

Agenda Item:6.2.1  
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Meeting Date: July 17, 18 2008

## **Status Report on the Implementation of the Jurisprudence Exam**

### **Summary of Request:**

This report is to inform the board of the status of the Jurisprudence Exam and the online Jurisprudence Exam Preparatory Course.

### **Background:**

Attachment A is the most recent draft of the test blue print for the Jurisprudence Exam (JE). This plan is based upon priority objectives from the Jurisprudence Workshop. In an effort to promote distribution of this information, the Deans and Directors of all professional and vocational programs have been sent a copy of the test blue print. In addition, there have been special sessions for nursing faculty after the Jurisprudence Workshops for updates and questions.

Reed Castle PhD, a statistician, has been hired to provide consultation to staff regarding reliability and validity of the exam. Our first step in the development of the exam was an all day item development training for myself and the nursing consultants. Dr. Reed will also be providing ongoing consultation for further item development, analysis and any other methodological expertise needed for the exam.

Agency Staff have determined that it is the best interest of our constituents and our regulatory role to host the Jurisprudence Exam in-house. Therefore, we have contracted with IT consultants to work with BON-IT staff in developing a web based Jurisprudence Exam. We are still developing the blueprint of the application, but in our design meetings we have determined that the eligible applicants, exam questions and applicants responses must be saved in our backend database for security reasons. The JE will also be presented to applicants using a secure website and will only display one question at a time, thereby, preserving the integrity of the JE questions. The organization who will be assisting in this development is iBridge Group, Inc. We have contracted with Jennifer Cumpian, the organizations president, in previous years and have always been impressed with her attention to the needs of the BON, the detail of her work and her ability to transfer project knowledge. iBridge Group has also worked with Texas Nurses Association with their IT projects.

Based on discussions with the Brenda Jackson (Board Liaison for the Jurisprudence Exam), Dr. Castle and Board staff, the following information will be developed into Board policies:

- Applicants for exam and endorsement who make application for licensure after August 31, 2008 must take the Jurisprudence Exam
- Applicants may take the exam any time after they make application
- The exam is on-line and an “open book” type exam.
- There will be 50 multiple choice question on the exam. These questions will be developed from the test blue print
- The exam will be limited to 2 hours
- Costs to the applicant, if any, will be presented in a separate board agenda item

Final policies and procedures will be developed by the end of July.

A contract has been signed with Enspire Learning to host and develop the online Jurisprudence Preparatory Course. The course is an optional training that provides a mechanism to prepare students to meet the objectives of the exam. The module will be around two hours long and highly interactive. The course should be completed and operational in the Fall of 2008.

**Staff Recommendations:**

None. This report is for information only.

Texas Board of Nursing (BON)  
 Jurisprudence Exam Test Blue Print

Subject Area	Source in Statute, Rule, or Other Resource Documents	Objectives	Section Weight
<b>A) NURSING LICENSURE &amp; REGULATION In TEXAS</b>			15%
	NPA-First Page Rules & Regulations: Preface	1) Restate the mission of the BON.	
	FAQ on BON Web Page/Nursing Practice Section	2) Differentiate the roles and functions of the BON from those of nursing and healthcare specialty associations. 2.5) Role of employer versus role of Board	
	FAQ on BON Web Page (*same for #4)	3) Discuss the role of the Texas Legislature in relation to the state statutes that relate to Nursing.	
	§301.151; Rules: Introduction FAQ (*same for #3)	4) Discuss how the BON Rules relate to the statutes in Texas Occupations Code,[ Ch. 301, Ch. 303, Ch. 304, and Ch. 305].	
	Rule §211(b)	5) Explain the functions of the Board.	
	§301.251	6) Explain why a license is required to practice nursing.	
	§301.251 and 301.4515	7) Locate the statutes and rule that protect the title “nurse.”	
	§301.351 and §217.10	8) List the minimum information required on a name badge.	
	§217.5 and Guideline <a href="http://www.bon.state.tx.us/practice/grads.html">http://www.bon.state.tx.us/practice/grads.html</a>	9) Discuss when a temporary permit is used.	
	January 2008 BON Bulletin/ front page <a href="http://www.bon.state.tx.us/about/pdfs/jan08.pdf">http://www.bon.state.tx.us/about/pdfs/jan08.pdf</a>	10) Choose appropriate methods of verifying a nurse’s license.	

