

STATUS REPORT RELATING TO SELECTION OF NATIONAL NURSING ACCREDITING AGENCIES BY THE BOARD OF NURSING

SUMMARY OF REQUEST:

This is a status report relating to the Sunset Commission recommendation and NPA Section 301.157(b)(5) requiring that the Board select one or more national nursing accrediting agencies to accredit nursing programs.

BACKGROUND:

- In their report dated September 2006, the Sunset Commission recommended that nursing programs, once accredited by an agency recognized by the U. S. Department of Education, are exempt from Board approval.
- HB 2426 effective September 1, 2007, enacted by the 80th Session of the Texas Legislature requires in Section 301.157(b)(5) that "The board shall select one or more national nursing accrediting agencies, recognized by the United States Department of Education and determined by the board to have acceptable standards, to accredit schools of nursing and educational programs..."
- Subsequently Rule 215.4 Professional Nursing Education, Section(c)(4) relating to *Approval* states that "The Texas Board of Nursing will select one or more national nursing accrediting agencies, recognized by the United States Department of Education and determined by the Board to have standards *equivalent* to the Board's ongoing approval standards." (This rule change was adopted at the October 2007 Board meeting and became effective January 8, 2008.)
- Board staff initiated separate communications with representatives from the Commission on Collegiate Nursing Education (CCNE) and the National League for Nursing Accrediting Commission (NLNAC) in June 2007 to establish a process for determining whether the voluntary organizations' accreditation standards are equivalent to BON ongoing approval standards.
- In collaboration with CCNE, a lengthy matrix was developed comparing CCNE accreditation standards with BON approval standards.
- Likewise, NLNAC assisted in developing a similar matrix comparing NLNAC accreditation standards with BON approval standards.
- After a careful review and analysis, board staff have determined that, though CCNE and NLNAC standards are not identical to BON standards, most are generally comparable EXCEPT for areas where there are significant exceptions. Abbreviated summary tables examining the comparison and identifying exceptions in the CCNE and NLNAC standards were prepared.
- These tables were submitted to CCNE and NLNAC with explanatory letters and with copies of the Nursing Practice Act and pertinent Rules & Regulations (See Attachments #1 and #2).
- Separate conference calls between CCNE and board staff and between NLNAC and board staff allowed further discussion of the comparisons.
- In the conversations, there was agreement on some common ground in some areas of exception to move more criteria into the acceptable comparison range.
- A written responses from CCNE provided their feedback to the analysis from the matrix (See Attachment #3).
- A written response has not yet been received from NLNAC providing their feedback to the analysis of the respective matrix.
- An update to the Sunset Commission regarding this issue has been submitted (See Attachment #4). The response identifies criteria in the accreditation standards which are acceptable as comparative to BON rules and criteria in which there are serious exceptions to BON rules. Areas of exception basically focus on protection of the public and patient safety.

PROS:

- Accepting specific accreditation standards as meeting BON rules would eliminate duplication in ongoing program approval.
- The monitoring of nursing programs' compliance with BON rules pertaining to the protection of the public would ensure patient safety.

CONS:

- Since accreditation standards routinely undergo review and revision, ongoing efforts in comparing accreditation standards with BON rules will be necessary.

REQUESTED ACTION:

No action required. This report is for information only.

Attachment 1

**Analysis of Comparison Crosswalks
Between Texas Board of Nursing (BON) Approval Standards and
The Commission on Collegiate Nursing Education (CCNE) Accreditation Standards**

