

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 610 Department or Agency Alabama Board of Nursing

Rule No. 610-X-3-02 Standards For Approval

Rule Title: 610-X-3-02 Standards For Approval

 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Service Agency.

Signature of certifying officer Peggy Sellers Benson, RN, MSHA, MSN, NE-BC

Date September 17, 2021

REC'D & FILED (DATE FILED)
(STAMP)

SEP 17 2021

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ALABAMA BOARD OF NURSING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Nursing

RULE NO. & TITLE: 610-X-3-.02 Standards For Approval

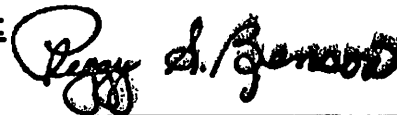
INTENDED ACTION: The Alabama Board of Nursing proposes to amend the rules related to nursing education.

SUBSTANCE OF PROPOSED ACTION: The Alabama Board of Nursing proposes to amend ABN Administrative Code § 610-X-3-.02, to allow nursing education programs to conduct up to 50% of clinical learning experiences by simulation. A copy of the proposed rule may be found on the Board's web site, www.abn.alabama.gov, under "laws" and then "proposed rule changes."

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or verbal comments will be accepted until Thursday, November 4, 2021. Verbal or written comments should be directed to Peggy Benson, Executive Officer, at P.O. Box 303900, Montgomery, AL 36130-3900 or via electronic mail at Peggy.Benson@abn.alabama.gov or via telephone at 334-293-5210.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
The record closes at 4:30 P.M. on Thursday, November 4, 2021.

CONTACT PERSON AT AGENCY:



Peggy Benson, Executive Officer
Executive Officer

610-X-3-.02 Standards For Approval.

(1) All Alabama prelicensure nursing education programs and advanced practice nursing education programs, including Alabama distance nursing education programs, must be approved by the Alabama Board of Nursing and accredited by a national nursing accrediting agency recognized by the U.S. Department of Education by January 1, 2023 or within five (5) years of Approval by the Board, in the case of a new program. If a program is unable to satisfy this requirement as the result of ineligibility for accreditation due to the existence of a deficiency or order issued by the Alabama Board of Nursing pursuant to this Chapter, the program shall establish candidacy for accreditation within six (6) months of successful resolution of the deficiency or satisfaction of the terms of the Order. Alabama advanced practice nursing education programs in operation prior to December 31, 2020, are considered in approved status. Advanced practice nursing education programs established in Alabama on or after January 1, 2021, shall obtain Board approval prior to implementation.

(2) The governing institution, nursing program administrator, and nursing faculty are accountable for the standards, processes, and outcomes of the nursing education program.

(3) The governing institution offering the nursing program shall be:

(a) A postsecondary education institution that is authorized to offer nursing education and is accredited by an organization recognized by the U.S. Department of Education.

(b) Approved and licensed by the appropriate State of Alabama education agency(ies), as required by law.

(4) The governing institution shall provide support and resources sufficient to ensure achievement of student learning and program outcomes. Resources include, but are not limited to:

(a) Financial.

(b) Education program physical facilities, if appropriate.

(c) Instructional and learning equipment.

(d) Technology, to include simulation tools.

(e) Administrative, instructional, and support personnel.

(5) The governing institution's administrator or program administrator shall notify the Board, in writing, of any substantive changes in the program, including, but not limited to:

(a) Nursing program administrator.

(b) Governing institution administrator, President, CEO, Chancellor, or Provost.

(c) Governance structure of the institution.

(d) Accreditation status and accreditation status reports related to the governing institution or nursing education program.

(e) Ownership or merger of governing institution.

(f) Name of the governing institution or nursing education program.

(g) Relocation of the governing institution or nursing education program.

(h) Significant curriculum changes.

(i) Intent to close a program.

(j) Expanding or collapsing, combining, or separating programs, including, but not limited to, prelicensure programmatic changes, and clinical/role populations preparing advanced practice registered nurses in an approved graduate nursing education degree program, specialty, or sub-specialty track,

(k) Reduction in nursing program faculty size exceeding thirty percent.

(l) Annual turnover in faculty greater than thirty percent.

(m) The percentage of total nursing faculty (full-time, clinical, adjunct, part-time, and other) employed at the institution as full-time faculty falls below thirty percent.

(n) Utilization of virtual or simulation lab in lieu of a 'hands-on' lab for anatomy and physiology lab.

(o) Utilization of virtual or simulation lab in lieu of any required direct clinical hours for national certification examination.

(6) There shall be an organizational chart that depicts the authority, responsibility, and channels of communication between the nursing program and the governing institution and other comparable programs within the governing institution.

(7) A nursing education program shall be administered by a qualified program administrator who is accountable for the planning, implementation, and evaluation of the program.

Minimum qualifications of a nursing program administrator shall include:

(a) An active, unencumbered Alabama registered nurse license or a multistate registered nurse license issued by a party state, as defined in Chapter 4 of these rules.

(b) An earned graduate degree in nursing. Nursing program administrators for advanced practice nursing education programs should be doctoral prepared.

(c) Academic and experiential qualifications to administer a nursing education program.

(8) The governing institution and nursing program administrator shall provide sufficient numbers of qualified faculty to ensure that curriculum implementation and expected program outcomes are achieved and aligned with national nursing accrediting standards. Minimum qualifications of nurse faculty shall include:

(a) An active, unencumbered Alabama registered nurse license, or a multistate registered nurse license issued by a party state, as defined in Chapter 4 of these rules.

(b) An earned graduate degree in nursing or a related health field.

