

MINUTES
UTAH
EDUCATION COMMITTEE
BOARD OF NURSING
MEETING

August 7, 2014

Room 210 – 2nd Floor – 8:30 a.m.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 8:34 a.m.

ADJOURNED: 12:08 p.m.

Bureau Manager:
Board Secretary:

Debra Hobbins, DNP, APRN
Shirlene Kimball

Conducting:

Debra Mills, MSN chair-elect

Committee Members Present:

Donna Lister, Ph.D, APRN
Gigi Marshall, MSN
Debra Mills, MSN
Sharon Dingman, DNP, RN

Committee Members Excused:

Jodi Morstein, Ph.D., APRN

Guests:

Julie Aiken, Ameritech College
Steven Litteral, Ameritech College
Susan Jero, Nightingale College
Peggy Brown, BON
Delos Jones, Roseman University
Susan Watson, Roseman University
Brian Owen, Fortis College
Deanne Williams, IHC
Kara Kamerath, IHC
Mikhail Shneyder, Nightingale College
Linda Petersen, Ameritech College
Tracy Karp, IHC
Chuck Ericson, Provo College
Lois Hine, Provo College
Todd Smith, Provo college
Frank Pignanelli
Amber Epling, Snow college
Debi Sampson, Snow College
Eric Juhlin, Stevens-Henager College
Vicky Dewsnap, Stevens-Henager College
Stacy Aiken, Ameritech College

TOPICS FOR DISCUSSION

Administration of the Oath of Office to Sharon Dingman:

March 6, 2014 Minutes:

Discussion regarding lost of accreditation:

DECISIONS AND RECOMMENDATIONS

Dr. Hobbins administered the Oath of Office to Sharon Dingman. Committee members welcomed Dr. Dingman.

Dr. Lister made a motion to approve the minutes as written. Dr. Dingman seconded the motion. All Committee members voted in favor of the motion.

Dr. Hobbins reported that there are two programs that have been denied continued accreditation. Dr. Hobbins stated this is the first time the Board has had this issue come up. Committee members need to determine what process should be put in place to lessen the impact on the students and what process the nursing program needs to follow following denial of continuing accreditation. Dr. Hobbins reported that Provo College lost their continuing accreditation and has reapplied for candidacy status. Stevens-Henager College also lost their continuing accreditation and will meet with the Committee to discuss their options. Dr. Hobbins indicated that the old Rule addresses the lost of initial accreditation and the program could not reapply for one year in order to correct the deficiencies. Both Provo College and Stevens-Henager College were placed on warning two years ago, and had that two year time period to come into compliance.

Ms. Brown stated that the statute does not require that the students be notified of the warning status. If a program is accredited, the Board has no oversight. Ms. Mills indicated that ACEN Accreditation Standards indicate that the program must notify the students.

Dr. Hobbins indicated notification would need to be added to the Rule. Dr. Dingman questioned what happens to the students in the meantime. Ms. Mills stated she feels waiting a year before allowing the program to reapply is more beneficial for the student because the program has time to correct deficiencies and the student does not have to be subject to a redesigned program every time a change is made. Dr. Lister stated she also feels we should discuss if waiting the year is in the best interest of the student. Dr. Hobbins indicated that Florida recently changed their rule and allow the program to reapply immediately. ACEN allows the program to reapply immediately. Dr.

Lister stated all students need to be notified and let them reapply to the program or transfer, but give them the option. Dr. Hobbins stated that if a program is on warning for three years, loses accreditation, and reapplies for candidacy status, the student could be in a program for four years. Mr. Delos Jones stated that it is a huge disruption for the student. He stated he feels it would be less of a disruption if the program were allowed to continue.

Delos Jones,
Dr. Susan Watson,
Roseman University:

Dr. Watson and Mr. Jones met with the Committee to provide updated information regarding clinical rotation changes. Mr. Jones stated that IHC has changed policy to allow students in the facility without a faculty member present as long as the faculty member was within a 15-minute onsite response and available by phone. Mr. Jones stated that is almost impossible to have a faculty member within reach in 15 minutes. Mr. Jones stated that the schools will have to adjust, but some smaller schools have started this process. Mr. Jones stated that Roseman University is developing a process to work with the new IHC policy. Mr. Jones stated there it would look more like a preceptor-type clinical experience. Mr. Jones stated it might not be feasible for some programs, especially with student's first meeting with actual patients, but Roseman University is willing to try with students who have been in clinicals for a period. Dr. Lister stated that some facilities have already removed faculty from any invasive procedure and the hospital nurse is the supervisor. Faculty members are located more outside the room. Ms. Brown questioned how the program meets the accreditation standard if they are not present at the facility with the student. Mr. Jones stated they will have a small group of students on different days and faculty member oversee students at different facilities.

