



RECEIVED

MAR 23 11 01 AM '09

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

2664

March 19, 2009

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

Re: Final Regulation
State Board of Nursing
16A-5123: Nursing Education Programs; Provisional Approval; Removal from
Approved List; Examination Pass Rates

Dear Chairman Coccodrilli:

Enclosed please find one highlighted copy and one revised copy of the two pages of the Annex for the final rulemaking package of the State Board of Nursing pertaining to 16A-5123: Nursing Education Programs; Provisional Approval; Removal from Approved List; Examination Pass Rates. The amendments were made at the request of John Jewett, IRRC Analyst, in consultation with Mary Jane Phelps of the Legislative Reference Bureau.

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

Sincerely,

Ann L. O'Sullivan, Ph.D., FAAN, CRNP, Chairperson
State Board of Nursing

ALO/TL:apm
Enclosure

cc: Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Peter V. Marks, Executive Deputy Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel & Senior Counsel in Charge
Department of State
Teresa Lazo, Counsel
State Board of Nursing
State Board of Nursing

RECEIVED

~~Nursing Education Programs—Provisional Approval—Removal from Approved List—Examination Pass Rates—Nursing Education Program Examination Pass Rates—Final~~

06/04/2007 06/04/2007

16A-5123

March 19, 2009 ~~November 30, 2005~~

~~06/04/2007~~06/04/200705/09/2007

* * * * *

APPROVAL OF [SCHOOLS OF] NURSING EDUCATION PROGRAMS

§ 21.31. Surveys; list of approved schools NURSING EDUCATION PROGRAMS.

* * * * *

(d) For purposes of activities relating to the approval and status of nursing education programs, the term “Board” used in this subchapter may mean the Board’s educational advisors appointed under section 2.1(j) 2.1(I) of the act (63 P.S. § 212.1(j) 212.1(I)). Only the Board may, ~~BY A MAJORITY VOTE,~~ confer initial approval status on a proposed nursing education program, EXTEND THE MAXIMUM TWO YEAR PERIOD FOR CORRECTION OF DEFICIENCIES and only the Board may OR remove a program from the approved list.

* * * * *

§ 21.33. Types of approval.

(a) The Board grants the following types of approval to nursing education programs:

(1) *Initial.* The Board may grant initial approval to a new [schools] nursing education program, with evidence that [acceptable] the standards of this subchapter are being met, for a period of time necessary to evaluate the results of the licensing examination taken by the [first] FIRST COHORT OF graduates ~~from the program’s first examination year.~~ A program will not be placed on full approval status until it has graduated its first class and the class has achieved an acceptable rate of passing the national licensure examination, as set forth in §21.33b (relating to minimum rate for graduates of nursing

program on full approval status will be placed on provisional approval status if the program fails to meet the provisions of § 21.162b. [Full approval status will not be granted until acceptable standards are met. If acceptable standards are not met, the program will be removed from the approved list.]

(b) A nursing education program shall notify applicants for admission of the program's approval status and, WITHIN 30 DAYS OF A CHANGE OF STATUS, shall notify applicants and students whenever BY ELECTRONIC MAIL OR FIRST CLASS MAIL THAT the program's approval status changes HAS CHANGED. The program shall provide the Board a copy of the notice sent to applicants and students. A program shall provide additional notice to applicants and students at the direction of the Board.

(c) For purposes of activities relating to the approval and status of nursing education programs, the term "Board" used in this subchapter may mean the Board's educational advisors appointed under section 2.1(j)(I) of the act (63 P.S. § 212.1(j)(I)). Only the Board may, ~~BY A MAJORITY VOTE OF A QUORUM,~~ confer initial approval status on a proposed nursing education program, EXTEND THE MAXIMUM TWO YEAR PERIOD FOR CORRECTION OF DEFICIENCIES OR and only the Board may remove a program from the approved list.

§ 21.162a. Failure to comply with standards.