<p style="text-align: center;">BON Chapter 215. Professional Nurse Education PERTINENT STANDARD/CRITERIA</p>	<p style="text-align: center;">CCNE Analysis of Acceptable Agreement and Differences Between BON and CCNE Standards</p>
<p>§215.1 General Requirements (a) "The dean or director and faculty are accountable for complying with the Board's rules and regulations and the Nursing Practice Act."</p>	<p><i>No comparison noted: Significant exception:</i> CCNE noted in the Crosswalk "Not Applicable". BON standard relates to whether dean or director and faculty comply with the Board's Rules & Regulations (R&R) and Nursing Practice Act (NPA). Board finds this an important area and requires evidence that the program director not only complies with the R&R and NPA, but is responsible for the faculty updates on the NPA and R&R and their compliance.</p>
<p>§215.4 Approval Note: The BON will continue to review proposals and approve new nursing programs. §215.4(a)(1)(A) "Initial approval is written authorization by the Board for a new program to admit students and is granted if the program meets the requirements and addresses the recommendations issued by the Board."</p>	<p><i>Interdependent standards:</i> The BON will continue to review proposals and approve new nursing programs. The selection of accreditation agencies affects the ongoing approval of programs. In this regard, CCNE documents imply that CCNE and BON have an interdependent relationship: CCNE reviews official correspondence from regulatory agencies in their accreditation review. The program is required to notify CCNE of any substantive change affecting the nursing program including changes in status with the State Board of Nursing and NCLEX examination pass rates. The BON notifies CCNE of changes in program approval status.</p>

<p>§215.5 Philosophy/Mission and Objectives/Outcomes (b) "Program objectives/outcomes derived from the philosophy/mission shall reflect the <i>Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/ADN), Baccalaureate (BSN), September 2002.</i>"</p>	<p><i>Comparable standards with significant exception:</i> Standards are comparable in expectations that mission, goals and expected outcomes are consistent throughout the program. However, the BON requires verification of inclusion of the <u>Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs (DELIC)</u> in this section and also in §215.9 Program of Study (see rule reference below). CCNE accreditation relies on the philosophy, mission and outcomes being consistent with professional standards and guidelines for the preparation of nursing professionals. The selected standards may or may not include competencies described in DELIC.</p>
<p>§215.6 Administration and Organization (f)(3-4) "The dean or director shall hold a doctoral degree, if administering a baccalaureate or master's degree program; and shall have a minimum of three years teaching experience in a professional nursing education program..."</p>	<p><i>Comparable standards with significant exception:</i> CCNE requirements for chief nurse administrator are less specific in degree requirements and professional experience. BON requires a doctoral degree and three years teaching experience in a professional nursing educational program.</p>
<p>§215.7 Faculty Qualifications and Faculty Organization §215.7(c)(1)(E)</p>	<p><i>Standards exceed current BON standards:</i> Note: BON rules allow flexibility in faculty qualifications, such as the use of faculty waivers and teaching assistants. CCNE faculty qualifications are more general in nature stating that "faculty members are academically and experientially qualified and sufficient in number to accomplish the mission, goals, and expected outcomes of the program."</p>

<p>§215.8 Students §215.8(f) requires that students are provided verbal and written information regarding eligibility to take the licensure examination. Specific information required includes: (1) "Texas Occupations Code §§301.252, 302.257 and 301.452-469; and (2) "Sections 213.27-213.30 of the Texas Administrative Code (TAC)..." (*See listing of rules at the end of this document.)</p>	<p><i>Comparable standards with significant exceptions:</i> The BON requires that programs provide information to students related to the Declaratory Order of Eligibility, sections of NPA, and Rule 213 of the TAC. These relate to public safety and a new law that nursing graduates pass a jurisprudence examination. The mission of the BON is "to protect and promote the welfare of the people of Texas by ensuring that each person holding a license as a nurse in this state is competent to practice safely." Section 301.252(a)(3) of the NPA requires that each applicant for a registered nurse license or a vocational nurse license must pass a jurisprudence examination beginning September 1, 2008. The jurisprudence examination shall be conducted on the licensing requirements under Chapter 301 and board rules and other laws, rules, or regulations applicable to the nursing profession in Texas. This legislation validates the importance of ensuring that nursing educational programs contain mandated components of the Texas NPA and Board rules in their curriculum.</p>
<p>§215.9 Program of Study (a)(6-7) "The program of study shall be designed to prepare graduates to practice according to the Standards of Nursing Practice as set forth in the Board's Rules and Regulations; and designed and implemented to prepare students to demonstrate the <i>Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/ADN), Baccalaureate (BSN), September 2002.</i>" (e)(2)(C) "The program of study shall include, but not be limited to...the Nursing Practice Act, Standards of Nursing Practice, Unprofessional Conduct Rules, Delegation Rules, and other laws and regulations which pertain to various practice settings..."</p>	<p><i>Comparable standards with significant exceptions:</i> General aspects of curriculum standards are comparable. <i>EXCEPTIONS:</i> Areas in the curriculum required by the BON pertinent to PUBLIC SAFETY and the jurisprudence examination, e.g. the NPA, Rule 217.11 and 217.12, Rule 224, Rule 225, and DELC. (*See listing of rules at the end of this document.) Competencies identified in DELC may be similar to the Essentials but DELC competencies are specific to safe and competent nursing practice in the State of Texas.</p>

