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# Select Committee on Health Care Workforce Innovation

**Wednesday, March 19, 2014  
11:30 AM - 1:30 PM  
Reed Hall (102 HOB)**

**Will Weatherford  
Speaker**

**Jose R. Oliva  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Select Committee on Health Care Workforce Innovation

**Start Date and Time:** Wednesday, March 19, 2014 11:30 am  
**End Date and Time:** Wednesday, March 19, 2014 01:30 pm  
**Location:** Reed Hall (102 HOB)  
**Duration:** 2.00 hrs

**Consideration of the following bill(s):**

HB 1059 Nursing Education Programs by Pigman  
HB 1275 Physician Assistants by Ahern

Pursuant to rule 7.12, the deadline for amendments to bills on the agenda by non-appointed members is 6:00 p.m., Tuesday, March 18, 2014.

By request of the chair, all committee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Tuesday, March 18, 2014.

**NOTICE FINALIZED on 03/17/2014 09:34 by Iseminger.Bobbye**



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1275 Physician Assistants  
**SPONSOR(S):** Ahern and others  
**TIED BILLS:**           **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Select Committee on Health Care Workforce Innovation		Dunn <i>CD</i>	Calamas <i>CC</i>
2) Health Care Appropriations Subcommittee			
3) Health & Human Services Committee			

### SUMMARY ANALYSIS

A physician assistant (PA) is a person licensed to perform health care services, in the specialty areas in which he or she has been trained, delegated by a supervising physician. PAs are governed by the respective physician practice acts for medical doctors (MDs) and doctors of osteopathic medicine (DOs), because PAs may only practice under the supervision of a MD or DO.

A PA practices under the delegated authority of a supervising physician. A physician supervising a PA must be qualified in the medical area(s) in which the PA is to perform health care tasks, and is responsible and liable for the performance and acts and omissions of the PA.

A supervising physician may delegate to a PA the authority to prescribe or dispense any medicinal drug used in the supervisory physician's practice. To delegate prescribing authority, the supervising physician must notify the Department of Health of intent to delegate prescribing authority to a PA, and the PA must file with the department a signed affidavit that he or she has completed a minimum of 10 continuing medical education hours in the specialty practice area each renewal period.

This bill amends chapters 458 and 459, F.S., to streamline administrative procedures for PAs seeking prescribing authority and for PA applicants seeking licensure. Instead of requiring PAs to submit a signed affidavit to attest to the completion of required continuing education in order to obtain prescribing privileges, the bill requires PAs to certify to the completion of the continuing education. The requirement for PA applicants to give a sworn statement of prior felony convictions or previous license denials or revocations when applying for licensure is changed to require a statement of such actions. The bill removes the requirement that PA applicants submit two letters of recommendation to be eligible for licensure.

The bill does not have a fiscal impact on state government or local governments.

The bill provides an effective date of July 1, 2014.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Background**

##### Physician Assistants

A physician assistant (PA) is a person licensed to perform health care services, in the specialty areas in which he or she has been trained, delegated by a supervising physician.<sup>1</sup> Currently, there are 5,874 in-state, and 713 out-of-state, active licensed PAs in Florida.<sup>2</sup>

PAs are governed by the respective physician practice acts for medical doctors (MDs) and doctors of osteopathic medicine (DOs), because PAs may only practice under the supervision of a MD or DO.<sup>3</sup> Specifically, sections 458.347(7) and 459.022(7), F.S., govern the licensure of PAs. PAs are regulated by the Florida Council on Physician Assistants (Council) in conjunction with either the Board of Medicine for PAs licensed under ch. 458, F.S., or the Board of Osteopathic Medicine for PAs licensed under ch. 459, F.S.

An applicant for a PA license must apply to the Department of Health (department). The department must issue a license to a person certified by the Council as having met all of the following requirements:

- Is at least 18 years of age;
- Has satisfactorily passed a proficiency examination by an acceptable score established by the National Commission on Certification of Physician Assistants;<sup>4</sup>
- Has completed an application form and remitted an application fee not to exceed \$300 as set by the boards;
- Holds a certificate of completion of a PA training program, including certain course descriptions relating to pharmacotherapy if the PA applicant seeks prescribing authority;
- Provides a sworn statement of any prior felony convictions;
- Provides a sworn statement of any previous revocation or denial of licensure or certification in any state; and
- Provides two letters of recommendation.

A PA's license must be renewed biennially. Each renewal must include:

- A renewal fee not to exceed \$500 as set by the boards;
- A sworn statement of no felony convictions in the previous 2 years; and
- Proof of completion of 100 hours of continuing medical education within the biennial period or a current certificate issued by the National Commission on Certification of Physician Assistants.

##### *Council on Physician Assistants*

The Council was created in 1995 to recommend the licensure requirements (including educational and training requirements) for PAs, establish a formulary of drugs that PAs are prohibited to prescribe, and

<sup>1</sup> Section 458.347(1), F.S.

<sup>2</sup> E-mail from Florida Department of Health to the Health and Human Services Committee (Nov. 7, 2013) (on file with committee staff).

<sup>3</sup> Chapters 458 and 459, F.S.

<sup>4</sup> The proficiency measure for the exam is a scaled score; therefore, what is considered a passing score fluctuates with each administration. National Commission on Certification of Physician Assistants, *Exam Development and Scoring*, available at <http://www.nccpa.net/Scoring> (last visited Mar. 17, 2014)

develop rules to ensure that the continuity of a physician's supervision over a PA is maintained in each practice setting throughout the state.<sup>5</sup> The Council does not discipline PAs. Disciplinary action is the responsibility of either the Board of Medicine or the Board of Osteopathic Medicine (boards).

### *Supervising Physician*

A PA practices under the delegated authority of a supervising physician. A physician supervising a PA must be qualified in the medical area(s) in which the PA is to perform health care tasks and is responsible and liable for the performance and acts and omissions of the PA.<sup>6</sup> A physician is not allowed to supervise more than four PAs at any one time.<sup>7</sup>

Supervision is responsible supervision and control that requires the easy availability or physical presence of the physician for consultation and direction of actions performed by a PA.<sup>8</sup> Easy availability includes the ability to use telecommunication.

The respective board is delegated the authority to establish by rule what constitutes responsible supervision. Responsible supervision, defined by rule, is the ability of the supervising physician to responsibly exercise control and provide direction over the services or tasks performed by the PA.<sup>9</sup> In providing supervision, the supervising physician is required to periodically review the PA's performance. In determining whether supervision is adequate, the following factors must be considered:<sup>10</sup>

- The complexity of the task;
- The risk to the patient;
- The background, training and skill of the PA;
- The adequacy of the direction in terms of its form;
- The setting in which the tasks are performed;
- The availability of the supervising physician;
- The necessity for immediate attention; and
- The number of other persons that the supervising physician must supervise.

