

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 17-095**

I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS: N/A

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 rule is to create more uniformity for education standards within the nursing programs to ensure graduates are competent and can provide safe care to the public.

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 January 11, 2018. The following people either testified at the hearing, or submitted written comments:

Gina Dennik-Champion representing Wisconsin Nurses Association

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

The Wisconsin Nurses Association favors the proposed rules and appreciates the work of the Board of Nursing in revising the rules to reflect the needs of patients.

The Board did not make any modifications to its rule-making proposal prompted by public comments.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 5b: Section 2 could be modified for clarity. The language suggests, but is not clear, that graduate level curriculum shall be designed to teach students to use a systemic approach to clinical decision-making and safe patient care. Additionally, the language could clarify that all curriculum except curriculum for graduate level courses shall be developed by nursing faculty with a graduate degree.

Response: The language states “All curriculum shall be developed by nursing faculty with a graduate degree and designed to teach students to use a systematic approach to clinical decision-making and safe patients care”. By stating all curriculum, it includes graduate level curriculum. In addition, all curriculum shall be developed by nursing faculty with a graduate degree (masters or doctoral), however, for graduate level courses that graduate degree must be a doctoral degree.

Comment 5c: The material added in Section 3 could be modified for clarity. The sentence appears to be incomplete. Additionally, the plain language analysis description of Section 3 suggests the new material applies only to prelicensure programs. The board should consider including the new material as a separate rule Section if its application is not consistent with the other material relating to coursework.

Response: The material is not added per se, rather, a clarification. The Board of Nursing moved “across the lifespan” to a separate sentence to clarify that prelicensure programs are required to ensure patients across the lifespan are included. The Board of Nursing recognizes that postlicensure programs generally specialize and the focus may not include patients across the lifespan. This is consistent with the other material relating to required coursework.

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:

This rule does not have an effect on small business.