<p>§215.10 Management of Clinical Learning Experiences and Resources (e) “The following ratios only apply to clinical learning experiences involving direct patient care: (1) When a faculty member is the only person officially responsible for a clinical group, the group shall total no more than ten (10) students. Patient safety shall be a priority and may mandate lower ratios, as appropriate. The faculty member shall supervise that group in only one facility at a time, unless some portion or all of the clinical group are assigned to observational experiences in additional settings.”</p>	<p><i>Comparable standards with significant exceptions:</i> CCNE evaluation of clinical learning experiences relate to meeting the students’ learning needs and fulfilling clinical objectives. BON rules focus more on protecting patients and appropriate supervision by qualified nursing faculty who are accountable for public safety. BON rules require a faculty to student ratio acceptable for patient safety. BON rules also provide rules for flexibility in the use of faculty extenders (preceptors and clinical teaching assistants).</p>
<p>§215.11 Facilities, Resources, and Services</p>	<p><i>Comparable standards.</i></p>
<p>§215.12 Records and Reports</p>	<p><i>Comparable standards.</i></p>
<p>§215.13 Total Program Evaluation</p>	<p><i>Comparable standards.</i></p>

Note: CCNE provided information about their comparable standards to BON regulations but did not supply examples of required evidence.

Listing of Specific Texas Rules and Regulations, NPA required in nursing education programs:

***Rule 215 Professional Nursing Education**

Rule 215.8 (f)(1)-(2) Students requires inclusion of the following sections from the NPA and Rules:

§301.252	License Application
§301.257	Declaratory Order of License Eligibility
§301.452	Grounds for Disciplinary Action
§301.453	Disciplinary Authority of Board; Methods of Discipline
§301.4535	Required Suspension, Revocation, or Refusal of License for Certain Offenses
§301.454	Notice and Hearing
§301.455	Temporary License Suspension or Restriction
§301.456	Evidence
§301.457	Complaint and Investigation
§301.458	Initiation of Formal Charges; Discovery.
§301.459	Formal Hearing
§301.460	Access to Information
§301.461	Assessment of Costs
§301.462	Voluntary Surrender of License
§301.463	Agreed Disposition
§301.464	Informal Proceedings
§301.465	Subpoenas: Request for Information
§301.466	Confidentiality
§301.467	Reinstatement
§301.468	Probation
§301.469	Notice of Final Action
§213.27	Good Professional Character
§213.28	Licensure of Persons with Criminal Offenses
§213.29	Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters
§213.30	Declaratory Order of Eligibility for Licensure

Rule 215.9 (e)(C) Program of Study requires the inclusion of the following in the curriculum:

§301	Nursing Practice Act
§217.11	Standards of Nursing Practice
§217.12	Unprofessional Conduct
§224	Delegation of Nursing Tasks by Registered Professional Nurses to Unlicensed Personnel for Clients with Acute Conditions or in Acute Care Environments
§225	RN Delegation to Unlicensed Personnel and Tasks Not Requiring Delegation in Independent Living Environments for Clients with Stable and Predictable Conditions

Attachment 2

**Analysis of Comparison Crosswalks
Between Texas Board of Nursing (BON) Approval Standards and
The National League for Nursing Accrediting Commission (NLNAC) Accreditation Standards**

<p style="text-align: center;">BON Chapter 215. Professional Nurse Education PERTINENT STANDARD/CRITERIA</p>	<p style="text-align: center;">NLNAC Analysis of Acceptable Agreement and Differences Between BON and NLNAC Standards</p>
<p>§215.1 General Requirements (a) “The dean or director and faculty are accountable for complying with the Board’s rules and regulations and the Nursing Practice Act.”</p>	<p><i>No comparison noted: Significant exception:</i> NLNAC noted in the Crosswalk that they review the qualifications of the dean or director and the State Board of Nursing approval letter. If ongoing board approval is eliminated there is still a need to determine if the dean or director and faculty are complying with the Board’s Rules & Regulations (R&R) and the Nursing Practice Act (NPA). NLNAC suggest that the presence of a copy of the State Board of Nursing Regulations is an indicator of this standard. BON standard relates to whether dean or director and faculty know and comply with the Board’s R&R and the NPA. Board finds this an important area and requires evidence that the program director not only complies with the R&R and NPA, and ensures faculty updates on the NPA and R&R and their compliance.</p>
<p>§215.4 Approval Note: The BON will continue to review proposals and approve new nursing programs. §215.4(a)(1)(A) “Initial approval is written authorization by the Board for a new program to admit students and is granted if the program meets the requirements and addresses the recommendations issued by the Board.”</p>	<p><i>Interdependent standards:</i> The BON will continue to review proposals and approve new nursing programs. The selection of accreditation agencies affects the ongoing approval of programs. In this regard, NLNAC documents imply that NLNAC and BON have an interdependent relationship: An eligibility criteria for NLNAC accreditation is that the program must have current approval without qualification by the state agency that has legal authority for education programs in nursing. NLNAC does not accredit programs which have received an adverse action or have been placed on probationary status by a state agency. If NLNAC is notified that an accredited nursing program has received an adverse action or has been placed on probationary status by a state agency, NLNAC will promptly review the program to determine what action should be taken. The BON notifies NLNAC of changes in program approval status.</p>

<p>§215.5 Philosophy/Mission and Objectives/Outcomes (b) "Program objectives/outcomes derived from the philosophy/mission shall reflect the <i>Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/ADN), Baccalaureate (BSN), September 2002.</i>"</p>	<p><i>Comparable standards with significant exception:</i> Standards are comparable in expectations that mission, goals and expected outcomes are consistent throughout the program. However, the BON requires verification of inclusion of the <u>Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs (DELIC)</u> in this section and also in §215.9 Program of Study (see rule reference below). NLNAC Standard III states that "The curriculum is designed to accomplish its educational and related purposes." BON standards require that program outcomes are derived from the DELIC to ensure that the program will produce nursing graduates with entry level competencies expected in Texas. (These competencies were developed by nursing educators and constituents from across the state.) The BON reviews programs for the inclusion of these specific competency outcomes in the curriculum.</p>
<p>§215.6 Administration and Organization (f)(2-4) "The dean or director shall hold a master's degree or a doctorate degree in nursing, shall hold a doctoral degree, if administering a baccalaureate or master's degree program; and shall have a minimum of three years teaching experience in a professional nursing educational program..."</p>	<p><i>Comparable standards with significant exception:</i> NLNAC requirements for nursing education unit administrator are less specific in degree requirements and professional experience. BON requires a master's or doctoral degree in nursing for an associate's degree program, a doctoral degree for a baccalaureate degree with at least a master's degree in nursing, and three years teaching experience in a professional nursing educational program. No director who does not hold a master's degree in nursing has been approved by the BON. The three years teaching experience in a professional program is also a critical requirement.</p> <p><i>Conversation with Dr. Tanner on 2/29/08: NLNAC 2008 Criteria require that nursing administrator hold a doctorate for BSN program and a graduate degree with a major in nursing for ADN program. There is not evidence that previous experience in professional nursing educational programs is required.</i></p>