(a) Whenever IF the Board receives information suggesting that a nursing education program has not maintained the standards of this subchapter, the Board WILL VALIDATE THE INFORMATION AND NOTIFY THE PROGRAM, IN WRITING, OF THE ALLEGED

APPROVAL OF [SCHOOLS OF] NURSING EDUCATION PROGRAMS

§ 21.31. Surveys; list of approved ~~schools~~ NURSING EDUCATION PROGRAMS.

* * * * *

(d) For purposes of activities relating to the approval and status of nursing education programs, the term “Board” used in this subchapter may mean the Board’s educational advisors appointed under section ~~2-1(j)~~ 2.1(I) of the act (63 P.S. § ~~212.1(j)~~ 212.1(I)). Only the Board may confer initial approval status on a proposed nursing education program, EXTEND THE MAXIMUM TWO YEAR PERIOD FOR CORRECTION OF DEFICIENCIES ~~and only the Board may~~ OR remove a program from the approved list.

* * * * *

§ 21.33. Types of approval.

- (a) The Board grants the following types of approval to nursing education programs:
- (1) *Initial.* The Board may grant initial approval to a new [schools] nursing education program, with evidence that [acceptable] the standards of this subchapter are being met, for a period of time necessary to evaluate the results of the licensing examination taken by the [first] FIRST COHORT OF graduates ~~from the program’s first examination year.~~ A program will not be placed on full approval status until it has graduated its first class and the class has achieved an acceptable rate of passing the national licensure examination, as set forth in §21.33b (relating to minimum rate for graduates of nursing education programs to pass the national licensure examination). A program on initial

(c) For purposes of activities relating to the approval and status of nursing education programs, the term “Board” used in this subchapter may mean the Board’s educational advisors appointed under section 2.1(j)(I) of the act (63 P.S. § 212.1(j)(I)). Only the Board may confer initial approval status on a proposed nursing education program, EXTEND THE MAXIMUM TWO YEAR PERIOD FOR CORRECTION OF DEFICIENCIES OR ~~and only the Board may~~ remove a program from the approved list.

§ 21.162a. Failure to comply with standards.

(a) ~~Whenever~~ IF the Board receives information suggesting that a nursing education program has not maintained the standards of this subchapter, the Board WILL VALIDATE THE INFORMATION AND NOTIFY THE PROGRAM, IN WRITING, OF THE ALLEGED DEFICIENCY. THE BOARD may request information from the program or conduct-a AN ANNOUNCED OR UNANNOUNCED site visit BEFORE NOTIFYING THE PROGRAM OF THE ALLEGED DEFICIENCY. THE BOARD MAY ~~and may~~ informally resolve any deficiency. The failure of a program to cooperate will be considered a violation of this section and may result in immediate referral of the program for removal from the approved list as provided in § 21.166 (relating to removal from approved list).

(b) ~~If the Board determines that a nursing education program should be placed on provisional approval status, the~~ THE Board will notify the A program, in writing, that the program has been WILL BE placed on provisional approval status.

(c) If the Board places a nursing education program on provisional approval status, the Board will notify the program, in writing, of the deficiencies and the amount of time that will be

2664



RECEIVED

MAR 23 11 07 AM

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

March 19, 2009

The Honorable Michael P. McGeehan, Chairman
Professional Licensure Committee
PENNSYLVANIA HOUSE OF REPRESENTATIVES
107 Irvis Office Building
Harrisburg, Pennsylvania 17120


Re: Final Regulation
State Board of Nursing
16A-5123: Nursing Education Programs; Provisional Approval; Removal from
Approved List; Examination Pass Rates

Dear Representative McGeehan:

Enclosed please find one highlighted copy and one revised copy of the two pages of the Annex for the final rulemaking package of the State Board of Nursing pertaining to 16A-5123: Nursing Education Programs; Provisional Approval; Removal from Approved List; Examination Pass Rates. The amendments were made at the request of John Jewett, IRRC Analyst, in consultation with Mary Jane Phelps of the Legislative Reference Bureau.

