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4331 Tasso Street
Pittsburgh, PA 15207
July 31, 2007

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Independent Regulatory Review Commission
Atten: Kim Kaufmann, Executive Director
333 Market Street, 14th Floor
Harrisburg, PA 17101

INDEPENDENT REGULATORY
REVIEW COMMISSION

RE: Proposed Rule, State Board of Nursing, Continuing Education for Professional Nurses

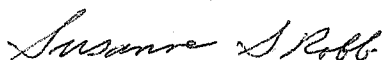
1. I apologize for not responding within the 30-day period following publication of the proposed rule changes in the Pennsylvania Bulletin on April 28, 2007. The time lag between the authorizing act of June 29, 2006 and publication of the proposed rule was so long, that I gave up visiting the Board web site for progress reports. Only when I visited the site to renew my license, did I find that the rule had been published and period for responding had passed. I am writing now expecting, that since the rule is not final, an opportunity remains for changes.

2. My concerns with, and questions regarding, the proposed rules are indicated in the table below.

| Proposed Rule | Concern and/or Question |
|--|--|
| § 21.1 Definitions "Another example of creditable individual continuing education is taking a college course in a foreign language relevant to health care in accordance with §§ 21.122(b) and 21.134(a)(5) (relating to continuing education sources)." | I have no idea as to what is intended by this statement. As long as the source is either an approved institutional provider or the individual nurse has received State Board approval for the continuing education offering, why should the language used to teach the course matter? Is this statement in anticipation of the day when Spanish will be the only language recognized in the United States? If the intent is to accommodate nurses educated in other countries, should not the institutions be pre-approved as providers of continuing education regardless of the language used to teach the courses? |
| § 21.131, subsection (g) proposes imposition of a civil penalty for licensees who fail to complete 30 hours of continuing education during the biennial period. | A civil penalty seems unwarranted. Suggest simply not renewing the license until the nurse completes 30 hours of continuing education within 24 months immediately before applying for license renewal. |
| § 21.1 and § 21.133 Group or individual research may only be used for continuing education credit if the Institutional Review Board of the facility in which the research will take place has approved the research. | Suggest finding some other criterion than Institutional Review Board (IRB) approval for granting continuing education credit for research because increasing amounts of research are done to provide evidence on which nurses can base their practice and not to close gaps in knowledge, which is the purpose of traditional research. Research done to generate evidence for practice may involve extensive reviews of published research which are then summarized as content analyses and/or as meta-analyses. These endeavors serve to keep nurses current in terms of their knowledge and provide a basis for decision-making. Neither requires IRB approval. Other evidence for practice comes from evaluating outcomes |

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| | across patients and then adjusting practice to improve those outcomes. This work is more like quality improvement but involves research methods and definitely serves to keep nurses current in their knowledge. Again, no IRB approval is required. |
| § 21.134 "The continuing education sponsor or a nurse seeking approval for a continuing education activity must submit the following information..." and § 21.5 "The fee is set at \$75 for approval of 1 hour of continuing education..." | I understand that the State Board must charge a fee to cover the expense of reviewing and approving educational offerings. And, I believe that institutional providers can probably afford to pay the fee. However, my concern is for the individual nurse seeking approval for continuing education activities such as engaging in research, an endeavor that may involve 30 or more hours of extensive study and at \$75 per credit, a cost of at least \$2,250. Is the plan to cap the number of hours that can be granted for conduct of research? How will the number of hours that a given study is worth be determined? Should there be a mechanism for nurses to seek retrospective approval by the Board for education which they received with the understanding that approval is not certain? |
| A further concern regarding licensure to practice nursing in Pennsylvania | Do the present regulations prevent people who are not legal residents from obtaining licenses? Do these regulations require proof of proficiency in speaking and writing English? If not, they should be changed to impose these requirements. |

3. Questions about concerns indicated above may be directed to Susanne Robb, PHD, RN, at (412) 365-5876 during business hours or via e-mail to susannerobb@hotmail.com.



Susanne S. Robb, PHD, RN

cc: ✓ Ann Steffanic, Board Administrator
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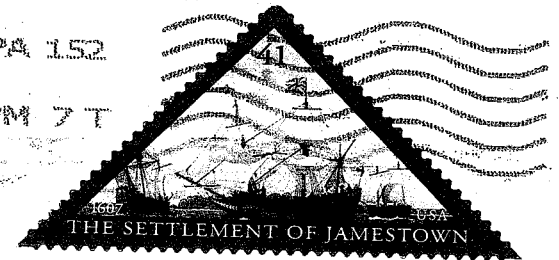
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