

Regulatory Analysis Form

This space for use by IRRC

2007 AUG 15 PM 12:21

INDEPENDENT REGULATORY
REVIEW COMMISSION

(1) Agency

Department of State, Bureau of Professional and Occupational Affairs, State Board of Nursing

(2) I.D. Number (Governor's Office Use)

16A-5131

IRRC Number: 2631

(3) Short Title

Faculty Requirements for RN Programs

(4) PA Code Cite

49 Pa. Code, §§ 21.71, 21.72 and 21.74

(5) Agency Contacts & Telephone Numbers

Primary Contact: Teresa Lazo, Counsel
State Board of Nursing (717) 783-7200

Secondary Contact: Joyce McKeever, Deputy Chief Counsel, Department of State (717) 783-7200

(6) Type of Rulemaking (check one)

- Proposed Rulemaking
 Final Order Adopting Regulation
 Policy Statement

(7) Is a 120-Day Emergency Certification Attached?

- No
 Yes: By the Attorney General
 Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The regulation sets forth the qualifications for nurse administrator and faculty in nursing education programs. The regulation should increase the availability of qualified faculty to teach in nursing education programs, thereby increasing the capacity of the Commonwealth's nursing education programs.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

Section 6.1 of the Professional Nursing Law (act) (63 P.S. § 216.1), authorizes the Board to establish regulations for the approval of nursing education programs in the Commonwealth. Faculty qualifications are an integral part of the approval of nursing education programs.

Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

The regulation is not mandated by any law other than section 6.1 of the Professional Nursing Law (63 P.S. § 216.1), which requires the Board to regulate the education of nurses in the Commonwealth.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The Pennsylvania Workforce Development Board completed a study of the nursing shortage in the Commonwealth and concluded that a major impediment to increasing the capacity of the Commonwealth's nursing education programs was the availability of qualified faculty. The organization communicated its findings to the State Board of Nursing, which in turn proposes this rulemaking. The rulemaking broadens the categories of faculty for nursing education programs and provides for less restrictive qualifications for nursing faculty while ensuring that faculty members are competent to teach in the areas in which they are hired.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

The shortage of qualified nurses in the Commonwealth creates a serious risk to all citizens deprived of adequate nursing care. The Board's proposed rulemaking will enable nursing education programs to hire more faculty and thereby increase enrollment, creating more qualified nurses to serve the citizens of the Commonwealth.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

The general public will benefit from increased availability of nursing services in the Commonwealth.

Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

The Board has not identified any particular groups that will be adversely affected by the regulation.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

All nursing education programs will be required to comply with the regulation. The regulation is significantly less restrictive than the current regulation that requires that nursing faculty members hold a master's degree in nursing.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The Board requested and received input from nursing education programs in the Commonwealth and from the Pennsylvania Workforce Development Board in the development of this proposed rulemaking.

Regulatory Analysis Form

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

There are not costs or savings to the regulated community associated with compliance with this rulemaking.

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

There are no costs or savings to local governments associated with complying with the regulation.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

There are no costs or savings to state government associated with the implementation of the rulemaking because the Board is self-supporting.

Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY 06-07	FY +1 Year 07-08	FY +2 Year 08-09	FY +3 Year 09-10	FY +4 Year 10-11	FY +5 Year 11-12
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	NA	NA	NA	NA	NA	NA
Local Government	NA	NA	NA	NA	NA	NA
State Government	NA	NA	NA	NA	NA	NA
Total Savings	NA	NA	NA	NA	NA	NA
COSTS:						
Regulated Community	NA	NA	NA	NA	NA	NA
Local Government	NA	NA	NA	NA	NA	NA
State Government	NA	NA	NA	NA	NA	NA
Total Costs	NA		\$	\$		
REVENUE LOSSES:						
Regulated Community	NA	NA	NA	NA	NA	NA
Local Government	NA	NA	NA	NA	NA	NA
State Government	NA	NA	NA	NA	NA	NA
Total Revenue Losses	NA	NA	NA	NA	NA	NA

(20a) Explain how the cost estimates listed above were derived.

NA

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY – 03-04	FY – 04-05	FY – 05-06	BUDGETED FY 06-07
State Board of Nursing	\$5,382,111	\$5,946,037	\$6,388,169	\$7,985,000

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

There are no costs associated with the regulation; therefore, a cost-benefit analysis is not a useful tool in analyzing this proposed rulemaking.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

Because faculty requirements are already in regulation, the Board could consider only deleting the requirements completely or amending the requirements. As the Board is responsible for ensuring the quality of nursing education in the Commonwealth, the Board did not feel it would be appropriate to fail to regulate the qualifications for nursing education faculty.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

See response to number 22.

Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No federal standards apply.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

The regulation will not put Pennsylvania at a competitive disadvantage with other states. In virtually every state that assigns the duty of ensuring the quality of nursing education programs to the state board of nursing, the state board sets forth qualifications for faculty. The Board's proposal is consistent with the requirements of national accrediting bodies that accredit nursing education programs and are also consistent with other states' requirements.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The regulation will not affect existing or proposed regulations of the Board or other state agencies.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

The public is given 30 days to comment after the publication of proposed rulemaking. No other public comment period will be provided.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

The regulation will require faculty to retain documentation of their continuing education and other professional activities that relate to their competence to teach in a particular subject area. It is likely that faculty members already retain this information.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

No groups with particular needs have been identified.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulation will become effective on publication of the final-form rulemaking in the Pennsylvania Bulletin.

(31) Provide the schedule for continual review of the regulation.

The Board continuously monitors its regulations at its meetings. Meeting dates are available on the Department of State's website, www.dos.state.pa.us.

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

RECEIVED

2007 AUG 15 PM 12:21

INDEPENDENT REGULATORY
REVIEW COMMISSION

DO NOT WRITE IN THIS SPACE

2631

Copy below is hereby approved as to form and legality. Attorney General

Angela M. Elliott
BY: _____
(DEPUTY ATTORNEY GENERAL)

JUN 27 2007

DATE OF APPROVAL

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

State Board of Nursing
(AGENCY)

DOCUMENT/FISCAL NOTE NO. 16A-5131

DATE OF ADOPTION: _____

BY: *Mary E. Bowen*
Mary E. Bowen, RN, CRNP

TITLE: Chairperson
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

Copy below is approved as to form and legality. Executive or Independent Agencies

Andrew C. Clark
Andrew C. Clark

MAY 25 2007

DATE OF APPROVAL

(Deputy General Counsel
(Chief Counsel,
Independent Agency
~~Strikes inapplicable
title~~)

- Check if applicable Copy not approved. Objections attached.
- Check if applicable. No Attorney General approval or objection within 30 day after submission.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF NURSING
49 PA. CODE, CHAPTER 21
FACULTY REQUIREMENTS FOR NURSING EDUCATION PROGRAMS

The State Board of Nursing (Board) proposes to amend §§ 21.71 and 21.72 (relating to faculty and staff requirements for baccalaureate and associate degree programs; and faculty policies) and to delete § 21.74 (relating to faculty and staff requirements for diploma programs) to read as set forth in Annex A. This proposal is intended to remove unnecessary restrictions on appointments of faculty for nursing education programs.

Effective Date

The amendments will be effective upon publication of the final-form rulemaking in the Pennsylvania Bulletin.

Statutory Authority

The amendments are authorized by section 6.1 of the Professional Nursing Law (act) (63 P.S. § 216.1), which provides that the Board shall establish standards for the operation and approval of nursing education programs.

Background and Need for the Amendment

The Nursing Education Capacity Working Group, an ad hoc committee of the Pennsylvania Center for Health Careers, suggested that the Board amend its regulations related to nursing education faculty. Following a series of Roundtables held throughout the state to discuss the nursing shortage and through research and discussion with experts, the Center concluded that Pennsylvania needed to expand, as quickly as possible, the supply of qualified nurse educators without compromising the quality of nursing education. This suggestion addresses the nursing shortage because one of the impediments to Pennsylvania's goal of an adequate nurse workforce is the inability of nursing schools to meet the demand for enrollment due to faculty shortages. The Board now proposes these amendments to allow nursing education programs greater leeway in hiring qualified faculty to educate nursing students.

Description of Proposed Amendments

The Board proposes to amend § 21.71, which sets forth the faculty and staff requirements for baccalaureate and associate degree nursing education programs, so that it applies to all nursing education programs (baccalaureate and associate degree programs, programs in transition and diploma programs). The Board proposes to delete § 21.74, which currently sets forth the faculty and staff requirements for diploma nursing education programs. In this

proposal, the Board has reorganized § 21.71. Proposed subsection (a) provides the general requirement that a nursing education program employ a sufficient number of adequately qualified faculty, faculty assistants and staff to accomplish the program objectives. Proposed subsection (b) sets forth the qualifications for the nurse administrator of the nursing education program. Proposed subsection (c) sets forth the qualifications for faculty, faculty assistants and allied faculty in the nursing education program.