Subject Area Texas BON	Source in Statute, Rule, or Other Resource Documents	Objectives	Weight
	§301.301, §301.3011, §301.302 and §217.6	11) List requirements for licensure renewal.	
	§304 and §220	Describe the nurse licensure compact.	
	§216; CE Brochure <a href="http://www.bon.state.tx.us/about/pdfs/ceu.pdf">http://www.bon.state.tx.us/about/pdfs/ceu.pdf</a>	13) Locate the rule and resource information that lists the Continuing Education requirements for licensure renewal.	
<b>B) NURSING ETHICS</b>			20%
	§301.4535; §213.28; Disciplinary Guidelines for Criminal Conduct <a href="http://www.bon.state.tx.us/disciplinaryaction/discp-guide.html">http://www.bon.state.tx.us/disciplinaryaction/discp-guide.html</a>	1) List the criminal behaviors that may be bars to licensure.	
	§213.27, §213.28, §213.29, §213.30 and §217.12	2) Distinguish ethical conduct in nursing and why it is important.	
	§213.27	3) Discuss rule 213.27, Good Professional Character and identify the factors used to evaluate whether or not a nurse has these characteristics.	
	§217.11(1)(J), §217.12(6)(D); BON Bulletin: Jan '08, pg 4-5	4) Define professional boundaries and the nurse's role in maintaining them.	
	§217.11(1)(J), §217.12(6)(D) NCSBN web page: Professional Boundaries Brochure <a href="https://www.ncsbn.org/Professional_Boundaries_2007_Web.pdf">https://www.ncsbn.org/Professional_Boundaries_2007_Web.pdf</a>	5) Identify actions by a nurse that would constitute "boundary violations" as defined by the National Council of State Board of Nursing.	
	NPA 301.452 §213.28, §213.29, §217.12	6) Identify actions by a nurse that could constitute unprofessional conduct and grounds for BON disciplinary action, other than boundary violations.	
<b>C) NURSING PRACTICE</b>			30%
	§301.002 217.11(2)(A), (3)(A)	1) Identify differences in the nursing process for professional nursing and vocational nursing.	
	§301.353, §217.11 (2) and Interpretive Guideline for LVN	2) Identify who can supervise the nursing practice of a vocational nurse;	

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	Scope of Practice Under §217.11 <a href="http://www.bon.state.tx.us/practice/lvn-guide.html">http://www.bon.state.tx.us/practice/lvn-guide.html</a>		
	BON website	3) Explain the purpose of the BON's position statements, guidelines, and other documents on the BON web page other than the statutes and board rules.	
	217.11(1)(B) Position Statement 15.14	4) Define the nurse's duty to the patient.	
	Nursing Practice: Scope of Practice Link on Web Page <a href="http://www.bon.state.tx.us/practice/gen_practice.html#Scope_of_Practice">http://www.bon.state.tx.us/practice/gen_practice.html#Scope_of_Practice</a>	5) Locate appropriate resources a nurse can use to determine what is or is not within his/her individual scope of practice.	
	Nursing Practice Section of Web Page Under "Guidelines/Interpretive Guidelines"	6) Discuss the guidelines associated with graduate vocational and graduate nurses and newly licensed nurses; and with nurses who are transitioning back into practice or to a new practice setting.	
	Nursing Practice Section of Web Page Under "Scope of Practice"	7) Differentiate the role of the LVN and RN according to the Interpretive Guideline for LVN Scope of Practice under rule 217.11.	
	Nursing Practice Section of Web Page Under "Scope of Practice" <a href="http://www.bon.state.tx.us/practice/gen_practice.html#Scope_of_Practice">http://www.bon.state.tx.us/practice/gen_practice.html#Scope_of_Practice</a>	8) Describe how to use the Board's Six-Step Decision- Making Model for Determining Nursing Scope of Practice.	
	§217.11	9) Discuss rule 217.11, Standards of Nursing Practice and identify the standards that apply to all nurses; then differentiate the standards of practice for LVNs, RNs and RNs with advanced practice authorization.	
	BON Web Page: Nursing Work Hours & Fatigue; Nurse's On-Guard & other Patient Safety Article in BON Bulletins (starting April 2006)	10) Recognize human factors, such as fatigue and look-alike medication packaging, that contribute to nursing errors and can place patients at risk of harm.	

