALTERNATIONS	none				
EQUIPMENT	none				
OTHER					

2. Explanation of above estimates:

The amendments to this rule will not change the current level of expenditures for implementation of nursing education standards and accreditation procedures.

3. Objectives of these rules:

To update rules. Effective date of December 1982 is actually a re-file date of the original rule which became effective January 1, 1977.

Rule Title: Policies and Procedures Related to the Accreditation of
Colleges, Departments or Schools of Nursing

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

none

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

none

C. Economic Impact on Citizens/Public at Large.

none

Date:

June 29, 1994

Signature of Agency Head or Authorized Representative

Janet R. Mitchell

TITLE 19
LEGISLATIVE RULES
WEST VIRGINIA Board OF EXAMINERS
FOR REGISTERED PROFESSIONAL NURSES

SERIES 1
POLICIES AND PROCEDURES RELATED TO THE
ACCREDITATION OF COLLEGES, DEPARTMENTS OR SCHOOLS OF NURSING

§19-1-1. General.

1.1. Scope - These rules further control criteria for evaluation and accreditation of schools of nursing.

1.2. Authority West Virginia Codes §30-7-1, et seq., 30-15-1, and 30-24.

1.3. Filing Date: _____

1.4. Effective Date: _____

1.5. Repeal of former rule. - This legislative rule repeals and replaces WV 19CSR1 "Polorices and Procedures Related to the Accreditation of Colleges, Departments or Schools of Nursing" filed December 17, 1982 and effective December 17, 1982.

§19-1-2. Definitions.

2.1. The term "Board" means the West Virginia Board of Examiners for Registered Professional Nurses.

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

2.3. An "Accredited College, Department or School of Nursing" is one which has met the requirements of §Code 30-7, this rule, and

such other laws and rules as are applicable.

2.4. A "Provisionally Accredited College, Department or School of Nursing" is one 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. A "Diploma Program" is one which is usually, but not necessarily, conducted by a hospital and leads to a diploma in nursing.

2.6. A "Baccalaureate Degree Program in Nursing" is one conducted by a college or university and leads to a baccalaureate degree with a major in nursing.

2.7. An "Associate Degree Program in Nursing" is conducted by a college or university and leads to an associate degree with a major in nursing.

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

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

2.10. A "Credit Hour" is 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" signifies 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 exam for registered professional nurses" is a written statement required in order to sit for the license examination. The applicant must be recommended to the West Virginia Board of Examiners for Registered Professional Nurses by a faculty of the program. This recommendation is based on satisfactory completion of the program.

2.13. "Registered Professional Nursing". §Code 30-7-1 (b) states, ""Registered Professional Nursing shall mean the performance for compensation of any service requiring substantial specialized judgment and skill based on knowledge and application of principles of nursing derived from the biological, physical and social sciences, such as responsible supervision of a patient requiring skill in observation of symptoms and reactions and the accurate recording of the facts, or the supervision and teaching of other persons with respect to such principles of nursing, or in the administration of medications and treatments as prescribed by a licensed physician or a licensed dentist, or the application of such nursing procedures as involve understanding of cause and effect in order to safeguard life and health of a patient and others."

§19-1-3. Purposes of the law; who may practice.

Section two, article seven, chapter thirty, Code of West Virginia states, ". . . In order to safeguard life and health, any person practicing or offering to practice registered professional nursing in this State for compensation shall hereafter be required

to submit evidence that he or she is qualified so to practice and shall be licensed as hereinafter provided. After the thirtieth day of June, one thousand nine hundred and sixty-five, it shall be unlawful for any person not licensed under the provisions of this article to practice or to offer to practice professional nursing in this State, or to use any title, sign, card or devise to indicate that such person is a Registered Professional Nurse." Only persons holding a current West Virginia license may practice registered professional nursing in West Virginia.

§19-1-4. Powers of the Board.

Section four, article seven, chapter thirty, Code of West Virginia states, ". . . The Board is hereby authorized and empowered to:

- (a) Adopt and, from time to time, amend such Rules and Regulations, not inconsistent with this article as may be necessary to enable it to carry into effect the provisions of this article;
- (b) Prescribe standards for educational programs preparing persons for licensure to practice registered professional nursing under this article;
- (c) Provide for surveys of such educational programs at such times as it may deem necessary;
- (d) Accredit such educational programs for the preparations of practitioners of registered professional nursing as shall meet the requirements of this article and of the Board;
- (e) Deny or withdraw accreditation of educational programs

for failure to meet or maintain prescribed standards required by this article and by the Board; . . . "

§19-1-5. Purposes of accreditation.