The boards are authorized to adopt by rule the general principles that supervising physicians must use in developing the scope of practice of a PA under direct and indirect supervision.<sup>11</sup> Direct supervision refers to the physical presence of the supervising physician on the premises so that the supervising physician is immediately available to the PA when needed; whereas, indirect supervision refers to the easy availability of the supervising physician, such that the supervising physician must be within reasonable physical proximity.<sup>12</sup>

Under current regulations, the decision to allow the PA to perform a task or procedure under direct or indirect supervision is made by the supervising physician based on reasonable medical judgment regarding the probability of morbidity and mortality to the patient.<sup>13</sup> Additionally, it is the responsibility of the supervising physician to be certain that the PA is knowledgeable and skilled in performing the tasks and procedures assigned.

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<sup>5</sup> Sections 458.347(9) and 459.022(9), F.S.

<sup>6</sup> Section 458.347(3), F.S.; Fla. Admin. Code Ann. r. 64B8-30.012.

<sup>7</sup> *Id.*

<sup>8</sup> Section 458.347(1)(f), F.S.

<sup>9</sup> Fla. Admin. Code Ann. r. 64B8-30.001.

<sup>10</sup> *Id.*

<sup>11</sup> Sections 458.347(4)(a); section 459.022(4)(a), F.S.

<sup>12</sup> Fla. Admin. Code Ann. r. 64B8-30.012; Fla. Admin. Code Ann. r. 64B15-6.010.

<sup>13</sup> *Id.* Fla. Admin. Code Ann. r. 64B8-30.012; Fla. Admin. Code Ann. r. 64B15-6.010.

## Delegable Tasks

A supervisory physician may delegate to a PA the authority to:

- Prescribe or dispense any medicinal drug used in the supervisory physician's practice.<sup>14</sup>
- Order medicinal drugs for a hospitalized patient of the supervising physician.<sup>15</sup>
- Administer a medicinal drug under the direction and supervision of the physician.<sup>16</sup>

Currently, PAs are prohibited from prescribing controlled substances (Schedules I-V under s. 893.03, F.S.); general, spinal, or epidural anesthetics; and radiographic contrast materials.<sup>17</sup> However, physicians may delegate to PAs the authority to order controlled substances in facilities licensed under ch. 395, F.S. (hospitals, ambulatory surgical centers, or mobile surgical facilities).

Determination of the final diagnosis must be performed by the supervising physician, and may not be delegated to a PA.<sup>18</sup> Per rule, the following tasks are not permitted to be performed under indirect supervision:<sup>19</sup>

- Routine insertion of chest tubes and removal of pacer wires or left atrial monitoring lines;
- Performance of cardiac stress testing;
- Routine insertion of central venous catheters;
- Injection of intrathecal medication without prior approval of the supervising physician;
- Interpretation of laboratory tests, X-ray studies and EKG's without the supervising physician interpretation and final review; and
- Administration of general, spinal, and epidural anesthetics; this may be performed under direct supervision only by PA who graduated from a board-approved anesthesiology assistants program.

## Effect of Proposed Changes

This bill amends chapters 458 and 459, F.S., to streamline administrative procedures for PAs seeking prescribing authority and for PA applicants seeking licensure. Instead of requiring PAs to submit a signed affidavit to attest to the completion of required continuing education in order to obtain prescribing privileges, the bill requires PAs to certify to the completion of the continuing education. The requirement for PA applicants to give a sworn statement of prior felony convictions or previous license denials or revocations when applying for licensure is changed to require a statement of such actions. The bill removes the requirement that PA applicants submit two letters of recommendation to be eligible for licensure.

The bill provides an effective date of July 1, 2014.

### B. SECTION DIRECTORY:

**Section 1.** Amends s. 458.347, F.S., relating to physician assistants.

**Section 2.** Amends s. 459.022, F.S., relating to physician assistants.

**Section 3.** Provides an effective date of July 1, 2014.

<sup>14</sup> Sections 458.347(4)(e), F.S.; section 459.022(4)(e), F.S. The supervising physician must notify the department of intent to delegate prescribing authority, and the PA must file with the department a signed affidavit that he or she has completed a minimum of 10 continuing medical education hours in the specialty practice area each renewal period. *Id.* The PA must identify to the patient as a PA and inform the patient of the right to see the physician. *Id.* The PA must note the prescription or dispensing of medication in the appropriate medical record. *Id.*

<sup>15</sup> Sections 458.347(4)(f); section 459.022(4)(f), F.S.

<sup>16</sup> Fla. Admin. Code Ann. r. 64B8-30.008; Fla. Admin. Code Ann. r. 64B15-6.0038.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

None.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES





27 | being prescribed or dispensed by the physician assistant.

28 |         2. The supervisory physician must notify the department of  
 29 | his or her intent to delegate, on a department-approved form,  
 30 | before delegating such authority and notify the department of  
 31 | any change in prescriptive privileges of the physician  
 32 | assistant. Authority to dispense may be delegated only by a  
 33 | supervising physician who is registered as a dispensing  
 34 | practitioner in compliance with s. 465.0276.

35 |         3. The physician assistant must certify to ~~file with~~ the  
 36 | department ~~a signed affidavit~~ that he or she has completed a  
 37 | minimum of 10 continuing medical education hours in the  
 38 | specialty practice in which the physician assistant has  
 39 | prescriptive privileges with each licensure renewal application.

40 |         4. The department may issue a prescriber number to the  
 41 | physician assistant granting authority for the prescribing of  
 42 | medicinal drugs authorized within this paragraph upon completion  
 43 | of the foregoing requirements. The physician assistant shall not  
 44 | be required to independently register pursuant to s. 465.0276.

45 |         5. The prescription must be written in a form that  
 46 | complies with chapter 499 and must contain, in addition to the  
 47 | supervisory physician's name, address, and telephone number, the  
 48 | physician assistant's prescriber number. Unless it is a drug or  
 49 | drug sample dispensed by the physician assistant, the  
 50 | prescription must be filled in a pharmacy permitted under  
 51 | chapter 465 and must be dispensed in that pharmacy by a  
 52 | pharmacist licensed under chapter 465. The appearance of the

53 prescriber number creates a presumption that the physician  
 54 assistant is authorized to prescribe the medicinal drug and the  
 55 prescription is valid.

56 6. The physician assistant must note the prescription or  
 57 dispensing of medication in the appropriate medical record.

58 (7) PHYSICIAN ASSISTANT LICENSURE.—

59 (a) Any person desiring to be licensed as a physician  
 60 assistant must apply to the department. The department shall  
 61 issue a license to any person certified by the council as having  
 62 met the following requirements:

63 1. Is at least 18 years of age.

64 2. Has satisfactorily passed a proficiency examination by  
 65 an acceptable score established by the National Commission on  
 66 Certification of Physician Assistants. If an applicant does not  
 67 hold a current certificate issued by the National Commission on  
 68 Certification of Physician Assistants and has not actively  
 69 practiced as a physician assistant within the immediately  
 70 preceding 4 years, the applicant must retake and successfully  
 71 complete the entry-level examination of the National Commission  
 72 on Certification of Physician Assistants to be eligible for  
 73 licensure.

74 3. Has completed the application form and remitted an  
 75 application fee not to exceed \$300 as set by the boards. An  
 76 application for licensure made by a physician assistant must  
 77 include:

78 a. A certificate of completion of a physician assistant

79 training program specified in subsection (6).

80 b. A ~~sworn~~ statement of any prior felony convictions.