<p>§215.7 Faculty Qualifications and Faculty Organization §215.7(c)(1)(E)</p>	<p><i>Standards exceed current BON standards: Note: BON rules allow flexibility in faculty qualifications, such as the use of faculty waivers and teaching assistants. NLNAC faculty qualifications for all levels of professional nursing education require a minimum of a master's degree with a major in nursing.</i></p> <p><i>Conversation with Dr. Tanner on 2/29/08: 2008 NLNAC standards provide additional flexibility in faculty credentials. Standard now viewed as comparable.</i></p>
<p>§215.8 Students §215.8(f) requires that students are provided verbal and written information regarding eligibility to take the licensure examination. Specific information required includes: (1) "Texas Occupations Code §§301.252, 302.257 and 301.452-469; and (2) "Sections 213.27-213.30 of the Texas Administrative Code (TAC)..." (*See listing of rules at the end of this document.)</p>	<p><i>Comparable standards with significant exceptions:</i> The BON requires that programs provide information to students related to the Declaratory Order of Eligibility, sections of NPA, and Rule 213 of the TAC. These relate to public safety and a new 2007 law that nursing graduates pass a jurisprudence examination. The mission of the BON is "to protect and promote the welfare of the people of Texas by ensuring that each person holding a license as a nurse in this state is competent to practice safely."</p> <p>Section 301.252(a)(3) of the NPA requires that each applicant for a registered nurse license or a vocational nurse license must pass a jurisprudence examination beginning September 1, 2008. The jurisprudence examination shall be conducted on the licensing requirements under Chapter 301 and board rules and other laws, rules, or regulations applicable to the nursing profession in Texas.</p> <p>This legislation validates the importance of ensuring that nursing educational programs contain mandated components of the Texas NPA and Board rules in their curriculum.</p>

<p>§215.9 Program of Study (a)(6-7) "The program of study shall be designed to prepare graduates to practice according to the Standards of Nursing Practice as set forth in the Board's Rules and Regulations; and designed and implemented to prepare students to demonstrate the <i>Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (Dip/ADN), Baccalaureate (BSN), September 2002.</i>"</p> <p>(e)(2)(C) "The program of study shall include, but not be limited to...the Nursing Practice Act, Standards of Nursing Practice, Unprofessional Conduct Rules, Delegation Rules, and other laws and regulations which pertain to various practice settings..."</p>	<p><i>Comparable standards with significant exceptions:</i> General aspects of curriculum standards are comparable. <i>EXCEPTIONS:</i> Areas in the curriculum required by the BON pertinent to PUBLIC SAFETY and the jurisprudence examination, e.g. the NPA, Rule 217.11 and 217.12, Rule 224, Rule 225, and DELC. (*See listing of rules at the end of this document.) NLNAC requires that a set of guidelines for professional nursing practices approved by a nursing organization is utilized in the curriculum. Competencies identified in DELC may be reflected in some of the standards published by professional organizations but DELC competencies are specific to safe and competent nursing practice in the State of Texas. As appropriate for an accrediting body, it appears that NLNAC evaluates whether the program design provides an opportunity for students to achieve program objectives whereas the BON evaluates whether the program design provides for consideration of public safety in its implementation. Additionally, NLNAC considers it the responsibility of each program to ensure maintenance of accreditation status and <u>protection of students</u> whereas the BON considers it the responsibility of each program to ensure <u>patient safety</u> as students care for clients.</p>
<p>§215.10 Management of Clinical Learning Experiences and Resources (e) "The following ratios only apply to clinical learning experiences involving direct patient care: (1) When a faculty member is the only person officially responsible for a clinical group, the group shall total no more than ten (10) students. Patient safety shall be a priority and may mandate lower ratios, as appropriate. The faculty member shall supervise that group in only one facility at a time, unless some portion or all of the clinical group are assigned to observational experiences in additional settings."</p>	<p><i>Comparable standards with significant exceptions:</i> NLNAC evaluation of clinical learning experiences is based upon whether the curriculum is designed to accomplish its educational and related purposes. BON rules focus more on protecting patients and appropriate supervision by qualified nursing faculty who are accountable for public safety. NLNAC standards require that the number and utilization of full-time and part-time faculty meet the needs of the nursing education unit to fulfill its purposes. BON rules require a faculty to student ratio acceptable for patient safety. BON rules also provide rules for flexibility in the use of faculty extenders (preceptors and clinical teaching assistants).</p>
<p>§215.11 Facilities, Resources, and Services</p>	<p><i>Comparable standards.</i></p>
<p>§215.12 Records and Reports</p>	<p><i>Comparable standards.</i></p>
<p>§215.13 Total Program Evaluation</p>	<p><i>Comparable standards.</i></p>