5.1. Protection of the public through evaluation of pre-service professional nursing programs in terms of the criteria hereinafter set forth. [19CSR2]

5.2. Improvement in the quality of nursing service through the improvement of nursing education.

5.3. Guidance of prospective students in the selection of approved nursing programs.

5.4 Assurance of eligibility to write the state licensing exam and to apply for state licensure to graduates of state accredited nursing programs.

§19-1-6. Major changes in the nursing curriculum or the nursing education pattern.

6.1. Application for legal accreditation. - Section five, article seven, chapter thirty, Code of West Virginia, states: ". . . An institution desiring to be accredited by the Board for the preparation of practitioners of registered professional nursing shall file an application therefor with the Board, together with the information required and a fee of fifty dollars (\$50.00). It shall submit written evidence that: (a) It is prepared to give a program of nursing education which meets the standards prescribed by the Board; and (b) it is prepared to meet all other standards

prescribed in this article by the Board."

6.2. An institution desiring to be accredited by the Board for the preparation of practitioners of registered professional nursing shall complete and submit a comprehensive needs assessment which would establish a need or lack thereof for any new undergraduate professional nursing program. The needs assessment shall provide support to clinical resources are available and adequate; faculty resources are available; and clear documentation of the need for graduates prepared at the proposed level.

6.3. Instruction and practice in the education unit. - Section five, article seven, chapter thirty, Code of West Virginia, states: ". . . Instruction and practice may be secured in one or more institutions approved by the Board. Such institution or institutions with which the school is to be affiliated shall be surveyed by the executive secretary of the Board. If, in the opinion of the Board, the requirements for an accredited school to prepare practitioners of registered professional nursing are met, it shall approve the school as an accredited school."

§19-1-7. Accreditation of education unit.

7.1. Visits and surveys. - Section five, article seven, chapter thirty, Code of West Virginia, states: ". . . From time to time as deemed necessary by the Board, it shall be the duty of the Board, through its Executive Secretary, to survey all schools. Written reports of such surveys shall be submitted to the Board."

7.2. Maintenance of accreditation standards:

Section five, article seven, chapter thirty, Code of West

Virginia, states: " . . . If the Board determines that any such accredited school is not maintaining the standards required by this article and by the Board, notice thereof in writing specifying the defect or defects shall be immediately give to the school."

7.3. Accreditation of an existing program when ownership and control are changed. When a change of ownership and control of a program is contemplated, a ninety (90) day notice of such intended change shall be sent to the Board. The controlling body expecting to assume responsibility for the program shall immediately make application for accreditation according to the procedure outlined in the law. If the information submitted is satisfactory to the Board and if the owner or controlling body which will be responsible for the new program desires to comply with the recommendations of the Board, it may be provisionally accredited.

§19-1-8. Loss of accreditation.

8.1. Loss of accreditation through failure to meet standards. - Section five, article seven, chapter thirty, Code of West Virginia, states: ". . . A school which fails to correct these conditions to the satisfaction of the Board within a reasonable time shall be removed from the list of accredited schools."

8.2. Loss of accreditation through change or organization. - When a program changes ownership or control, accreditation will be automatically withdrawn. (For procedure whereby program may be continued see Paragraph 7.3 of these rules.)

§19-1-9. Closing of a program.

9.1. The Board shall be advised in writing of the intent to close the program by those responsible for it. A plan which will safeguard the quality of instruction and practice during the closing period and provide for transfer of students and custody of records shall be submitted for consideration and approval.

9.2. The accreditation of a program will be automatically withdrawn on the day the last student completes curriculum requirements of the program that is closing.

§19-1-10. Reports

10.1. Reports: The following reports shall be submitted to the Board from the nursing education unit:

- (a) Annual reports
- (b) Self-study
- (c) Faculty Qualifications/New
- (d) New program
- (e) Closing
- (f) Changes
- (g) Other reports as requested by the Board.