81 c. A ~~sworn~~ statement of any previous revocation or denial  
82 of licensure or certification in any state.

83 ~~d. Two letters of recommendation.~~

84 d.e. A copy of course transcripts and a copy of the course  
85 description from a physician assistant training program  
86 describing course content in pharmacotherapy, if the applicant  
87 wishes to apply for prescribing authority. These documents must  
88 meet the evidence requirements for prescribing authority.

89 (c) The license must be renewed biennially. Each renewal  
90 must include:

- 91 1. A renewal fee not to exceed \$500 as set by the boards.
- 92 2. A ~~sworn~~ statement of no felony convictions in the  
93 previous 2 years.

94 Section 2. Paragraph (e) of subsection (4) and paragraphs  
95 (a) and (b) of subsection (7) of section 459.022, Florida  
96 Statutes, are amended to read:

97 459.022 Physician assistants.—

98 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

99 (e) A supervisory physician may delegate to a fully  
100 licensed physician assistant the authority to prescribe or  
101 dispense any medication used in the supervisory physician's  
102 practice unless such medication is listed on the formulary  
103 created pursuant to s. 458.347. A fully licensed physician  
104 assistant may only prescribe or dispense such medication under

105 | the following circumstances:

106 |         1. A physician assistant must clearly identify to the  
 107 | patient that she or he is a physician assistant. Furthermore,  
 108 | the physician assistant must inform the patient that the patient  
 109 | has the right to see the physician prior to any prescription  
 110 | being prescribed or dispensed by the physician assistant.

111 |         2. The supervisory physician must notify the department of  
 112 | her or his intent to delegate, on a department-approved form,  
 113 | before delegating such authority and notify the department of  
 114 | any change in prescriptive privileges of the physician  
 115 | assistant. Authority to dispense may be delegated only by a  
 116 | supervisory physician who is registered as a dispensing  
 117 | practitioner in compliance with s. 465.0276.

118 |         3. The physician assistant must certify to ~~file with~~ the  
 119 | department ~~a signed affidavit~~ that she or he has completed a  
 120 | minimum of 10 continuing medical education hours in the  
 121 | specialty practice in which the physician assistant has  
 122 | prescriptive privileges with each licensure renewal application.

123 |         4. The department may issue a prescriber number to the  
 124 | physician assistant granting authority for the prescribing of  
 125 | medicinal drugs authorized within this paragraph upon completion  
 126 | of the foregoing requirements. The physician assistant shall not  
 127 | be required to independently register pursuant to s. 465.0276.

128 |         5. The prescription must be written in a form that  
 129 | complies with chapter 499 and must contain, in addition to the  
 130 | supervisory physician's name, address, and telephone number, the

131 physician assistant's prescriber number. Unless it is a drug or  
 132 drug sample dispensed by the physician assistant, the  
 133 prescription must be filled in a pharmacy permitted under  
 134 chapter 465, and must be dispensed in that pharmacy by a  
 135 pharmacist licensed under chapter 465. The appearance of the  
 136 prescriber number creates a presumption that the physician  
 137 assistant is authorized to prescribe the medicinal drug and the  
 138 prescription is valid.

139 6. The physician assistant must note the prescription or  
 140 dispensing of medication in the appropriate medical record.

141 (7) PHYSICIAN ASSISTANT LICENSURE.—

142 (a) Any person desiring to be licensed as a physician  
 143 assistant must apply to the department. The department shall  
 144 issue a license to any person certified by the council as having  
 145 met the following requirements:

146 1. Is at least 18 years of age.

147 2. Has satisfactorily passed a proficiency examination by  
 148 an acceptable score established by the National Commission on  
 149 Certification of Physician Assistants. If an applicant does not  
 150 hold a current certificate issued by the National Commission on  
 151 Certification of Physician Assistants and has not actively  
 152 practiced as a physician assistant within the immediately  
 153 preceding 4 years, the applicant must retake and successfully  
 154 complete the entry-level examination of the National Commission  
 155 on Certification of Physician Assistants to be eligible for  
 156 licensure.

157           3. Has completed the application form and remitted an  
 158 application fee not to exceed \$300 as set by the boards. An  
 159 application for licensure made by a physician assistant must  
 160 include:

161           a. A certificate of completion of a physician assistant  
 162 training program specified in subsection (6).

163           b. A ~~sworn~~ statement of any prior felony convictions.

164           c. A ~~sworn~~ statement of any previous revocation or denial  
 165 of licensure or certification in any state.

166           ~~d. Two letters of recommendation.~~

167           d.e. A copy of course transcripts and a copy of the course  
 168 description from a physician assistant training program  
 169 describing course content in pharmacotherapy, if the applicant  
 170 wishes to apply for prescribing authority. These documents must  
 171 meet the evidence requirements for prescribing authority.

172           (b) The licensure must be renewed biennially. Each renewal  
 173 must include:

174           1. A renewal fee not to exceed \$500 as set by the boards.

175           2. A ~~sworn~~ statement of no felony convictions in the  
 176 previous 2 years.

177           Section 3. This act shall take effect July 1, 2014.



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Select Committee on Health  
 2 Care Workforce Innovation  
 3 Representative Ahern offered the following:

**Amendment (with title amendment)**

Remove lines 11-14 and insert:

7 Section 1. Subsection (3), paragraph (e) of subsection  
 8 (4), and paragraphs (a) and (c) of subsection (7) of section  
 9 458.347, Florida Statutes, are amended to read:

458.347 Physician assistants.—

11 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician  
 12 or group of physicians supervising a licensed physician  
 13 assistant must be qualified in the medical areas in which the  
 14 physician assistant is to perform and shall be individually or  
 15 collectively responsible and liable for the performance and the  
 16 acts and omissions of the physician assistant. A physician may  
 17 not supervise more than eight ~~four~~ currently licensed physician





Amendment No.

18 assistants at any one time. A physician supervising a physician  
19 assistant pursuant to this section may not be required to review  
20 and cosign charts or medical records prepared by such physician  
21 assistant.

22

23 Remove lines 94-97 and insert:

24 Section 2. Subsection (3), paragraph (e) of subsection  
25 (4), and paragraphs (a) and (b) of subsection (7) of section  
26 459.022, Florida Statutes, are amended to read:

27 459.022 Physician assistants.—

28 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician  
29 or group of physicians supervising a licensed physician  
30 assistant must be qualified in the medical areas in which the  
31 physician assistant is to perform and shall be individually or  
32 collectively responsible and liable for the performance and the  
33 acts and omissions of the physician assistant. A physician may  
34 not supervise more than eight ~~four~~ currently licensed physician  
35 assistants at any one time. A physician supervising a physician  
36 assistant pursuant to this section may not be required to review  
37 and cosign charts or medical records prepared by such physician  
38 assistant.

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T I T L E A M E N D M E N T



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1275 (2014)

Amendment No.