The Board proposes to amend § 21.71(b) to provide that the nurse administrator's credentials shall be submitted for Board approval. This requirement is not new; proposals for new nursing education programs must already include the administrator's credentials for approval. The Board proposes in paragraphs (1) and (2) to permit nursing education programs to employ an administrator with at least one graduate degree in nursing rather than "a master's degree in nursing". The Board anticipates that this change will greatly increase the pool of applicants qualified to serve as nurse administrator.

The Board's current regulations require that all nursing faculty hold a master's degree in nursing. The current regulations also allow employment of a faculty assistant, who does not hold a master's degree in nursing, provided the faculty assistant provides evidence of actively pursuing a master's degree in nursing.

This proposed rulemaking would create three categories of nursing faculty: faculty, faculty assistants and allied faculty. Faculty teaching required clinical nursing courses will be required to hold at least one graduate degree in nursing. This requirement is much less restrictive than the current requirement of a master's degree in nursing because it allows individuals with a nursing-related master's degree and a doctoral degree in nursing to teach required clinical nursing courses. For example, under the current regulation, an individual with a bachelor's degree in nursing, a master's degree in public health and a doctoral degree in nursing is precluded from faculty posts until the individual obtains a master's degree in nursing. Under the proposal, this individual would be considered fully qualified to teach required clinical nursing courses.

Faculty assistants, that is, individuals who do not hold at least one graduate degree in nursing, will continue to be permitted to teach required clinical nursing courses only if qualified candidates are not available. The Board will retain the requirement that faculty assistants work under the direct guidance of a faculty member fully qualified in the specific teaching area.

The Board has always intended to restrict faculty assistants to a maximum of 5 years as a faculty assistant before obtaining a graduate degree in nursing. However, the current wording has allowed individuals to continue to teach in Pennsylvania's nursing education programs indefinitely without obtaining a graduate degree by moving from school to school in Pennsylvania, or moving out of state and then return to Pennsylvania, at least once every 5 years. The Board proposes to clarify the limitation by providing, in proposed § 21.71(c)(2), that faculty

assistants may teach in the Commonwealth for a maximum cumulative period of 5 years without obtaining a graduate degree in nursing. To further advance this objective, the Board proposes to amend § 21.72 (relating to faculty policies) by creating a new subsection (g), which requires faculty assistants to maintain a record of their activities leading to the completion of a graduate degree in nursing and to submit to the Board, at least annually, a transcript of courses completed toward the degree. As all schools of nursing in the Commonwealth are required to obtain and maintain Board approval, a school that employs a faculty assistant who does not submit the required materials to the Board or who fails to complete a graduate degree in nursing within the specified timeframe, may be subject to placement on the list of provisionally approved schools.

Under proposed § 21.71(c)(3), a nursing education program will be authorized to employ allied faculty to teach courses in the basic sciences or specialized areas of nursing practice. Allied faculty must hold at least one graduate degree in a subject area pertinent to the area of teaching. For example, this amendment will permit a nursing education program to employ an individual with a graduate degree in chemistry to teach chemistry courses and will allow a program to employ an individual with a doctoral degree in pharmacy to teach pharmacology.

The Board also proposes to address the use of clinical preceptors by nursing education programs in proposed § 21.71(c)(5). A clinical preceptor is a licensed professional nurse who serves as a clinical instructor and mentor to a very limited number of students placed at a particular practice site where the clinical preceptor is employed. The Board proposes to specifically authorize the use of clinical preceptors and to provide that faculty shall retain responsibility for planning and evaluating student learning experiences and also have input into the selection of preceptors.

The Board is also proposing amendments to § 21.72. The Board proposes to amend § 21.72(f) to require faculty members to maintain records of their participation in continuing education, professional self-development and other activities that promote the maintenance of expertise in their respective areas of teaching. As already explained, the Board also proposes to require faculty assistants to provide the Board with annual progress reports related to their progress toward an appropriate degree.

Compliance with Executive Order 1996-1

In accord with Executive Order 1996-1, the Board requested input from nursing education programs and other interested parties. The Board finds that the proposed amendment addresses a compelling public interest as described in this Preamble.

Fiscal Impact and Paperwork Requirements

The amendments will not have an adverse fiscal impact on the Commonwealth or its political subdivisions as the Board is self-supporting. The amendments will not impose any additional paperwork requirements upon the Commonwealth, its political subdivisions or the private sector.