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

Sincerely,


Ann L. O'Sullivan, Ed.D., FAAN, CRNP, Chairperson
State Board of Nursing

ALO/TL:apm
Enclosure

cc: Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Peter V. Marks, Executive Deputy Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel & Senior Counsel in Charge
Department of State
Teresa Lazo, Counsel
State Board of Nursing
State Board of Nursing



RECEIVED

MAR 23 11 05 AM

2664

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

March 19, 2009

The Honorable Lisa M. Boscola, Minority Chairperson
Consumer Protection and Professional Licensure Committee
SENATE OF PENNSYLVANIA
458 Main Capitol
Harrisburg, Pennsylvania 17120

Re: Final Regulation
State Board of Nursing
16A-5123: Nursing Education Programs; Provisional Approval; Removal from
Approved List; Examination Pass Rates

Dear Senator Boscola:

Enclosed please find one highlighted copy and one revised copy of the two pages of the Annex for the final rulemaking package of the State Board of Nursing pertaining to 16A-5123: Nursing Education Programs; Provisional Approval; Removal from Approved List; Examination Pass Rates. The amendments were made at the request of John Jewett, IRRC Analyst, in consultation with Mary Jane Phelps of the Legislative Reference Bureau.

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

Sincerely,

Ann L. O'Sullivan, Ph.D., FAAN, CRNP, Chairperson
State Board of Nursing

ALO/TL:apm
Enclosure

cc Basil L Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Peter V Marks, Executive Deputy Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel & Senior Counsel in Charge
Department of State
Teresa Lazo, Counsel
State Board of Nursing
State Board of Nursing



RECEIVED

MAR 23 11 00 AM

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

2664

March 19, 2009

The Honorable Robert M. Tomlinson, Chairman
Consumer Protection and Professional Licensure Committee
SENATE OF PENNSYLVANIA
362 Main Capitol Building
Harrisburg, Pennsylvania 17120-3006

Re: Final Regulation
State Board of Nursing
16A-5123: Nursing Education Programs; Provisional Approval; Removal from
Approved List; Examination Pass Rates

Dear Senator Tomlinson:

Enclosed please find one highlighted copy and one revised copy of the two pages of the Annex for the final rulemaking package of the State Board of Nursing pertaining to 16A-5123: Nursing Education Programs; Provisional Approval; Removal from Approved List; Examination Pass Rates. The amendments were made at the request of John Jewett, IRRC Analyst, in consultation with Mary Jane Phelps of the Legislative Reference Bureau.

The Board will be pleased to provide whatever information the Committee may require during the course of its review of this regulation.

Sincerely,

Ann L. O'Sullivan, Ph.D., FAAN, CRNP, Chairperson
State Board of Nursing

ALO/TL:apm
Enclosures

cc Basil L Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Peter V Marks, Executive Deputy Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel & Senior Counsel in Charge
Department of State
Teresa Lazo, Counsel
State Board of Nursing
State Board of Nursing



RECEIVED

MAR 25 11 00 AM '09

K
2664

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

March 19, 2009

The Honorable William F. Adolph, Jr., Minority Chairman
Professional Licensure Committee
PENNSYLVANIA HOUSE OF REPRESENTATIVES
102 Ryan Office Building
Harrisburg, Pennsylvania 17120

Re: Final Regulation
State Board of Nursing
16A-5123: Nursing Education Programs; Provisional Approval; Removal from
Approved List; Examination Pass Rates

Dear Representative Adolph:

Enclosed please one highlighted copy and one revised copy of the two pages of the Annex for the final rulemaking package of the State Board of Nursing pertaining to 16A-5123: Nursing Education Programs; Provisional Approval; Removal from Approved List; Examination Pass Rates. The amendments were made at the request of John Jewett, IRRC Analyst, in consultation with Mary Jane Phelps of the Legislative Reference Bureau.

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

Sincerely,

Ann L. O'Sullivan, Ph.D., FAAN, CRNP, Chairperson
State Board of Nursing

ALO/TL:apm
Enclosure

cc: Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Peter V. Marks, Executive Deputy Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel & Senior Counsel in Charge
Department of State
Teresa Lazo, Counsel
State Board of Nursing
State Board of Nursing