44           Remove line 3 and insert:  
45   458.347 and 459.022, F.S.; increasing the number of licensed  
46   physician assistants that a physician may supervise at any one  
47   time; revising circumstances  
48



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1059 Nursing Education Programs  
**SPONSOR(S):** Pigman  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1036

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Select Committee on Health Care Workforce Innovation		Dunn	Calamas
2) Health Care Appropriations Subcommittee			
3) Education Committee			

### SUMMARY ANALYSIS

In 2009, the Legislature determined that the state had a growing nursing workforce shortage and that there was an insufficient number of nursing programs in the state due to strict program requirements established by the Board of Nursing. That year, the Legislature reformed regulation over nursing programs by removing the Board of Nursing's discretion to approve nursing programs and the board's rulemaking authority related to such programs. Instead, the Legislature codified the requirements for becoming an approved program. The law also included an accountability mechanism. Any program with two consecutive years of National Council Licensure Examination (NCLEX) passage rates 10 percent below the national average was required to be placed on probation. A nursing program's subsequent failure to meet or exceed that threshold in the next two years would result in termination of the program.

To monitor progress of the regulatory reform, the Office of Program Policy Analysis and Government Accountability was charged with conducting a five-year implementation study. The study found the changes to the nursing program approval process led to rapid increases in the number of approved programs and available seats for students. However, most of the programs approved after 2009 had NCLEX passages rates below 10 percent of the national average.

To hold nursing programs more accountable, this bill amends the Florida Nurse Practice Act to require nursing education programs that prepare students to be registered nurses (RNs) to be accredited by a nationally recognized nursing accrediting agency. The bill establishes a timeline within which certain programs must become accredited.

The bill authorizes the Board of Nursing to adopt rules relating to documenting the accreditation of nursing education programs. The bill removes the requirement that the Office of Program Policy Analysis and Government Accountability participate in an implementation study of the reformed regulation of the nursing programs.

In addition, the bill revises the definition of "clinical training" to include clinical simulation and removes the limit on clinical simulation training. The bill revises the definition of "practical nursing" to include teaching of general principles of health and wellness to the public and to students other than nursing students. The bill exempts nurses with specialty health care certification from continuing education required at biennial license renewal.

The bill has a fiscal impact on public colleges and universities that will have to obtain nursing program accreditation for their RN nursing programs. The bill has no fiscal impact on local governments.

The bill provides an effective date of July 1, 2014.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** h1059.SCHCWI

**DATE:** 3/17/2014

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Background**

##### Nursing Licensure

The Nurse Practice Act, chapter 464, F.S., governs the licensure and regulation of nurses in Florida. The Department of Health (DOH) is the licensing agency for nurses, and the Board of Nursing (BON) is the regularity authority. The BON is comprised of 13 members appointed by the Governor and confirmed by the Senate.<sup>1</sup>

Applicants may apply to the DOH to be licensed as a registered nurse (RN) or a licensed practical nurse (LPN). RNs are licensed to practice “professional nursing;” whereas, LPNs are licensed to practice “practical nursing.”<sup>2</sup> After graduating from a BON approved nursing program or equivalent, applicants must submit an application, pay a fee, submit information for a criminal background check, and pass a licensure exam.<sup>3</sup> For the exam requirement, the DOH uses the National Council Licensure Examination (NCLEX), developed by the National Council of State Boards of Nursing.

License renewal is required biennially.<sup>4</sup> Each renewal period, an RN must document completion of one hour of continuing education for each calendar month of the licensure cycle.<sup>5</sup> As part of the total hours required, all licensees must complete a two-hour course on the prevention of medical errors.<sup>6</sup> Beginning with the biennium ending in 2015, each licensee shall complete a two hour course on the laws and rules that govern the practice of nursing in Florida.<sup>7</sup>

##### Nurse Specialty Certification

Specialty certification is a process by which a nongovernmental agency validates, based upon predetermined standards, an individual nurse’s qualifications for practice in a defined functional or clinical area of nursing.<sup>8</sup> Certifications are intended to raise nursing standards and are earned through an assessment process.<sup>9</sup>

Periodic recertification is required in order to maintain a specialty certification. Recertification typically requires proof of a designated number of clinic hours in the specialty practice, testing, professional competency (continuing education), or some combination of the three.<sup>10</sup>

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<sup>1</sup> Section 464.004, F.S. Board membership consists of seven registered nurses, three licensed practical nurses, and three lay persons without any connection to a health care facility. *Id.*

<sup>2</sup> Section 464.003, F.S. “Practice of professional nursing” means the performance of acts requiring substantial specialized knowledge, judgment, and nursing skill based upon applied principles of psychological, biological, physical, and social sciences. *Id.* “Practice of practical nursing” means the performance of selected acts and being responsible and accountable for making decisions that are based upon the individual’s educational preparation and experience in nursing. *Id.*

<sup>3</sup> Section 464.008, F.S. The state also has a licensure by endorsement provision for nurses currently licensed and practicing in another state. Section 464.009, F.S.

<sup>4</sup> Section 464.013, F.S.

<sup>5</sup> Fla. Admin. Code Ann. r. 64B9-5.002 (2014).

<sup>6</sup> Fla. Admin. Code Ann. r. 64B9-5.011.

<sup>7</sup> Fla. Admin. Code Ann. r. 64B9-5.013.

<sup>8</sup> American Association of Critical-Care Nurses, *What is Nurse Certification?*, available at <http://www.aacn.org/wd/certifications/content/consumer-whatiscert.pcms?menu=certification> (last visited Mar. 12, 2014).

<sup>9</sup> *Id.*

<sup>10</sup> See, e.g., American Nurses Credentialing Center, *2014 Certification Renewal Requirements*, available at <http://www.nursecredentialing.org/RenewalRequirements.aspx> (last visited Mar. 12, 2014).

The National Commission for Certifying Agencies accredits sixteen nursing certification programs, for example the American Nurses Credentialing Center.<sup>11</sup> The individual certification programs offer specialty certification in a wide range of areas, such as acute care, ambulatory care, and clinical care.<sup>12</sup>

In Florida, RNs are not required to obtain specialty certification.<sup>13</sup> Nurses may voluntarily seek certification, or certification may be required by an employer.

### Nursing Education Programs

Nursing programs in Florida are offered by: public school districts, Florida colleges, state universities, private institutions licensed by the Commission for Independent Education, private institutions that are members of the Independent Colleges and Universities of Florida (ICUF), and Pensacola Christian College, which is statutorily authorized by s. 1005.06(1)(e), F.S.<sup>14</sup>

An educational institution may apply to the DOH to establish a nursing program. The DOH reviews the applications for completeness. The application must document compliance with the following program standards: faculty qualifications, clinical training requirements, faculty-to-student ratios, signed agreements with clinical training sites in the curriculum plan, and curriculum and instruction requirements.<sup>15</sup>

Applications deemed complete are forwarded to the BON for approval. Within 90 days of receipt of the application from the DOH, the BON must approve the application or notify the applicant of the intent to deny the application. If noticed of the intent to deny, the applicant may request a hearing under chapter 120, F.S.<sup>16</sup>

Currently, 50 percent of an associate's degree professional nursing education program and 40 percent of a bachelor's degree professional nursing education program must consist of clinical training.<sup>17</sup>

Clinical simulation is the practice of recreating a clinical scenario in an artificial setting. Simulation training allows deliberate practice in a controlled environment and allows students to practice a procedure prior to performance on a live patient. Advances in technology have created the possibility of clinical simulation being used as a substitute for actual clinical experience.<sup>18</sup> Under Florida law, no more than 25 percent of a program's clinical training may consist of clinical simulation.<sup>19</sup>

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<sup>11</sup> Institute for Credentialing Excellence, *NCCA-Accredited Certification Programs*, available at <http://www.credentialingexcellence.org/p/cm/ld/fid=121> (last visited Mar. 12, 2014).