Sunset Date

The Board continuously monitors the cost-effectiveness of its regulations. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 15, 2007, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

Public Comment

Interested persons are invited to submit written comments, recommendations, or objections regarding this proposed rulemaking to Ann Steffanic, Board Administrator, State Board of Nursing, P.O. Box 2649, Harrisburg, PA 17105-2649, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Mary E. Bowen, RN, DNS, CNAA
Chair, State Board of Nursing

ANNEX A

PENNSYLVANIA CODE

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 21. STATE BOARD OF NURSING

ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

§ 21.71. [Faculty] Nurse administrator, faculty and staff requirements [for baccalaureate and associate degree programs].

(a) A nursing education program shall employ a sufficient number of qualified faculty, faculty assistants, allied faculty and staff to accomplish the program objectives. The minimum faculty and staff requirements [for each program] are as follows:

- (1) Full-time [director of the program] nurse administrator.
- (2) Full-time [qualified] faculty members in the areas of [specialized] practice encompassed within the curriculum.
- (3) Additional faculty members as needed [to insure an educationally effective student-faculty ratio].

(4) [A minimum of one full-time secretary and additional secretarial assistance as needed.] Allied faculty members as needed.

(5) Program support services, including administrative and clerical services.

(b) [Faculty] The nurse administrator's credentials shall be submitted to the Board for approval. The nurse administrator's qualifications are as follows:

(1) The [director] nurse administrator of a baccalaureate degree nursing education program[, employed for the first time after January 1, 1986,] shall hold [a master's] at least one graduate degree in nursing [and]. The nurse administrator shall hold an earned doctoral degree or have a specific plan for completing doctoral preparation within 5 years of appointment. The [director] nurse administrator shall have experience in [the areas of] nursing practice, nursing education [within an institution of higher education] and [educational] administration. [Candidates who have made outstanding contributions to nursing education shall be considered on an individual basis.] A professional nurse who does not hold at least one graduate degree in nursing, but who has experience in nursing practice, nursing education and administration may be considered on an individual basis.

(2) The [director] nurse administrator of an associate degree or diploma program shall hold [the minimum of a master's] at least one graduate degree in nursing. The [director] nurse administrator shall have experience in [the areas of] nursing practice, nursing education and [educational] administration. A professional nurse who does not hold at least one graduate degree in nursing, but who has experience in nursing practice, nursing education and administration may be considered on an individual basis.

(3) The length of appointment of [temporary and] an interim or acting [heads] nurse administrator of a nursing education [programs] program may not exceed 1 year.

(4) [Nurse faculty members] The nurse administrator shall hold either a temporary practice permit to practice professional nursing or be currently licensed as [nurses] a professional nurse in this Commonwealth.

(c) Faculty qualifications are as follows:

[(5)](1) Faculty members teaching required clinical nursing education courses shall [have master's degrees] hold at least one graduate degree in nursing, [with graduate preparation relevant to their clinical areas of responsibility;] shall be currently licensed as professional nurses in this Commonwealth, and [they] shall [give evidence of maintaining] have expertise in their [clinical or functional] areas of [specialization] instruction.

[(6)] (2) Faculty members [with less than a master's] without a graduate degree in nursing [may be employed if qualified candidates are not available; they shall function for a maximum of 5 years as assistants] shall be designated faculty assistants. Faculty assistants shall be currently licensed as professional nurses in this Commonwealth. Faculty assistants may teach required clinical nursing education courses only when fully qualified faculty are not available and shall teach under the direct guidance of a faculty member [fully] qualified [in the specific teaching area] as set forth in subsection (c)(1). [These] Faculty assistants shall have [a minimum of] a baccalaureate degree in nursing[,] and [they] shall give evidence of [actively pursuing a master's] a plan for obtaining a graduate degree in nursing. [The lack of availability of qualified faculty shall be documented by, among other things, copies of

advertisements placed in appropriate professional journals and newspapers, copies of recruitment letters to appropriate institutions of higher learning, and records of job interviews] A person may teach as a faculty assistant in a nursing education program in this Commonwealth for a maximum cumulative period of 5 years.

(3) Allied faculty members may teach basic sciences or specialized areas of nursing practice. Allied faculty members shall hold at least one graduate degree in a subject area pertinent to their area of teaching.

[(7)] (4) Faculty employed to teach [dietetics must be registered dietitians (R.D.) and eligible for membership in the American Dietetic Association] dietetics-nutrition shall be currently licensed to practice dietetics-nutrition in this Commonwealth.

(5) A clinical preceptor may be used to enhance faculty-directed clinical learning experiences by guiding selected clinical activities. A clinical preceptor shall hold a current license to practice professional nursing in the state of the clinical experience. Faculty shall retain responsibility for planning and evaluating student learning experiences and shall have input into the selection of preceptors.