Subject Area Texas BON	Source in Statute, Rule, or Other Resource Documents	Objectives	Weight
	<a href="http://www.bon.state.tx.us/about/pdfs/apr06.pdf">http://www.bon.state.tx.us/about/pdfs/apr06.pdf</a> ; include web links for patient safety sites (ISMP, Joint Commission, etc); BON Bulletin Oct 05, pg 3.		
	§217.11(3)(B), §224 and §225	11) Identify the level of nursing licensure required in Texas in order to delegate tasks to unlicensed personnel.	*applies to all
	§224.4 (3), §224.10, §225.4(6), §225.13, and §217.11 (1)(S)(U), (2); Guideline for LVN Scope of Practice Under Rule 217.11	12) Differentiate training, supervision and delegation.	*applies to all
	§217.11(4)	13) Articulate the advanced practice nurse's role in delegation.	*applies to all
<b>D) NURSING PEER REVIEW</b>			15%
	§303.001(5)	1) Express the general purpose of peer review.	
	§217.19(d) §217.20(h)	2) Describe minimum due process for the nurse during incident-based peer review and safe harbor peer review.	
	§217.19(f) §217.20(f)	3) List the exclusions to the minimum due process requirements in incident-based peer review and safe harbor peer review.	
	§301.352 and §217.19(m) §217.20(l)	4) Discuss the whistleblower protections when a nurse reports to a licensing board or accrediting body any unsafe practices that potentially exposed patients to a risk of harm.	
	§301.419 and §217.16 §217.19 & §217.20 (def)	5) Define a minor incident.	
	§217.16(d)(1) (A)-(D)	6) Identify the criteria to determine if a minor incident is board reportable.	

Subject Area Texas BON	Source in Statute, Rule, or Other Resource Documents	Objectives	Weight
	§217.20(d)	7) Describe the process for invoking safe harbor.	
	§301.352, §303.005(c) and §217.20(e)	8) Identify the protections provided when a nurse invokes Safe Harbor.	
	217.20(e)(4), (g)(1)(A)-(B),	9) List the 2 situations when a nurse can refuse to accept an assignment when invoking safe harbor.	
	§217.20(g)(2)	10) List the mandatory requirement to be carried out collectively by the nurse and supervisor if the nurse refuses an assignment when invoking safe harbor.	
<b>E) DISCIPLINARY ACTION</b>			20%
	§301.401, §301.410, §213.29 and Disciplinary Sanction Policy <a href="http://www.bon.state.tx.us/disciplinaryaction/pdfs/chemical.pdf">http://www.bon.state.tx.us/disciplinaryaction/pdfs/chemical.pdf</a> ; BON Bulletins: April '07, pg 5; Jan '06, pg 7-8.	1) Discuss how chemical dependency or related drug conditions, mental illness, or diminished mental capacity can relate to a nurse's fitness to practice.	
	§301.452(b)(12), §217.12 Disciplinary Sanction Policies <a href="http://www.bon.state.tx.us/disciplinaryaction/dsp.html">http://www.bon.state.tx.us/disciplinaryaction/dsp.html</a> Disciplinary Guidelines for Criminal Conduct <a href="http://www.bon.state.tx.us/disciplinaryaction/discp-guide.html">http://www.bon.state.tx.us/disciplinaryaction/discp-guide.html</a>	2) Explain how unprofessional conduct relates to the practice of nursing and why it can impact patient safety.	
	§301.401, §301.410, §213.29 and Disciplinary Sanction Policy; BON Bulletin, Jan '06 <a href="http://www.bon.state.tx.us/about/pdfs/jan06.pdf">http://www.bon.state.tx.us/about/pdfs/jan06.pdf</a>	3) Discuss how chemical dependency or related drug conditions, mental illness, or diminished mental capacity can relate to a nurse's fitness to practice.	
		4) Discuss Board's process for investigating complaints against a nurse	
	§301.452, §217.11	5) Identify nursing actions that would constitute possible violations of NPA 301.452 and Standard of Nursing Practice in rule 217.11.	
	§301.457 and BON website	6) Explain how to file a report or complaint regarding a nurse who is believed to have violated some portion of the statutes or rules.	
	§301.401(1); §217.11(1)(K);	7) Describe conduct by a nurse that is subject to reporting to the BON, versus	

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	§217.16	non-reportable conduct.	
	§301.402, §301.4025 and §217.11(K)	8) Discuss the mandatory reporting requirement of a nurse.	
	301.403, §301.404, §301.405, §301.406, §301.407, §301.408, §301.409, §301.410	9) Identify others who have a mandatory reporting requirement.	
	§301.452, §301.453, §301.4535	10) List the grounds for disciplinary action against a nurse's license authorized in statute.	
	§301.463, §301.468, 301.469 and §213.1(27)	11) Select possible stipulations of a board agreed order.	

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