Kara Kamerath, IHC stated that as far as the charting policy, instructors have access but have to meet privacy laws. She indicated that IHC is trying to be considerate of instructors. Ms. Mills stated that accreditation requires the program to have oversight of the student in the clinical setting. This is putting the program at a disadvantage trying to maintain accreditation. Ms. Jero, Nightingale College, stated their program could not count the hours if the faculty member was not meeting accreditation standards. Ms. Kamerath stated that an instructor onsite

would decrease the number of placements available. Ms. Mills indicated that the instructor has to know what the student is doing and how they perform. Dr. Lister stated IHC has every right to make what rules they want, but as educators, we need to meet accreditation standards for education. We need to be sure the school is meeting standards, giving guidance in the education process. Mr. Jones stated Roseman University is looking at redesigning assignments and the way the instructors are expected to work. He stated the instructor would arrive on site, start the student, and then leave and go to another facility. Mr. Jones indicated they would allow time for each group of students and oversee the activities and how clinical assignments are based. Roseman would like to take the new policies from IHC and find a way to work with ACEN. Ms. Mills stated this might work for a student who had the basics, but not with those who are not ready, or in certain areas, or groups of students who need extra guidance. Those students need to have a faculty member present. Mr. Jones stated they are looking at alternate ways to provide guidance, without physical presence. Ms. Mills stated this is a challenge for both because the clinical setting does not know if it is the student's first experience or if they are a more experienced student.

Ms. Aiken stated not all health care will be acute care based and there needs to be a new way to meet student outcomes. Dr. Dingman stated that the decision came as an innovation for creating sites and more opportunity for students.

Committee members requested Mr. Jones keep the Committee up to date on this issue.

Discussion regarding out-of-state programs placing students in Utah clinical sites:
Deanne Williams, IHC Coordinator
Tracy Karp, PCMC
Kara Kamerath, IHC

Dr. Hobbins indicated that recently the Division discovered that there are nursing students in Utah, attending out-of-state programs either who are arranging their own clinical sites or who have been placed in clinical sites by their programs. The Board of Nursing has not approved these schools. Dr. Hobbins indicated that the Division of Occupational and Professional Licensing Act, 58-1-307 provides exemptions from licensure for students who are in training in programs approved by the Division. Dr. Hobbins indicated this subject came up because the Division received reports that there were student placements from out-of-state programs that did not have

approval to place the student in clinical sites in Utah. Dr. Hobbins stated this is an issue because of the liability for the facility, for the nurse student, the potential public safety issues related to a non-approved school and a reduction in clinical site availability for students in Utah programs. Dr. Williams stated that the Board was no longer approving programs and it was thought that approval no longer needed to be requested. Dr. Hobbins indicated that the new rule list what procedures must be completed to allow out-of-state programs to be approved to place students in Utah clinical sites. Dr. Williams questioned how the facilities find out whether an out-of-state program has been approved for clinical placements in Utah. Dr. Williams indicated the approved out-of-state programs for clinical placements are not listed on the Divisions website. Dr. Williams reported their facility has been accepting students from these schools for many years. Dr. Hobbins indicated that once approved, the Division will send a letter to the program and the program would have to share the information with the facility. The rule currently requires an annual update and a clinical agreement with the facility. Mr. Karp stated they could not obtain clinical affiliation without being approved so it is a catch 22 and questioned whether the student could receive tentative approval. Dr. Williams stated she thought that if a student had a Utah license, they would not need to be approved. Dr. Williams stated she does not understand why they need a clinical placement agreement and would suggest considering removing this requirement. Ms. Marshall stated the Board wanted to know that there was an agreement in place. Ms. Mills stated that she would consider removing the section that requires a clinical placement agreement. Ms. Marshall made a motion to remove number six that requires the clinical placement agreement executed within the prior 12 months. Dr. Lister seconded the motion. All Committee members voted in favor of the motion.