§ 21.72. Faculty policies; additional responsibilities of faculty and faculty assistants.

* * * * *

(d) Teaching hours and additional duties of nurse faculty shall be consistent with the policies of the controlling institution. [Seminar, discussion and laboratory contact hours shall be

equated. Where additional expectations in terms of research, counseling, committee work or other institutional responsibilities are present, the teaching load shall be decreased accordingly.]

(e) The nurse administrator and nursing faculty shall be afforded the time and opportunity to engage in leadership activities within their profession commensurate with [the responsibilities inherent in the role of institutions of higher education in our society] their responsibilities.

(f) There shall be a planned and active faculty development program designed to meet the [perceived] needs of the faculty. Faculty members shall maintain a record of participation in continuing education, professional self-development and other activities that promote the maintenance of expertise in their respective areas of teaching.

(g) Faculty assistants shall maintain a record of their activities leading to the completion of a graduate degree in nursing and shall submit a current transcript of courses and other activities completed toward the degree to the Board at least annually.

* * * * *

§ 21.74. [Faculty and staff requirements for diploma programs] (Reserved).

[(a) The minimum faculty and staff requirements for each program shall be as follows:

(1) When the responsibility of the director encompasses nursing service as well as responsibility for the school, there shall be a full-time person who is responsible for the operation of the school.

(2) Full-time faculty member for each clinical nursing course.

(3) Additional faculty members as needed to insure an educationally effective student-faculty ratio.

(4) Minimum of one full-time secretary and additional secretarial assistants as needed.

(5) A full-time librarian.

(b) Faculty qualifications are as follows:

(1) The director of the school shall have a master's degree in nursing applicable to directors. School directors appointed after July 1, 1977, shall have a master's degree in nursing and experience in the areas of nursing practice, nursing education and educational administration. Candidates who have made outstanding contributions to nursing education will be considered on an individual basis.

(2) Nurse faculty members shall be currently licensed as nurses in this Commonwealth.

(3) Faculty members appointed after January 1, 1986, shall have master's degrees in nursing with graduate preparation relevant to their clinical, or clinical and functional, areas of responsibility; and they shall give evidence of maintaining expertise in their clinical, or clinical and functional, areas of specialization.

(4) Faculty members with less than a master's degree in nursing may be employed if qualified candidates are not available; they shall function for a maximum of 5 years as assistants under the direct guidance of a faculty member fully qualified in the specific teaching area. Assistants shall have a minimum of a baccalaureate degree in nursing, and

they shall give evidence of actively pursuing their academic preparation. The lack of availability of qualified faculty shall be documented.

(5) Faculty members shall give evidence of participation in continuing education and self development as individuals and as a faculty group.

(6) Faculty members employed to teach Nutrition must be registered dietitians (R.D.) and eligible for membership in the American Dietetic Association.]



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF NURSING

Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7142

August 15, 2007

The Honorable Arthur Coccodrilli, Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harristown 2, 333 Market Street
Harrisburg, Pennsylvania 17101

Re: Proposed Regulation
State Board of Nursing
16A-5131: Faculty Requirements for Nursing Education Programs

Dear Chairman Coccodrilli:

Enclosed is a copy of a proposed rulemaking package of the State Board of Nursing pertaining to faculty requirements for nursing education programs.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in black ink that reads "Mary E. Bowen".

Mary E. Bowen, RN, CRNP, Chairperson
State Board of Nursing

MEB/TL:klh

Enclosure

cc: Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Albert H. Masland, Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel
Department of State
Cynthia Montgomery, Senior Counsel in Charge
Department of State
Teresa Lazo, Counsel
State Board of Nursing
State Board of Nursing

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT

RECEIVED

I.D. NUMBER: 16A-5131
SUBJECT: FACULTY REQUIREMENTS FOR NURSING EDUCATION PROGRAMS
AGENCY: DEPARTMENT OF STATE
STATE BOARD OF NURSING


2007 AUG 15 PM 12: 21

INDEPENDENT REGULATORY
REVIEW COMMISSION

TYPE OF REGULATION

- X Proposed Regulation
Final Regulation
Final Regulation with Notice of Proposed Rulemaking Omitted
120-day Emergency Certification of the Attorney General
120-day Emergency Certification of the Governor
Delivery of Tolled Regulation
a. With Revisions b. Without Revisions

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
8/15/07		HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
8-15-07		SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
8/15/07		INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
8/15/07		LEGISLATIVE REFERENCE BUREAU (for Proposed only)