Chapter N 9

SUPPLEMENTAL EDUCATION OF NURSES EXCHANGE-VISITOR PROGRAMS

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History: Chapter N 9 as it existed on August 31, 1970 was repealed and a new chapter N 9 was created, Register, August, 1970, No. 176, effective September 1, 1970.

N 9.01 General information. The exchange-visitor program originated in 1948 when the 80th congress of the United States passed Public Law 402 entitled, "United States Information & Education Act of 1948". (1) PURPOSE. The purpose of the act is "To promote better understanding of the United States among the peoples of the world and to strengthen cooperative international relations."

(2) OBJECTIVES. The objectives of the act are stated in the law as follows: "The Congress hereby declares that the objectives of this Act are to enable the government of the United States to promote a better understanding of the United States in other countries, and to increase mutual understanding between the people of the United States and the people of other countries."

(3) INTERNATIONAL EDUCATION EXCHANGE SERVICE. One means of accomplishing the objectives was the establishment of the international educational exchange service within the United States department of state. The latter has designated United States agencies, institutions, foundations, and others as sponsors of the exchange-visitor program.

(4) FOREIGN REGISTERED NURSE. The 1961 Wisconsin legislature provided for participation of institutions and agencies in the education of nurses from abroad through the exchange-visitor program by creation of section 441.09, Wis. Stats. Foreign registered nurses seeking supplemental nursing education in Wisconsin under this section are recognized as exchange-visitors by the international educational exchange service of the United States department of state through direct or indirect sponsorship. The exchange-visitor nurse will be issued a temporary trainee permit if he meets the qualifications enumerated in section N 9.04 (1) Wis. Adm. Code.

(5) SPONSORSHIP DEFINED. A hospital or agency authorized by the U. S. state department to serve as a sponsor is considered a direct sponsor.

(6) APPROVAL AS SPONSOR. A hospital or agency desiring to be approved as a sponsor of a registered nurse should write to the Chief, Program Services Staff, International Educational Exchange Services, The Secretary of State, Washington 25, D. C. Before sponsorship

is granted the board of nursing is requested to approve the supplemental program the institution or agency is prepared to offer. The criteria for approval are specified in section N 9.06.

History: Cr. Register, August, 1970, No. 176, eff. 9–1–70.

9.02 Purposes. The purposes of this section are to identify the minimum standards for approval of supplemental programs offered by hospital and agencies to exchange-visitor nurses; to establish the requirements for issuance of temporary trainee permits; and to indicate the circumstances under which approval of the program may be withdrawn or a permit may be recalled.

History: Cr. Register, August, 1970, No. 176, eff. 9–1–70.

N **9.03 Philosophy.** The board believes the intent of section 441.09, Wis. Stats., is to afford educational clinical nursing experiences for foreign registered nurses which will help them improve their knowledge and skills and will be useful to them when they return to their own countries. It, further, believes that the legislature, because of the mandatory nature of the law relating to the practice of professional nursing and the citizenship requirement, intended section 441.09 Wis. Stats., to apply exclusively to the foreign qualified registered nurse who is in the United States temporarily and solely for the purpose of furthering his nursing education. The board is of the opinion that all persons associated with this supplemental program and its trainees have a major responsibility for promoting better understanding of the United States.

History: Cr. Register, August, 1970, No. 176, eff. 9–1–70.

N **9.04 Temporary trainee permits.** (1) ELIGIBILITY. The eligibility of the applicant for a trainee permit shall be determined by his nursing qualifications, proficiency in the English language, recognition as an exchange-visitor nurse by the international educational exchange services of the U. S. department of state, acceptance by an institution or agency with an approved supplemental program, and proof of financial independence.

(a) Nursing qualifications shall include proof of graduation from an approved or accredited nursing program, legal authorization to practice nursing in his own country and one or more years of successful nursing practice since graduation.

(b) Proficiency in the use of the English language includes the ability to read, write, speak, and understand. Proof of this ability shall be secured through the testing facilities offered by the United States consular office in the nurse's own country, or the English Language Institute of the university of Michigan, Ann Arbor, Michigan or the National Nurses' Association.

(c) Financial independence shall be in the form of an affidavit from the applicant, or proof from the organization or individual sponsoring the applicant that it assume financial responsibility.

(2) ISSUANCE. A temporary trainee permit shall be issued to an applicant who has complied with all provisions in section N 9.04 (1) and has paid the $30 permit fee. (a) The permit shall be issued for one year and shall specify the institution or agency in which it is valid.

(b) A permit may be reissued without fee during the first year the trainee is in Wisconsin if there is evidence of incompatability

between the trainee and personnel of the hospital or agency or the hospital or agency fails to fulfill its agreement.

(c) A permit may be renewed for the second year upon payment of $30 if there is evidence that by extending the program the trainee will be benefited. A permit may be issued for educational clinical nursing experience in another hospital or agency if the program will benefit the trainee.

(d) Permits may be issued to a trainee for a maximum of 2 calendar years.

(3) RESTRICTION. A permit shall not be valid for the practice of nursing in any other capacity than that of a trainee, or in any other hospital or agency except the one listed on the permit.