<sup>12</sup> *Id.*

<sup>13</sup> Advanced Registered Nurse Practitioners are a special category of registered nurses. The Nurse Practice Act requires specialty certification in order to practice as an Advanced Registered Nurse Practitioner. See s. 464.012, F.S.

<sup>14</sup> This section of law exempts schools from the Commission for Independent Education's licensure requirements if the institution: had been so exempted prior to 2001; is incorporated in this state; the institution's credits or degrees are accepted for credit by at least three colleges that are fully accredited by an agency recognized by the U.S. Department of Education; the institution was exempt under that category prior to July 1, 1982; and the institution does not enroll any students who receive state or federal financial aid. Section 1005.06(1)(e), F.S. Only two institutions in Florida, Pensacola Christian College and Landmark Baptist College, are subject to this exemption. Landmark Baptist College does not offer a nursing program.

<sup>15</sup> Section 464.019(1), F.S.

<sup>16</sup> Section 464.019(2), F.S.

<sup>17</sup> Section 464.019(1)(b), F.S.

<sup>18</sup> Frank D. Hicks et al., *The Effect of High-Fidelity Simulation on Nursing Students' Knowledge and Performance: A Pilot Study*, 1, (2009), available at [https://www.ncsbn.org/09\\_SimulationStudy\\_Vol40\\_web\\_with\\_cover.pdf](https://www.ncsbn.org/09_SimulationStudy_Vol40_web_with_cover.pdf) (last visited Mar. 12, 2014).

<sup>19</sup> Section 464.019(1)(c), F.S.

## Clinical Simulation

Clinical simulation is the practice of recreating a clinical scenario in an artificial setting. Simulation training allows deliberate practice in a controlled environment and allows students to practice a procedure prior to performance on a live patient. Advances in technology have created the opportunity for clinical simulation to be used as a substitute for actual clinical experience. The ability to substitute clinical simulation for clinical training is useful for nursing programs dealing with a limited number of clinical sites or clinical sites that have inadequate learning opportunities.<sup>20</sup> Advantages of clinical simulation include:<sup>21</sup>

- No direct risk to patients;
- The opportunity for repetitive practice;
- Team training;
- Standardized curriculums;
- Reflective learning by facilitated debriefing of scenarios and video feedback; and
- The potential to decrease the number and effect of errors through crisis resource management training.

A disadvantage to clinical simulation is difficulty in replicating reality. Equipment is often unable to imitate actual physiological signs or symptoms. An artificial environment with mannequins and standardized patients has the potential to eliminate emotional stress that would be present in a real situation. Trainee perception of the simulation may cause students to react differently due to the lack of consequences on patient safety.<sup>22</sup>

The body of literature on the effectiveness of clinical simulation is growing. A recent review of studies published between 1999 and January 2009, found that medium and/or high fidelity simulation using mannequins is an effective teaching and learning method when best practice guidelines are used.<sup>23</sup>

Competition for clinical training spots in Florida has increased significantly.<sup>24</sup> A recent Miami Herald article reported that some nursing programs have begun paying for access to hospitals for clinical training slots for students.<sup>25</sup> On-site clinical training is limited by the number of available sites and the hours the sites are available, which makes training through clinical simulation a valuable alternative.

## Nursing Education Program Reform

Prior to 2009, the BON had additional statutory authority over nursing program approval, including the ability to adopt rules related to educational objectives, faculty qualifications, curriculum guidelines, administrative procedures, and clinical training.<sup>26</sup>

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<sup>20</sup> Frank D. Hicks et al., *The Effect of High-Fidelity Simulation on Nursing Students' Knowledge and Performance: A Pilot Study*, 1, (2009), available at [https://www.ncsbn.org/09\\_SimulationStudy\\_Vol40\\_web\\_with\\_cover.pdf](https://www.ncsbn.org/09_SimulationStudy_Vol40_web_with_cover.pdf) (last visited Mar. 12, 2014).

<sup>21</sup> *Id.* at 1-2.

<sup>22</sup> *Id.* at 2-3.

<sup>23</sup> Robyn P. Cant & Simon J. Cooper, *Simulation-based Learning in Nurse Education: Systematic Review*, 66 J. ADVANCED NURSING 3, 3 (2009). See Denise Ellis et al., *Hospital, Simulation Center, and Teamwork Training for Eclampsia Management: A Randomized Controlled Trial*, 111 OBSTETRICS AND GYNECOLOGY 723, 723 (2008), for recent study of 132 students finding revealing no differences in clinical versus simulated training. *But cf.* Frank D. Hicks et al., *supra* note 20 (finding inconclusive results, with clinical students and simulation students having different strengths and weaknesses).

<sup>24</sup> Michael Vasquez, *Trend of Pay-to-play Medical Training Worries Critics*, March 8, 2014), available at <http://www.miamiherald.com/2014/03/08/3983064/trend-of-pay-to-play-medical-training.html> (last visited Mar. 12, 2014).

<sup>25</sup> *Id.*

<sup>26</sup> Florida House of Representatives, Government Accountability Act Council, 2009 Legislative Bill Analysis at 5, CS/CS/HB 1209, April 2, 2009, on file with committee staff.

However, in 2009, the Florida Legislature recognized that the state had a nursing shortage and that the shortage was projected to grow significantly. In 2007, demand for RNs exceeded supply by 10,850 RNs.<sup>27</sup> The Florida Center for Nursing predicted a statewide RN shortage of 52,209 nurses by 2020.<sup>28</sup> The Legislature identified a shortage of available seats in nursing programs for qualified applicants. For academic year 2007-2008, over 12,500 qualified applicants in Florida were turned away because schools were at capacity, and 68 percent of qualified RN applicants were turned away.<sup>29</sup>

To address the issue of program seat capacity, the 2009 Legislature codified the requirements for becoming an approved nursing program, removing the discretion and rulemaking authority from the BON.<sup>30</sup> The new law removed BON oversight of faculty requirements, student to faculty ratios, clinical training and clinical simulation requirements, and curriculum and instruction requirements. The law added transparency provisions and a measure to hold programs accountable via NCLEX passage rates.

The new law increased transparency by requiring nursing programs to submit an annual report to the BON, which the BON was required to use to publish program data to its website. The BON was required to publish new programs' applications; program accreditation status, including the accrediting agency; program probationary status; each program's NCLEX passage rate; program's student retention rates; and the national average passage rate for the NCLEX.

