

Report From Agency

**STATE OF WISCONSIN
BOARD OF NURSING**

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
BOARD OF NURSING : CR 14-004
:**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

None

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The purpose of the proposed rule is to update the process for approval of schools of nursing. Chapter N 1 has not had a comprehensive review and update since 1989. The process of school approvals have evolved since that time. The current rule does not address current education standards for schools of nursing nor does it address current technologies in providing education. This rule addresses each aspect of the board approval process and creates clarity.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Board of Nursing held a public hearing on February 13, 2014. The following people either testified at the hearing, or submitted written comments:

David Dies representing the Wisconsin Educational Approval Board
Dawn Driscoll
Gina Dennik-Champion representing the Wisconsin Nurses Association (WNA)

The Board of Nursing summarizes the comments received either by hearing testimony or by written submission as follows:

- Mr. Dies requested the Board to consider accept national institutional accreditation as well as regional institutional accreditation.
- Ms. Driscoll was concerned whether limiting the first time NCLEX scores to 6 months after graduation would provide valid data and suggested the use of all first time NCLEX scores be re-examined.
- The WNA supports the proposed changes because they provide better clarity regarding the expectations of the educational pre-licensure and refresher programs for nursing. The WNA finds these changes support the consumer and the public.

The Board of Nursing explains modifications to its rule-making proposal prompted by public comments as follows:

- In response to Mr. Dies' comments the Board changed the term of "regional accreditation" to "institutional accreditation" and the definition includes national and regional accreditation. The Board also made two minor changes of "approved" nursing accreditation to "recognized" nursing accreditation.
- In response to Ms. Driscoll's comment, the Board removed the 6 month after graduation from s. N1.09(2)(a).

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 1g: The agency might consider including an initial applicability clause in the proposed rule.

Response: The Board declines including an initial applicability clause as the intention is for the rules to be applicable as soon as the rule goes into effect.

Comment 5f(4): In sub. (3)(c)1.b., it is unclear what a "bachelor's in nursing to doctorate program in nursing" means.

Response: There are programs which skip the master's level and are called "bachelor's to doctorate" programs.

Comment 5L(1): In s. N 1.12, in the introductory sentence, "have not been practicing for five years or more" should be replaced with "have been practicing for less than five years."

Response: There is a difference between "have not been practicing for five years or more" and "have been practicing for less than five years". These courses are for those nurses who not practiced for a period of time of five years or more in order for the nurses to "refresh" their skills and become current with their skills and the changes in the practice of nursing. Therefore, the Board rejects the recommendation.

All of the remaining recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

None. This rule does not have an economic impact on small businesses.