(4) RECALL. A permit may be recalled if there is evidence, acceptable to the board, that the trainee is unprepared for the educational experience, fails to adhere to the policies or rules of the institution or agency, conducts himself in a manner which is not in the best interest of the public or nursing profession, violates section 441.06 (4), Wis. Stats., or is not in good physical or mental health. The notice to recall the permit shall be sent by certified mail to the trainee's address on file in the division of nurses and copies shall be sent to the person in charge of the program in which he is enrolled and his sponsor.

(5) EARNED FEE. A permit fee which has been accepted is an earned fee and no part of it is refundable.

History: Cr. Register, August, 1970, No. 176, eff. 9–1–70.

N 9.05 Trainee remuneration. A person holding a temporary trainee permit is a trainee assigned to an institution or agency for a selected educational nursing experience. He is not an employee whose responsibility is to help meet the service needs of the institution or agency. The trainee may be granted a maintenance allowance not to exceed $100 per week. If room and board are provided a realistic charge shall be made and deducted from the allowance.

History: Cr. Register, August, 1970, No. 176, eff. 9–1–70.

N 9.06 Institution or agency. "No institution or agency may offer or undertake a program of supplemental education for holders of temporary trainee permits without prior authorization by the board and without the approval of such program by the board." (Section 441.09, Wis. Stats.) This authorization and approval shall be in writing and signed by the chairman or secretary of the board.

(1) ACCREDITATION. The institution or agency shall be approved and accredited by agencies acceptable to the board. See chapter N 1.03 (8).

(2) CLINICAL FACILITIES. The facilities shall be evaluated by using chapter N 2.07 and N 2.09 in part or in full as appropriate to the institution or agency.

(3) NURSING SERVICE. The standards for nursing service shall be as outlined in chapter N 2.09 (2).

(4) INSTRUCTIONAL PERSONNEL. (a) A qualified registered nurse shall be appointed whose primary functions shall be to counsel trainees and to plan, coordinate and supervise the supplemental

program. He shall be designated as the coordinator. There shall be at least one qualified registered nurse to assist and relieve the coordinator during illness or time off duty who shall be known as assistant coordinator. The board shall determine the number of personnel based on the number of trainees.

(b) The coordinator shall meet the requirements of an instructor as outlined in Wis. Adm. Code section N 2.02 (4) (b).

(c) The assistant coordinator shall meet the requirements of assistant instructor as outlined in Wis. Adm. Code section N 2.02 (4) (c).

(d) The qualified registered nurse, in addition to meeting the specific requirements regarding professional preparation and experience, shall be currently registered in Wisconsin and possess a personal temperament and attitude suitable for the assignment.

(5) TRAINEES. (a) The number of trainees shall not exceed 10% of the number of employed registered nurses.

(b) Trainees shall be assigned to clinical nursing experience not to exceed a maximum of 35 hours per week and at all times shall be under the direct supervision of the coordinator or assistant coordinator.

(c) A trainee's clinical nursing experience is limited to the hours between 7 a.m. and 7 p.m. unless prior written approval has been received from the board.

(d) Each trainee shall keep a daily record showing his assignment, the hours of clinical nursing experience and hours of instruction.

(e) Trainees shall not be assigned to classes for basic nursing students except with the prior approval of the board.

(6) PROGRAM OF SUPPLEMENTAL EDUCATION. (a) *Approval.* A program shall be planned for each trainee based upon his background and needs and shall be submitted to the board for approval prior to implementation. Requests for approval shall be accompanied by:

1. The plan for trainee orientation. Included in this plan shall be provision for orientation to living facilities, the hospital, its organization, personnel and policies, the community, the organization and functions of federal, state and local government, and the organization and function of medical and nursing organizations at all levels.

2. A detailed outline of the clinical nursing program. It shall identify the purposes, the hours of instruction and essential clinical nursing experiences and the plans for evaluation at stated intervals.

(b) *Reports.* A complete and accurate report shall be prepared and submitted to the board at 6 month intervals.

(c) *Re-evaluation.* The program will be re-evaluated at 3 to 6 month intervals unless the board directs otherwise.

(7) WITHDRAWAL OF APPROVAL. (a) The board may withdraw approval of a program when there is evidence that:

1. The trainee is receiving inadequate instruction and/or supervision.

2. The trainee is being utilized to help meet service needs of the institution or agency.

3. The approved program is not being followed.

4. The institution or agency has engaged in misleading advertise-

ments which promise but do not fulfill the planned educational experience for the trainee.

5. The institution or agency has failed to reimburse the department for services within 90 days after being billed.

(b) Notice of withdrawal of approval shall be sent to the administrative officers of the institution or agency by certified mail. Copies of the notice shall be sent to the coordinator, the trainee, and the sponsor.

History: Cr. Register, August, 1970, No. 176, eff. 9-1-70.

N 9.07 Cost of consultation and appraisal. (1) CONSULTATION FEE. A charge of $10 per hour or any part thereof shall be charged for consultation in the office of the division of nurses. For consultation in the institution or agency the charge shall be $75 per day plus expenses of the consultant.

(2) APPRAISAL FEE. A charge of $150 per day and the expenses of the appraiser shall be made for each evaluation and re-evaluation of a program or programs in one institution or agency.

(3) BILLING. The institution or agency shall be billed at 3 month intervals. Reimbursement shall be expected within 90 days.

History: Cr. Register, August, 1970, No. 176, eff. 9-1-70.