The legislation also included a mechanism for holding accountable programs that consistently post poor national exam passage rates. The provision required that programs with two consecutive years of national exam passage rates 10 percent below the national average be placed on probation by the BON. If a program placed on probation pursuant to this provision did not achieve the required passage rate for any one calendar year during the two calendar years following its placement on probation, the BON would be required to terminate the program.<sup>31</sup>

The Legislature charged the Office of Program Policy Analysis and Government Accountability (OPPAGA) with conducting a five-year implementation study of the effects of the 2009 changes.<sup>32</sup> OPPAGA issued a report in 2014, which found that the changes to the nursing program approval process led to rapid increases in the number of approved programs and available seats for students. Since 2009, 231 new programs have been approved, and over 29,500 seats have been added.<sup>33</sup> From academic years 2008-2009 to 2012-2013, the number of graduating students increased by 30 percent.<sup>34</sup> However, most of the programs approved after 2009 had poor passage rates on the NCLEX. Of the programs approved since 2009, 73 percent had exam passage rates 10 percent below the national average passing rate.<sup>35</sup>

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<sup>27</sup> Florida Center for Nursing. *Forecasting Supply, Demand, and Shortage of RNs and LPNs in Florida, 2007-2020*, 6 (July 2008), available at [http://www.flcenterfornursing.org/DigitalLibrary.aspx?Command=Core\\_Download&EntryId=193](http://www.flcenterfornursing.org/DigitalLibrary.aspx?Command=Core_Download&EntryId=193) (last viewed March 13, 2014)

<sup>28</sup> *Id.* at 6.

<sup>29</sup> Florida Center for Nursing. *2008 Nursing Education Program Annual Report and Workforce Survey*, 16 (January 2009), available at [http://www.flcenterfornursing.org/DigitalLibrary.aspx?Command=Core\\_Download&EntryId=8](http://www.flcenterfornursing.org/DigitalLibrary.aspx?Command=Core_Download&EntryId=8) (last viewed March 13, 2014).

<sup>30</sup> Ch. 2009-168, Laws of Fla.

<sup>31</sup> Section 464.019(6), F.S.

<sup>32</sup> Office of Program Policy and Government Accountability, Florida Legislature, *Florida's Nursing Education Programs Continued to Expand in 2013, While Licensure Exams Passage Rates of New Programs Declined*, Report No. 14-03 at 1, available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1403rpt.pdf> (last visited Mar. 12, 2014).

<sup>33</sup> *Id.* at 3-4. Only 112 of the newly approved programs had graduates take the 2013 NCLEX. *Id.* at 7.

<sup>34</sup> *Id.* at 6.

<sup>35</sup> *Id.* at 7.



## Nursing Education Program Accreditation

Accreditation is a voluntary process by which a non-governmental entity reviews and recognizes educational institutions or programs that meet or exceed standards for educational quality.<sup>36</sup> Accreditation is designed to distinguish schools adhering to a set of educational standards.<sup>37</sup> Nursing programs in Florida fall into one of the following accreditation categories:

- Programmatic accreditation;
- Broader institutional accreditation;
- Both programmatic accreditation and institutional accreditation; and
- Neither the program nor the institution is accredited.

The process for obtaining accreditation generally requires the following: an application, fees, a self-evaluation report, a peer review site visit, and a detailed analysis of materials and reviewer findings. Once accreditation is obtained, programs are subject to ongoing review, periodic site visits, and continuing accreditation fees.<sup>38</sup>

The United States Secretary of Education recognizes two accrediting agencies for nursing program accreditation, the Accreditation Commission for Education in Nursing (ACEN) and the Commission on Collegiate Nursing Education (CCNE).<sup>39</sup> Obtaining initial accreditation is an involved process. CCNE requires nursing programs to have students enrolled at least one year before applying.<sup>40</sup> Both ACEN and CCNE require programs to complete the accreditation process within two years.<sup>41</sup>

CCNE charges the following fees:<sup>42</sup>

- \$3,500 new applicant fee per program;
- \$1,750 evaluation fee per evaluation team member (typically, 3 - 5 members); and
- \$2,468 annual fee to maintain accreditation.

ACEN charges the following fees:

- \$2,500 candidacy fee;
- \$1,000 review fee for initial or continuing accreditation (per program); and
- \$835 site visit fee per evaluator per day.

Institutional accreditation applies to the entire institution and is not program specific. For example, the Southern Association of Colleges and Schools Council on Accreditation and School Improvement accredits almost seventy institutions that provide nursing programs, including all of the schools in the Florida university system.<sup>43</sup> At present, all schools that have nursing program accreditation also have

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<sup>36</sup> Accreditation Commission for Education in Nursing, *Accreditation Manual*, 1, (July 31, 2013), available at <http://www.acenursing.net/manuals/GeneralInformation.pdf> (last visited Mar. 12, 2014).

<sup>37</sup> AdvancedEd, *What Is Accreditation?*, available at <http://www.advanc-ed.org/what-accreditation> (last visited Mar. 12, 2014).

<sup>38</sup> Accreditation Commission for Education in Nursing, *Accreditation Manual*, *supra* note 36 at 13.

<sup>39</sup> United States Department of Education, *Specialized Accrediting Agencies*, [https://www2.ed.gov/admins/finaid/accred/accreditation\\_pg7.html](https://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html) (last visited Mar. 12, 2014).

<sup>40</sup> Commission on Collegiate Nursing Education, *Procedures for Accreditation of Baccalaureate and Graduate Degree Nursing Programs* at 7 (April 28, 2012), available at <http://www.aacn.nche.edu/ccne-accreditation/procedures.pdf> (last visited Mar. 12, 2014).

<sup>41</sup> *Id.* at 6. Accreditation Commission for Education in Nursing, *Accreditation Manual*, *supra* note 36 at 13.

<sup>42</sup> Commission on Collegiate Nursing Education, *CCNE Fee Structure Nursing Education Programs*, available at <http://www.aacn.nche.edu/ccne-accreditation/FEESTR.pdf> (last visited Mar. 12, 2014).

