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1419 Wynnemoor Way
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Regulation ID #16A-5130 (#2608)

Ann Steffanic, Board Administrator
State Board of Nursing
P.O. Box 2649
Harrisburg, PA 17105-2649

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INDEPENDENT REGULATORY
PENNSYLVANIA COMMISSION

Dear Ms. Steffanic:

On behalf of the PSEA School Nurse Section, I am submitting the following comments concerning the proposed rulemaking for Continuing Education for Professional Nurses, 37 Pa.B. 1980.

Pennsylvania Certified School Nurses must have, by statute, an Educational Specialist Certificate issued by the Pennsylvania Department of Education (PDE). Professional nurses that are certified education specialists (certified school nurses) have been required by state law to obtain 180 hours of continuing education in the area of their specialty every five years since the year 2000 (24 P.S. §12-1205.2). The Act of June 29, 2006 (P.L. 275, No. 58 codified as 63 P.S. §222) contained a provision, in subparagraph g(2), that acknowledged this prior existing statutory requirement. The statutory language is clearly intended to relieve school nurses from duplicative continuing education requirements in order to maintain their professional education certification as well as their professional nurse licensure. The statute provides that **"In lieu of meeting the requirements of this section . . . School nurses . . . shall be permitted to submit evidence of the completion of education courses approved for their certification . . ."** The plain meaning of 63 P.S. §222 would exempt school nurses from the continuing education requirements for maintaining their nursing licenses, as long as they complied with the continuing education requirements necessary to maintain their education specialist certification. However, the regulations that have been proposed to implement 63 P.S. §222 are silent concerning this matter.

Although the legislative intent in this regard is clear, it would not be redundant to address the school nurses' situation in the proposed regulations so as to avoid any future misunderstandings in the enforcement of the licensure renewal requirements. We propose that the Board of Nursing amend the proposed regulation by adding a new section that addresses 63 P.S. §222(g)(2), exempting school nurses that maintain their education specialist certification from the continuing education requirements for license renewal. We also propose that the list of approved providers in §21.134, "Continuing Education Sources," be expanded to include programs approved by the Pennsylvania Department of Education. In addition, courses sponsored by the Pennsylvania Department of Health should also be included. In keeping with the State Board of Nursing's preference for the utilization of online resources, Certified School Nurses should be permitted to confirm their continuing education hours by submitting electronically the results of their "Professional Education Record Management System" (PEARMS V2) available on the secure PDE web site.

It is important that the regulations clearly exempt school nurses from the thirty-hour/two year requirement for continuing education because the statute does not specifically address the disparity between the two-year time period for nursing license renewal and the five-year time period for education specialist recertification. Since a school nurse's nursing license will come up for renewal twice during the five year period, it is probable that a school nurse may not obtain thirty hours of continuing education within a two year period while still obtaining 180 hours of continuing education during the five years, as required by

law. In order to preclude confusion and potential future conflicts in the enforcement of licensure renewal requirements, we propose that the Board of Nursing should include in the proposed regulations a provision that clearly states that school nurses do not have to obtain thirty hours of continuing education in the two year renewal period as long as the school nurse obtains 180 hours of continuing education within the five year period required for recertification as an education specialist.

In addition, we believe that the change to §21.5, "Fees," should be clarified so as to apply to requests for approval by continuing education providers, not requests for approval by individual nurses. A \$75 fee per credit hour is excessive and would constitute an onerous fiscal impact on an individual professional nurse if it were to be imposed upon an individual case-by-case basis. Equally onerous are the requirements in §21.134(b), (c), (d), and (e) for an individual professional nurse. We suggest that a separate regulation be promulgated for individuals to relieve individual professional nurses from the ones meant for providers.

Thank you for your consideration.

Sincerely,



Carol G. Hackenbracht
PSEA Department of Pupil Services School
Nurse Section President

cc: Independent Regulatory Review Commission