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Commission on
Collegiate Nursing
Education

Serving the
Public Interest
Through Quality
Accreditation

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Attachment 3

March 5, 2008

Mary Beth Thomas, PhD, RN
Director of Nursing, RN
Texas Board of Nurse Examiners
William P. Hobby Building, Tower 3
333 Guadalupe Street, Suite 3-460
Austin, TX 78701-3942

Dear Dr. Thomas:

The Commission on Collegiate Nursing Education (CCNE) has reviewed your letter of January 26, 2008 and the accompanying document. These materials were forwarded to both the CCNE Board of Commissioners and the Standards Committee and were discussed by these bodies on February 16. I apologize for our delay in responding to your request.

As noted in our telephone conversations, the underlying philosophy and the purpose of voluntary accreditation agencies differ from those of regulatory state boards. The former were not established to replace the latter. Nevertheless, there are states that significantly diminish the oversight of CCNE and/or NLNAC-accredited nursing programs, permitting the state agency to utilize its resources more effectively.

CCNE accredits a nursing program only after it has met state regulations for establishment and implementation. Furthermore, the program must be situated in an accredited institution of higher learning. As a specialized accrediting agency, CCNE accepts the judgment of US Department of Education-recognized regional and national accrediting bodies regarding institutional quality. Texas nursing programs still must have initial approval from the State Board of Nursing so that relationship is not changed by the rule change.

§215.1 This section seems to require that the dean and the faculty hold licenses permitting them to practice nursing in Texas. CCNE requires that the program director be a registered nurse. Licensure of faculty is addressed in the expectation that faculty have the expertise and qualifications necessary to meet requirements of their faculty role. Professional nurse licensure is expected of the nurse faculty.

§215.4 CCNE requires that a nursing program be in good standing with the state regulatory body for nursing education.

§215.5 CCNE requires nursing programs to use selected national standards and guidelines. A nursing program in a given state jurisdiction typically identifies additional national nursing standards and the state's regulatory requirements as part of its professional standards and guidelines. Programs are assessed as to the degree to which all adopted standards and guidelines are followed. Differentiated competencies for practice vary from state to state. It would not be feasible for an agency that accredits programs throughout the country to have its hundreds of evaluators master the nuances of the many versions of nursing practice regulation.

§215.6 CCNE requires that the chief nurse administrator have the qualification and expertise to achieve the outcomes of the program. This is less specific than the Texas requirement. Educational and experience requirements for the chief nurse administrator vary from state to state. As a specialized accrediting agency with a national scope, CCNE formulates its standards to promote quality nursing education and to meet the

needs of its constituency, i.e., baccalaureate and higher degree nursing programs. While requirement of the doctoral degree is under discussion by the community of interest, a consensus has not yet been reached.

