

## **Consideration of Approval Process for Board Approved Remedial Education Providers**

### **Summary of Request:**

Consider the approval process for Board approved Remedial Education providers.

### **Background:**

- In the Texas Board of Nursing disciplinary process, Agreed Orders are the Board's form of consent orders in which the licensee agrees to the imposition of certain disciplinary sanctions, such as Remedial Education courses.
- Agreed Orders mandate that Remedial Education courses are offered by Board approved providers.
- During fiscal year 2010, the Board of Nursing issued more than 2,000 Agreed Orders to Registered Nurses and Licensed Vocational Nurses, the majority requiring completion of Remedial Education courses.
- Individuals who have been issued Agreed Orders have demonstrated knowledge, judgement, or skills deficits related to the practice of nursing. Therefore, a critical need exists to provide Remedial Education courses throughout the vast geographical regions of Texas to enable Respondents to fulfill requirements of Board Agreed Orders within the designated time period.
- To meet the intent of remediation, it is essential that Remedial Education courses be well developed, based on sound educational principles, address the needs of adult learners, and taught by qualified instructors.

### **Proposed Approval Process for Providers:**

During the past year, Board staff have received an increased number of inquiries and applications from individuals interested in becoming Board approved Remedial Education providers. From reviewing the applications and interviewing the individuals, Board staff have realized that the applicants frequently lack professional nursing experience, educational experience, and advanced academic degrees. Therefore, Board staff propose the establishment of a formal approval process. The first step in the process requires applicants to submit a completed application and appropriate fee.

### **Qualifications for Providers:**

- Current license or privilege to practice as an RN in Texas;
- Evidence of teaching abilities and maintaining current knowledge, clinical expertise, and safety in the subject area of teaching responsibility;
- Master's degree in nursing;
- Five years varied professional nursing experience; and
- Must not have current Board Order or history of more than one Board Order.

### **Implications for Current Providers:**

- Currently, ten Board approved Remedial Education providers offer courses in Nursing Jurisprudence and Ethics, Nursing Documentation, Medication Administration, and Physical Assessment.
- Medication Administration and Physical Assessment courses have clinical components in addition to the required didactic content.
- Seven of the ten Board approved providers are master's prepared nurses, including one who is doctorally prepared. Thus, three of the Board approved providers do not possess a graduate degree.
- Board staff do not propose to withdraw approval from any of the currently approved providers that do not meet the identified criteria, as the proposed criteria would be utilized to determine future approval of applicants.

#### Proposed Fee for Approval Process:

Considering the amount of time the assigned Education Consultant spends with the applicant regarding course development and approval, Board staff recommend that an approval fee of \$300 per course be established. The aforementioned fee is not intended to be a barrier but rather an assurance of the applicant's commitment to the process.

#### Yearly Evaluation Process:

- Prior to Board staffs' yearly renewal of approval of each Remedial Education course, Board staff will mail a survey to a random sample of Respondents who completed Remedial Education courses during the previous year to determine Respondents' perceptions of course content, instructor/learner interactions, and the learning environment.
- Board staff will mail a survey to all Board approved Remedial Education providers to assess provider's perceptions and identify future needs.
- Board staff will compile and analyze the data. Outcomes will assist Board staff to determine if any potential issues exist that need further inquiry.

#### Proposed Procedure for Handling Complaints and Withdrawing Approval:

Board staff have also become aware of issues surrounding current Remedial Education providers as substantial complaints have been received telephonically. Complainants include Respondents who attended courses, as well as attorneys representing Respondents. At this time, there is no process in place for Board staff to evaluate or ultimately withdraw approval from a Board approved provider. Therefore, Board staff propose consideration of the following complaint procedure:

- Board staff will notify Provider of summary of complaint.
- Provider must submit written response within 10 business days of receipt of notification letter.
- Board staff will review and evaluate response.
- Board staff will recommend corrective actions, if indicated, or withdraw approval.
- If complaints continue, Board staff may immediately withdraw approval.

#### **Recommendations:**

Move to approve the proposed process for Board approval of Remedial Education Providers, including criteria for providers, application fee, and procedure for withdrawal of approval.