Dr. Williams wanted to be clear that outpatient facilities are also considered clinical placements.

Snow College,
Amber Epling, Program Director
Debi Sampson, Faculty

Ms. Epling informed Committee members that the associate degree-nursing program at Snow College received ACEN Candidacy Status until July 2016. Ms. Epling indicated that the program would apply for the initial accreditation visit by July 31, 2015. Ms. Epling

stated that the program's initial application was deferred and the program made changes to become compliant with the ACEN Accreditation Standards. Ms. Epling reported the program is moving forward with the suggested changes, and have reduced the number of credits as requested from 85 to 72. The program is working on student outcomes. Ms. Epling questioned whether the students would be allowed to sit for the NCLEX examination and be licensed. Committee members indicated as long as the program has candidacy status or full accreditation, their students can sit for the NCLEX examination.

Provo College,
Chuck Ericson
Lois Hine, Program Director
Todd Smith

Mr. Ericson and Ms. Hine indicated that at the July 10-11, 2015 meeting, ACEN voted to deny continuing accreditation to the associate degree program at Provo College. ACEN indicated that the decision was based on the policy that continuing accreditation is denied to programs with warning status that are found to be in continued non-compliance with any Accreditation Standard.

Mr. Ericson explained to Committee members the process Provo College has gone through starting with the site visit where everyone was confident that the program was in compliance. At that visit, site visitors indicated that Provo College had made progress since the 2011 visit. Therefore, Provo College was surprised when ACEN withdrew accreditation. Mr. Erickson stated that once they received word that continued accreditation had been denied, the program has been working with ACEN to receive eligibility and request candidacy status.

Ms. Hines reported that the program was mostly out of compliance on their documentation. Ms. Hines indicated the program has a good, solid, faculty which have progressed a long way and continues to work on the issues expressed by ACEN. Ms. Mills stated she is concerned what opportunities will be available for the students. Ms. Brown stated that the NCLEX requires nursing programs to be accredited or state approved. Utah has to go with accreditation. Ms. Marshall indicated that the letter from ACEN states that the program is eligible to apply for candidacy status, not that they have received candidacy status. Ms. Hines indicated they have applied, and believe they are headed in the right direction. Ms.

Marshall questioned if the program had to wait a specific period before reapplying. There is concern if there is a gap in the accreditation and the candidacy status, the students who would graduate during that period would not be able to take the exam. Ms. Hines stated the program has informed the students there may be a gap, however, there are no graduates in that period. Students graduated earlier and would fall under the accreditation. The next graduation date is January 2015. Ms. Hines indicated she does not think it will take the year to receive accreditation again. Ms. Mills questioned how students were notified of ACENs decision. Ms. Hines indicated the program administrators met face-to-face with the students. Ms. Mills questioned if they discussed what happens if Accreditation is not returned. Ms. Hines stated they have not discussed this issue with the students at this point. She indicated the program wanted to meet with the Committee to visit their options.

Dr. Hobbins indicated the program has limited approval at this point because they have submitted an application for candidacy status. The program has one year and the limited time approval will expire after 12 months unless the program achieves candidacy status. However, Dr. Hobbins indicated that the Committee and the Board needs to discuss this issue and determine if a rule needs to be put in place that a year may be too long a period to wait. Committee members need to determine if it is detrimental to the student to wait, or does it help the program, or is it better to let them immediately seek candidacy status again.

Committee members stated that if there is no faculty and no students, the program does not have outcomes to review. If we stop the progress, how does the program improve? The accreditation body needs the proof that the program is meeting student outcomes. If we make them wait a year, what changes could have been made and how do they progress. Ms. Marshall stated that the Florida Board of Nursing took the opposite approach and required the program to have candidacy status returned within 30 days.

Mr. Ericson stated that in summary, Provo College is in the process of receiving the candidacy status and have established a plan for improving the program. Ms. Hines

stated that the faculty has reviewed the program and have come to an agreement regarding policy. They feel they have good data why they teach, what they teach, and how they teach. She indicated they have developed a graphic in which the roots are the ACEN concepts, the trunk the faculty concepts so that when ACEN comes back for a site visit, they can clearly see the outcomes. Faculty feels student can exhibit student-learning outcomes.

Committee members thanked Provo College for meeting with them to explain the circumstance and requested an update regarding any ACEN notification.