§215.7 CCNE standards do not preclude a program from utilizing teaching assistants or preceptors. CCNE standards do require that faculty be academically and experientially qualified and sufficient in number to accomplish the mission, goals, and expected outcomes of the program.

§215.8 CCNE standards address the quality of preparation for licensure to practice professional nursing. Currently, licensure itself is the purview of the state. CCNE does require that all documents (some of which typically address the purpose of the program) be accurate. CCNE also evaluates NCLEX-RN pass rates.

§215.9 CCNE accredits only baccalaureate and higher degree nursing programs. One of the founding values of CCNE is respect for the academic freedom of baccalaureate and higher degree programs. An operational principle is encouragement of innovation in teaching-learning. While it is certainly within the scope of a regulatory body to have specific requirements relative to such areas, it is not the role of a specialized accrediting body to address these localized issues.

§215.10 The nature of clinical instruction has significantly evolved over the years. While some jurisdictions have seen the need to provide specific numerical guidelines not only to protect patient safety but also to ensure adequate allocation of institutional resources to nursing education, as a nationally recognized accrediting body the imposition of numerical guidelines does not seem appropriate to our process. While inputs and processes are carefully examined in the CCNE accreditation process, the focus is on performance and outcomes. Thus, CCNE standards focus on the outcomes of clinical instruction.

The tenor of the discussion of the members of the Commission and the Standards Committee was as follows:

- The substance of the probable intent of the sections referenced above of Chapter 215 of the Texas Board of Nursing Approval Standards is included in the CCNE Standards for Accreditation.
- As a nationally recognized accrediting body for baccalaureate and higher degree programs of nursing, CCNE must be attentive to national quality initiatives in both education and in healthcare. CCNE is sensitive to and respectful of the particular needs of local jurisdictions but formulates its accreditation standards for application across the nation.

I wish you well in the task before you.

Sincerely,

A handwritten signature in cursive script that reads "Harriet R. Feldman". The signature is enclosed in a dashed rectangular box.

Harriet R. Feldman, PhD, RN, FAAN
Chair, CCNE Board of Commissioners

cc: CCNE Board of Commissioners

CCNE Standards Committee

Attachment 4

Update to Sunset Commission Staff Related to Issue One and Approval of Accrediting Agencies

March 20, 2008

This letter provides a response to the Sunset Commission Report dated September 2006 to the Board of Nurse Examiners related to Issue 1: The Board's process of approving nursing education programs, developed without clear statutory guidance, could contribute to the nurse shortage in Texas. It was recommended that nursing programs, once accredited by an agency recognized by the U. S. Department of Education, are exempt from Board approval. A key finding under Issue 1 indicated that the Board's process for approving nursing education programs duplicates some of the processes of other state agencies, as well as national accrediting agencies. HB 2426 enacted by the 80th Session of the Texas Legislature which became effective September 2007, requires in Section 301.157(b)(5) that "The board shall select one or more national nursing accrediting agencies, recognized by the United States Department of Education and determined by the board to have acceptable standards, to accredit schools of nursing and educational programs..." The selection of accreditation agencies affects the ongoing approval of programs. An interdependent relationship for initial approval exists between the BON and accreditation agencies since each relies upon the approval of the other. This relationship is valued and will continue.

Since June 2007, the Board has critically examined all processes and criteria for the approval of nursing educational programs, seeking to eliminate areas of duplication in requirements for ongoing program approval. Board staff initiated separate communications with representatives from the Commission on Collegiate Nursing Education (CCNE) and the National League for Nursing Accrediting Commission (NLNAC) to establish a process for comparing the voluntary organizations' accreditation standards with BON ongoing approval standards. We have completed our review and have determined that most of CCNE and NLNAC standards are generally comparable to the Board's except for a few areas where there are significant exceptions. Attachment A provides an overview of our analysis. Attachment B is the response from CCNE to our analysis. We have had positive discussions with NLNAC and expect to have

written documentation from them soon.