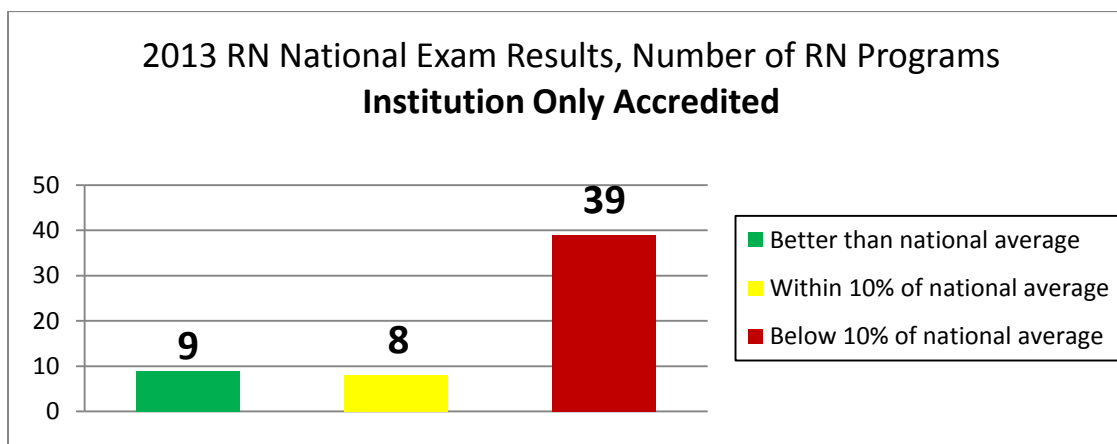
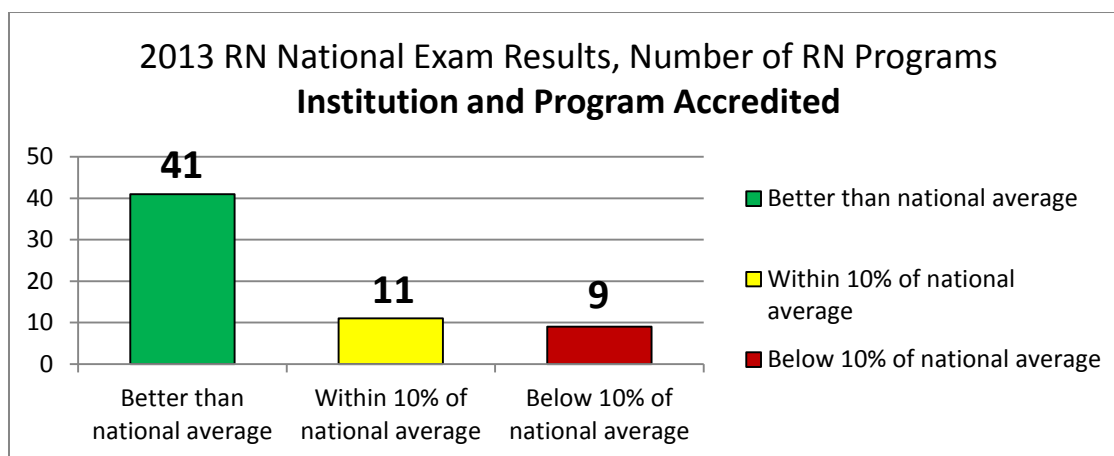
<sup>43</sup> Data retrieved from Florida Department of Health, *Compare Florida Prelicensure Nursing Education Programs*, available at <http://ww2.doh.state.fl.us/MQANEP/SCSearchCriteria.aspx> (last visited Mar. 12, 2014).

institutional accreditation. However, not all schools with institutional accreditation have nursing program accreditation. Fifty-six nursing programs with only institutional accreditation had students take the 2013 NCLEX.<sup>44</sup>

There currently is no requirement to be accredited in order to become an approved nursing program. In 2013, eleven schools with neither nursing program accreditation nor institutional accreditation had students take the 2013 NCLEX.<sup>45</sup>

### 2013 RN Education Programs National Exam Results by Accreditation Type

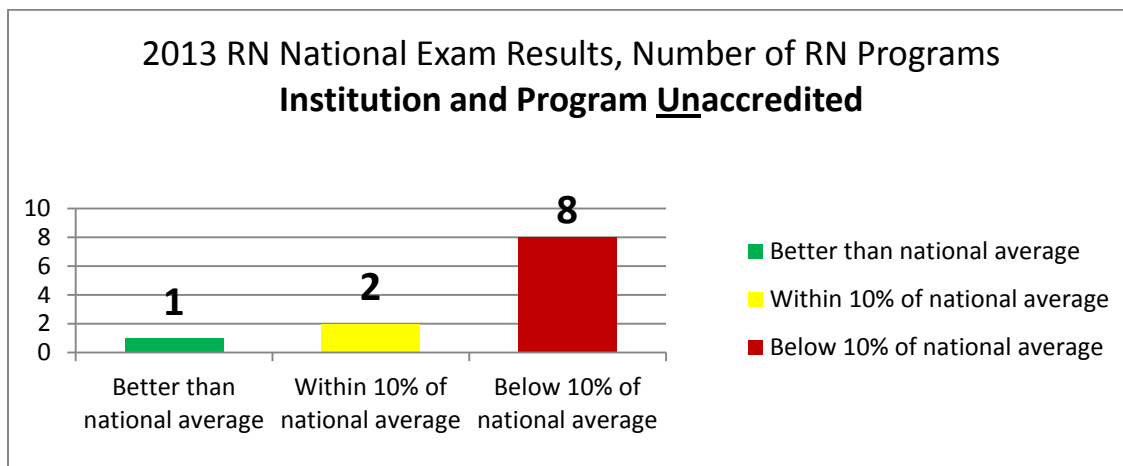
The charts below show by accreditation type the number of RN nursing programs that exceeded the NCLEX national average passage rate for first time test takers in 2013. The charts also illustrate the number of programs that were within or below 10 percent of the national passage rate.<sup>46</sup>



<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> Charts created from data available from the DOH and the 2013 nursing education OPPAGA report. See Florida Department of Health, *Compare Florida Prelicensure Nursing Education Programs*, *supra* note 43; Office of Program Policy and Government Accountability, Florida Legislature, *Florida's Nursing Education Programs Continued to Expand in 2013, While Licensure Exams Passage Rates of New Programs Declined*, *supra* note 32. Charts only include schools with more than one test taker.



### Effect of Proposed Changes

The bill amends s. 464.019, F.S., to require all nursing education programs that prepare students for the practice of professional nursing to be accredited by a specialized nursing accrediting agency that is nationally recognized by the United States Secretary of Education, with the exception of a nursing education program statutorily authorized by s. 1005.06(1)(e), F.S.<sup>47</sup> The bill establishes the following schedule for programs to become accredited:

- Programs approved before July 1, 2014, and that enrolled students before July 1, 2014, must obtain nursing program accreditation by July 1, 2019;
- Programs approved before July 1, 2014, but did not enroll students before that date, must obtain nursing program accreditation within 5 years after the date of enrolling the program's first students; and
- Programs approved after June 30, 2014, must obtain nursing program accreditation within 5 years after the date of enrolling the program's first students.

The bill revises the definition of “clinical training” to include clinical simulation and removes the limit on clinical simulation training. The bill revises the definition of “practical nursing” to include teaching of general principles of health and wellness to the public and to students other than nursing students.

The bill amends s. 464.013, F.S., to exempt nurses with specialty health care certification from a program accredited by the National Commission for Certifying Agencies from continuing education required at biennial license renewal.

The bill provides the Board of Nursing the authority to adopt rules relating to documenting the accreditation of nursing education programs. The bill removes the requirement that the Office of Program Policy Analysis and Government Accountability participate in an implementation study.

The bill repeals obsolete language in s. 464.019, F.S., related to the status of certain programs during the transition to the new program approval process effective July 1, 2009.

The bill amends s. 456.014 F.S., to conform a cross-reference.

The bill provides an effective date of July 1, 2014.

<sup>47</sup> Only Pensacola Christian College and Landmark Baptist College qualify for this exception. Pensacola Christian College has a professional nursing education program, but Landmark Baptist College does not offer a nursing program.

**B. SECTION DIRECTORY:**

**Section 1.** Amends s. 464.003, F.S., relating to nursing definitions.

**Section 2.** Amends s. 464.013, F.S., relating to renewal of license or certificate.

**Section 3.** Amends s. 464.019, F.S., relating to approval of nursing education programs.

**Section 4.** Amends s. 456.014, F.S., relating to public inspection of information required from applicants; exceptions; examination hearing.