Stevens-Henager College,
Vicky Dewsnup
Eric Juhlin

Dr. Dewsnup stated Steven Henager was dismayed that the accreditation had been denied. She indicated that on the second page of the site visitors report, it recommended continued accreditation for eight years. Then there was a review panel that recommended continue with warning status with the next review in eight years. The consultants had indicated the same thing and so the denial was very surprising. Dr. Dewsnup stated that the areas needing development have been taken care, and the suggestions were to shorten the program, more partnership in the community, and professional organizations for students, resources, library, outcomes and measurement. Dr. Dewsnup stated that ACEN has invited them to appeal the decision. Mr. Julian stated he is familiar with accreditation and since they have received the letter they have taken steps to find out the rationale behind why the denial. He stated that what is shocking is that significant value from two site visits where it was recommended 8 years continued accreditation was overridden and denial issued. He stated the program has 30 days to file an appeal and once they receive the appeal, the status reverts to accredited with warning. Dr. Dewsnup stated the next group of students is scheduled to graduate October 2014. If they submit their appeal next week, their students would be under the accreditation with warning status. Mr. Juhlin stated he is surprised that they can turn around and submit for candidacy status immediately. He stated that the decision seems to be arbitrary and they would like to appeal, but have not decided which route they will go at this point.

Dr. Dewsnup stated they have met with the students, informed them of the appeals process have given

them the options of remaining enrolled and if they do not want to remain enrolled, the program will refund their money. The program is also exploring transferring students to other programs. Dr. Dewsnup reported that students want to graduate faster so that they fall under the accreditation period. She reported the program would do everything to help the student. Committee members questioned how many students are in the program. Dr. Dewsnup stated they have approximately 57 students, 15 students are scheduled to graduate in October 2014 and another 15 students in February 2015. The February date is the date that they are concerned with because they may not have accreditation. Dr. Dewsnup questioned if there is a waiver if the student is enrolled and program loses accreditation. Dr. Hobbins stated that once a school loses accreditation, the student is no longer in an accredited program. If the program immediately files for candidacy status, they are then under the limited time approval and will have one year to receive candidacy status. Dr. Hobbins indicated she spoke with ACEN and it appears it may not be in the best interest of the student to appeal denial, but apply for candidacy status. If the appeal is not successful, then the date of accreditation loss returns to the denial date of July 24, 2014. Dr. Dewsnup stated the program would contact the Committee if they decide to reinitiate candidacy status. Mr. Steinagel stated this is a first for the Board and there will be a learning curve. However, he does agree that Rule must address the issue of what happens if a program loses accreditation. Ms. Brown stated the issue is the time frame and how many students are impacted. We need to protect the student and the question is how many times to you allow a program re-enter candidacy status. Mr. Steinagel stated he agrees the students are first, but also need meaningful regulation.

Dr. Hobbins indicated that the Florida Rule states a program must become an accredited program within 5 years and she stated she feels this is a good period. Ms. Epling stated that accreditation recommends that the program not apply until they have four or five years of data collected and outcomes available. Currently, Utah does not have a time limit or a limit on the number of times a program can reapply for candidacy status. Dr. Dewsnup stated she feels that if a program is accredited at the time the student enters the program, they should be allowed to graduate under an approved status, even if the

accreditation is withdrawn. Ms. Brown stated she is concerned that the student will not be able to continue with their education.

Proposed Rule change:

The proposed changes presented to the committee for review read: R156-31b-602 (5)(a) If an accredited program receives notice that its accreditation is in jeopardy, the institution offering the program shall immediately notify all enrolled students: (i) of the date on which the accrediting body anticipates making a final determination as to the program's approval; (ii) that, should the accreditation be terminated, the institution will be prohibited from providing any further pre-licensing education for a period of at least one year; and (iii) that a student's ability to transfer to a different institution is not guaranteed.

Committee members suggested that the proposed section R156-31b-602(5)(a)(ii) be eliminated and add a new (ii) that includes an articulation agreement (see old language).

Leave the additions in R156-31b-602(5)(b) and (6) as proposed.