During the legislative session, there was discussion with Sunset staff and Representative Truitt's staff about the gap between the standards of the Board and the national nursing accrediting bodies particularly in regards to patient safety. As the letter from CCNE reflects, the underlying philosophy and the purpose of voluntary accreditation agencies differs from those of regulatory state boards and it is not feasible for an agency that accredits programs throughout the country to have its hundreds of evaluators master the nuances of the many versions of nursing practice regulation. In our comparison of the accrediting bodies' standards with the Board's ongoing approval process, we focused on critical components to patient safety that would not be evaluated by the accrediting bodies nor have the in-depth review needed to ensure compliance with our regulations. At this time, we are in the process of identifying key components of §214 and §215 related to the ongoing approval of nursing educational programs that may be eliminated due to duplication and those areas that need the Board's continued regulation. This process will help ensure that there are not significant gaps in consumer protection. Consequently, we believe that the steps we have taken are a good place to begin developing future models for oversight of nursing educational programs.

Though not an inclusive list at this time, the following areas of continued Board of Nursing governance are identified below:

1. General Requirements for the Dean/Director/Coordinator - The BON requires that the dean or director and faculty are accountable for complying with the Board's rules and regulations and the Nursing Practice Act. Compliance is dependent upon the director and faculty following state regulations which are designed to protect the public. The BON has the expertise to evaluate whether or not this requirement is met.
2. Philosophy/Mission and Objectives/Outcomes - The BON requires that program objectives/outcomes derived from the philosophy/mission shall reflect the *Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs (DELIC)*, *Vocational (VN)*, *Diploma/Associate Degree (Dip/ADN)*, *Baccalaureate (BSN)*, September 2002. The

DELCC provides a mechanism for unified agreement amongst all levels of nursing educational programs about minimal differentiated competencies that graduates from Texas nursing educational programs must possess for entry into practice. Additionally, the DELCC competencies are used as the framework for nursing educational curriculum and promote a standardized scope of practice for newly licensed nurses to guide employers, nurses, other health care providers and the public in their expectations for safe practice for these new nurses entering the workforce. Since these are specific state competencies directed toward patient safety, they are not evaluated by the accreditation agencies.

3. Students - Significant exceptions were noted since the BON requires that programs provide specific information on licensing requirements to students related to Texas rules and regulation and the Nursing Practice Act (See list of the requirements in §215.8 in Attachment A.) These inclusions are not only imperative for patient safety but provide the foundation for the jurisprudence examination which students must pass prior to taking the licensure examination beginning in September 2008.
4. Curriculum - General aspects of curriculum standards are comparable but significant exceptions were found in areas in the curriculum required by the BON pertinent to public safety and the jurisprudence examination (See list of requirements in §215.9 in Attachment A).
5. Management of Clinical Learning Experiences and Resources - BON rules focus on protecting patients and appropriate supervision by qualified nursing faculty who are accountable for public safety. Accreditation agencies standards relate to an evaluation of clinical experiences related to the student's learning needs. Though both mechanisms promote quality patient care, the Board's more focused regulation is needed to promote patient safety within a very complex health care environment.

In conclusion, the BON has carefully reviewed the matrix that compares the standards of the two voluntary nursing accreditation agencies with BON rules. These analyses were

discussed with the accreditation agencies for their input and responses. Our recommendations are:

- Approve CCNE (and NLNAC when they provide written verification of our verbal discussions) as the nursing accrediting bodies that have acceptable standards to accredit schools of nursing and educational programs
- Retain oversight of a limited number of our rules pertaining to patient safety

We believe that this direction is consistent with HB 2426 and discussions with your staff and Representative Truitt's office. We will be providing a status report to the Board in April and have a final report in July. Our plan is to have a full detailed report to the commission in the fall.