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THE HOSPITAL & HEALTHSYSTEM ASSOCIATION OF PENNSYLVANIA

December 1, 2014

Judith Pachter Schulder, Board Counsel  
Pennsylvania State Board of Nursing  
Department of State, Office of General Counsel  
P.O. Box 2649  
Harrisburg, PA 17105-2649

**RE: 16A-5125: General Revisions**

Dear Ms. Pachter Schulder:

The Hospital & Healthsystem Association of Pennsylvania (HAP), on behalf of its members, more than 225 acute and specialty hospitals and health systems, appreciates the opportunity to comment about the State Board of Nursing's proposed regulations that seek to update regulatory provisions related to registered nurse, practical nurse, and dietitian requirements for state licensure.

HAP reviewed the proposed regulations with members of our Council for Health Professions Education, which include the deans and directors of hospital-based nursing education programs. Our comments reflect the input received from our council members.

HAP agrees with the regulatory changes proposed by the board to ensure applicants for the licensing examination demonstrate proficiency in English and that applicants educated outside of the United States and Canada demonstrate program equivalency in order to sit for the licensing examination. HAP believes that these provisions are particularly important to ensure patient safety.

The most significant change proposed by the State Board of Nursing would be to require graduates of registered nursing, practical nursing, and dietitian programs to take the initial licensure examination within the first year of graduation and to ultimately pass this examination within two years of completion of a candidate's education program. During this two-year time period, a candidate may take the licensing examination as many times as possible.

HAP believes that the board's intent is to ensure the provision of quality and safe care for Pennsylvania's patients and supports these amendments in the proposed regulations.

However, HAP does have concerns with regard to the provision that requires the candidate to complete a remedial plan developed by a board-approved program should the candidate fail to pass the licensing exam in the prescribed two-year timeframe. This requirement raises some questions that HAP believes need additional consideration by the board:

- Will the nursing education program from which the student graduated be responsible for the remediation plan or would it be the student's responsibility to seek a program or site where the services are offered? HAP believes it would be unreasonable for a school of nursing to be required to provide remediation services for students who do not pass the

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December 1, 2014  
Page 2

licensing examination within two years of graduation. This would cause an undue burden, particularly with regard to ensuring there is adequate faculty to provide the remediation of each student. It would be more appropriate for the student to be held accountable for their continued efforts to remediate should they be unsuccessful at passing the licensure examination rather than the school from which they graduate.

- Will the board be developing criteria that outlines the curriculum that the remediation program would have to adopt in order for the program to be provided to the population needing the service? What would a remediation program be expected to demonstrate as reasonable outcomes? How will quality be measured? What is the board's plan for follow-up and enforcement? HAP believes it is important for there to be standardization in this area in order for the remediation programs to be effective.
- The licensure examination protects the public from those who cannot demonstrate minimal competency. If there are no remedial programs or services available, what would be the candidate's recourse? HAP believes there may be some legal ramifications as a result of this requirement that may need to be addressed.

HAP appreciates the opportunity to comment about these proposed regulations on behalf of its Council for Health Professions Education, and seeks the board's input with regard to the concerns that have been raised.

If you have any questions about HAP's comments, please feel free to contact Mary Marshall, director, workforce and professional services, at (717) 561-5312 or contact me at (717) 561-5344.

Sincerely,

A handwritten signature in black ink, reading "Paula A. Bussard". The signature is written in a cursive, flowing style.

Paula A. Bussard  
Senior Vice President  
Policy and Regulatory Advocacy