Committee members discussed adding language from the Florida Rule regarding the program ceasing to accepting new students. Dr. Lister indicated we do not want a program to continually reapply for accreditation candidacy or applicant status. However, there was concern that if we do not place this option in rule with some sort of limitation, there will be problems. The program must submit documentation within 10 days of accreditation status change, and meet with the Board. Another suggestion was just to place in rule that a program must be fully accredited within five years from the date the program accepts the first students. This would eliminate a program from being in candidacy or applicant status for years and years. Add to the rule that the program must 1) reapply for candidacy status and receive candidacy status, 2) appeal the action of the accreditation body, or 3) shut down the program. This would eliminate the loophole for the program to continue to reapply. If a program continues to reapply, the student is placed at a disadvantage because of the constant redesign of the program. In addition, if the final decision from accreditation body is to deny, the student who

graduated during that period may not be able to seek licensure in another state or it may stop further nursing education.

Committee members stated that if it is an initial application for accreditation, the program has five years from the date the program first accepts students to receive full accreditation. If the program loses accreditation, place a limitation on such as reapply once, with one year to get candidacy status, a two-year candidacy status, which would allow the program three years. Ms. Brown stated this only addresses one accreditation body. The Committee needs to consider the other two accreditation bodies and find out what their process is if a program fails the initial or ongoing accreditation. Dr. Lister stated that we would need to separate out initial accreditation and loss of accreditation.

ACEN allows immediate reapplication for candidacy; CCNE requires the program wait six months after losing accreditation to reapply for applicant status. It is unknown what COA requires. There was concern expressed that we will be treating students differently, depending on their schools accreditation body. Committee members stated it does not appear that we have an option.

Dr. Hobbins indicated that the Committee would need to take time and draft rule. It was suggested that initial accreditation must be obtained within five years. If the program receives notice that they are in jeopardy, they must notify the students in writing, develop an articulation agreement, and that the program cannot guarantee that another program will take the student. If the program loses accreditation, shall stop accepting students, met with the Board, and submit the information from the accreditation body with 10 days of notification. The options for the programs would be appeal, reapply for candidacy status within three years, or cease the program. Dr. Dingman questioned what happens to the students if there are no articulation agreements in place. Committee members indicated that this is not in the preview of the Board/Committee.

Dr. Lister made a motion that initial application for accreditation, the program has five years from the date the

program first accepts students to receive full accreditation. If the program loses accreditation, place a limitation the number of times the program can reapply, with one year to get candidacy status, a two year candidacy status, would have three years. Dr. Dingman seconded the motion. All Committee members voted in favor of the motion.

R156-31b-703b: Add to this section the scope of practice for APRN. Dr. Lister made a motion to adopt the AANC scope of practice standards. Ms. Marshall seconded the motion. All Committee members voted in favor of the motion.

R156-31b-309: wording was added to clarify supervision. Dr. Dingman made a motion to accept R156-31b-309 as proposed. Dr. Lister seconded the motion. All Board members voted in favor of the motion.

R156-31b-301(4): Dr. Lister made a motion to strike out "in Utah". This would make the section also apply to those individuals coming from other states. Ms. Marshall seconded the motion. All Committee members voted in favor of the motion.

Distance Education Requirements:

Tabled.

Out-of-State Program requests:

Ms. Marshall made a motion to remove pre-licensure wording. Dr. Lister seconded the motion. All Committee members voted in favor of the motion. All programs would need to go through the process in rule, not just pre-licensure program.

Review NCLEX Pass Rates:

Reviewed.

Refresher program approval request from Sigma Theta Tau:

Ms. Mills stated that there are no clinical components associated with the program. If an individual has been out of practice for a period, there needs to be a clinical component. Ms. Marshall made a motion to deny the refresher program as an accepted program. It does not meet the requirement in R156-31b-301(5)(a)(b)(c). Dr. Dingman seconded the motion. All Committee members voted in favor of the motion.

Environmental Scan:

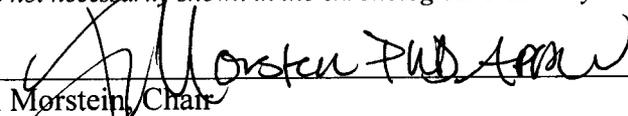
Corinthian College, the parent company for Everest College, made the determination that Everest College will

articulation agreement.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

9/4/14

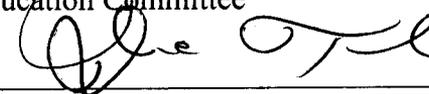
Date Approved



Jodi Morstein, Chair
Education Committee

9/4/14

Date Approved



David Taylor, Acting Bureau Manager,
Division of Occupational & Professional Licensing