(c) Academic and experiential qualifications to teach in the area assigned.

(9) Institutional and program policies, procedures, and other publications, whether written or electronic, shall:

(a) Be written, accurate, and consistent as published, and publicly available.

(b) Address students' abilities to assume clinical assignments including, but not limited to, educational preparedness and physical, mental, and emotional behaviors.

(c) Provide opportunities for students to regularly participate in the development, evaluation, and continuous improvement of the program.

(10) All faculty are provided orientation and educated in basic instruction or teaching, adult learning principles, curriculum development, test item writing, and simulation standards, as appropriate to the faculty position.

(11) Faculty participate in and are accountable for curriculum development, implementation, and evaluation.

(12) The curriculum of a nursing education program shall:

(a) Enable the student to develop the knowledge, skills, and abilities necessary for the level, scope, and standards of competent nursing practice expected at the level of licensure, approval, or certification.

(b) Provide evidence-based, outcome-focused, and culturally-sensitive theoretical and clinical experiences specific to the expected scope of practice of graduates from each type of nursing education program.

(c) The curriculum content of a prelicensure nursing education program shall include:

1. Liberal arts and sciences supportive of the nursing education program.

2. Anatomy and physiology with a corresponding lab. Utilizing a 'virtual lab' in lieu of a 'hands-on' lab is considered a substantive change and requires Board notification.

3. Nursing foundations, health assessment, pharmacology, nutrition, and community-based nursing.

4. History and trends of nursing, cultural diversity, legal and ethical responsibilities, and nursing scope of practice responsibilities, including leadership, management,

delegation, and health care delivery systems.

5. Theoretical and clinical learning experiences across the lifespan in the areas of adult, maternal/infant, child/pediatric, and psychiatric/mental health nursing that includes simulation, laboratory time, and direct patient care in a licensed health care setting. This does not prohibit additional experience in licensed non-health care setting.

6. Simulation learning experiences conducted according to acceptable faculty training standards and guidelines which incorporate clinical objectives, student debriefing, and evaluation are acceptable components of the clinical experience. Unless otherwise authorized by the Board, Simulation shall not comprise more than ~~30%~~ 50% of the clinical learning experience.

7. Safe and Effective Care Environment, Health Promotion and Maintenance, Psychosocial Integrity, and Physiological Integrity across the lifespan.

8. Microbiology for students pursuing an associate or baccalaureate degree.

(13) The governing institution, nursing program administrator, and nursing faculty are accountable for selecting and evaluating the teaching methods, delivery modalities, and processes used to achieve expected program outcomes.

(14) Clinical supervision or preceptorship of students shall comply with the standards set forth in this chapter.

(a) Clinical learning experiences shall be supervised by a registered nurse with knowledge of educational strategies and subject matter, and who is experienced in the clinical technologies essential to the safe practice of nursing.

(b) The clinical supervisor or assigned clinical faculty shall hold an active, unencumbered license to practice professional nursing in Alabama, or a multistate registered nurse license issued by a party state, as defined in Chapter 4 of these rules.

(c) The clinical supervisor or assigned clinical faculty shall be readily accessible to assign or prescribe a course of action, provide procedural guidance, direction, and evaluation for students engaged in the clinical learning experience.

(d) The faculty-student ratio in clinical learning experiences shall be collaboratively determined by the professional nursing faculty, the School of Nursing administration, and the professional nurse administrator, or designee, in the clinical agency. In licensed hospitals that provide inpatient acute care, the faculty to student ratio shall not exceed 1:8 during clinical learning experiences. The faculty-student ratio shall be determined according to the:

1. Complexity of the educational experience.
2. Acuity of the patient(s).
3. Physical layout of the clinical setting.
4. Student's level of knowledge and skills necessary to provide safe patient care.

(e) The nursing education program shall work with clinical agencies for the planning, implementation, and evaluation of clinical experiences.

(f) Clinical learning experiences shall include the development of skills in clinical reasoning, management of care for groups of patients, and delegation to and supervision of other health care personnel performed in acute care and a variety of health care settings.

(g) Nursing faculty shall maintain responsibility and accountability for planning, implementation, and evaluation of all student clinical learning experiences.

(15) Nursing programs that offer only simulations or clinical testing do not meet the requirements for providing clinical learning experiences for nursing students.

(16) Scores on external exams shall not be utilized as the sole criterion for barring a student from graduating from the nursing program who otherwise, has successfully completed all required coursework.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, §34-21-2(2).

History: Filed September 29, 1982. **Amended:** Filed September 21, 1984; effective October 29, 1984. **Amended:** Filed July 23, 1997; effective August 27, 1997. **Repealed and New**

Rule: Filed July 22, 2002; effective August 26, 2002. **Amended:** Filed September 27, 2004; effective November 1, 2004. **Amended:** Filed September 25, 2006; effective October 30, 2006. **Amended:** Filed March 12, 2007; effective April 16, 2007. **Amended:** Filed

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September 21, 2007; effective October 26, 2007. **Amended:** Filed November 19, 2010; effective December 24, 2010. **Amended:** Filed March 16, 2012; effective April 20, 2012. **Amended:** Filed April 21, 2015; effective May 26, 2015. **Amended:** Filed November 21, 2016; effective January 5, 2017. **Amended:** Filed July 25, 2019; effective September 9, 2019; operative January 1, 2020. **Amended:** Published June 30, 2020; effective August 14, 2020. **Amended:** Published November 30, 2020; effective January 14, 2021.

Ed. Note: Rule 610-X-3-.01 was renumber to .02 as per certification filed September 25, 2006; effective October 30, 2006.