**Section 5.** Provides an effective date of July 1, 2014.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

The DOH anticipates non-recurring costs for rule-making and workload to revise the nursing application, which can be absorbed by existing resources.<sup>48</sup>

Public colleges and universities that do not currently have nursing program accreditation will incur the cost of becoming accredited and ongoing accreditation maintenance costs. ACEN charges an application fee of \$2,500, an initial accreditation or continuing accreditation review fee of \$1,000, and a site visit fee of \$835 per site visit. CCNE charges an application fee of \$3,500, an annual maintenance fee of \$2,468, and an evaluation fee of \$1,750 per evaluation team member (typically, 3 - 5 members). There are currently 9 public associate degree RN nursing programs that do not have nursing program accreditation.<sup>49</sup>

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Private colleges and universities that do not currently have nursing program accreditation will incur the cost of becoming accredited and ongoing accreditation maintenance costs. There are currently 20 bachelor of science RN nursing programs and 122 associate degree RN nursing programs that do not have nursing program accreditation.<sup>50</sup>

**D. FISCAL COMMENTS:**

None.

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<sup>48</sup> Florida Department of Health, 2014 Agency Legislative Bill Analysis, HB 1059, March 10, 2014, on file with committee staff.

<sup>49</sup> Data retrieved from Florida Department of Health, *Compare Florida Prelicensure Nursing Education Programs*, *supra* note 43.

<sup>50</sup> Data retrieved from Florida Department of Health, *Compare Florida Prelicensure Nursing Education Programs*, *supra* note 43.

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

#### **B. RULE-MAKING AUTHORITY:**

The bill provides the BON sufficient authority to adopt rules relating to documenting the accreditation of nursing education programs.

#### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

A bill to be entitled

An act relating to nursing education programs;  
 amending s. 464.003, F.S.; revising definitions of the  
 terms "clinical training" and "practice of practical  
 nursing"; conforming a cross-reference; amending s.  
 464.013, F.S.; exempting nurses who are certified by  
 certain accredited programs from continuing education  
 requirements; amending s. 464.019, F.S.; removing the  
 limitation on the percentage of clinical training that  
 may consist of clinical simulation; deleting obsolete  
 requirements; authorizing the Board of Nursing to  
 adopt certain rules relating to documenting the  
 accreditation of nursing education programs; deleting  
 the requirement that the Office of Program Policy  
 Analysis and Government Accountability participate in  
 an implementation study; requiring nursing education  
 programs that prepare students for the practice of  
 professional nursing to be accredited; providing an  
 exception; amending s. 456.014, F.S.; conforming a  
 cross-reference; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (10), (19), and (23) of section  
 464.003, Florida Statutes, are amended to read:

464.003 Definitions.—As used in this part, the term:

27 (10) "Clinical training" means direct nursing care  
 28 experiences with patients or clients, or clinical simulation of  
 29 such experiences, which offer the student the opportunity to  
 30 integrate, apply, and refine specific skills and abilities based  
 31 on theoretical concepts and scientific principles.

32 (19) "Practice of practical nursing" means the performance  
 33 of selected acts, including the administration of treatments and  
 34 medications, in the care of the ill, injured, or infirm; ~~and~~ the  
 35 promotion of wellness, maintenance of health, and prevention of  
 36 illness of others under the direction of a registered nurse, a  
 37 licensed physician, a licensed osteopathic physician, a licensed  
 38 podiatric physician, or a licensed dentist; and the teaching of  
 39 general principles of health and wellness to the public and to  
 40 students other than nursing students. A practical nurse is  
 41 responsible and accountable for making decisions that are based  
 42 upon the individual's educational preparation and experience in  
 43 nursing.

44 (23) "Required passage rate" means the graduate passage  
 45 rate required for an approved program pursuant to s.  
 46 464.019(5)(a) ~~464.019(6)(a)1~~.

47 Section 2. Subsection (3) of section 464.013, Florida  
 48 Statutes, is amended to read:

49 464.013 Renewal of license or certificate.—

50 (3) The board shall by rule prescribe up to 30 hours of  
 51 continuing education ~~not to exceed 30 hours~~ biennially as a  
 52 condition for renewal of a license or certificate. A nurse who

53 is certified by a health care specialty program that is  
 54 accredited by the National Commission for Certifying Agencies is  
 55 exempt from the continuing education requirements. The criteria  
 56 for programs shall be approved by the board.

57 Section 3. Section 464.019, Florida Statutes, is amended  
 58 to read:

59 464.019 Approval of nursing education programs.—

60 (1) PROGRAM APPLICATION APPLICATIONS.—An educational  
 61 institution that wishes to conduct a program in this state for  
 62 the prelicensure education of professional or practical nurses  
 63 must submit to the department a program application and review  
 64 fee of \$1,000 for each prelicensure nursing education program to  
 65 be offered at the institution's main campus, branch campus, or  
 66 other instructional site. The ~~Each~~ program application must  
 67 include the legal name of the educational institution, the legal  
 68 name of the nursing education program, and, if such program is  
 69 accredited ~~by an accrediting agency other than an accrediting~~  
 70 ~~agency described in s. 464.003(1)~~, the name of the accrediting  
 71 agency. The application must also document that:

72 (a)1. For a professional nursing education program, the  
 73 program director and at least 50 percent of the program's  
 74 faculty members are registered nurses who have a master's or  
 75 higher degree in nursing or a bachelor's degree in nursing and a  
 76 master's or higher degree in a field related to nursing.

77 2. For a practical nursing education program, the program  
 78 director and at least 50 percent of the program's faculty



79 members are registered nurses who have a bachelor's or higher  
 80 degree in nursing.

81

82 The educational degree requirements of this paragraph may be  
 83 documented by an official transcript or by a written statement  
 84 from the educational institution verifying that the institution  
 85 conferred the degree.

86 (b) The program's nursing major curriculum consists of at  
 87 least:

88 1. Fifty percent clinical training for a practical nursing  
 89 education program, an associate degree professional nursing  
 90 education program, or a professional diploma nursing education  
 91 program.

92 2. Forty percent clinical training for a bachelor's degree  
 93 professional nursing education program.

94 ~~(c) No more than 25 percent of the program's clinical~~  
 95 ~~training consists of clinical simulation.~~

96 (c)~~(d)~~ The program has signed agreements with each agency,  
 97 facility, and organization included in the curriculum plan as  
 98 clinical training sites and community-based clinical experience  
 99 sites.

100 (d)~~(e)~~ The program has written policies for faculty which  
 101 include provisions for direct or indirect supervision by program  
 102 faculty or clinical preceptors for students in clinical training  
 103 consistent with the following standards:

104 1. The number of program faculty members equals at least

105 one faculty member directly supervising every 12 students unless  
 106 the written agreement between the program and the agency,  
 107 facility, or organization providing clinical training sites  
 108 allows more students, not to exceed 18 students, to be directly  
 109 supervised by one program faculty member.

110 2. For a hospital setting, indirect supervision may occur  
 111 only if there is direct supervision by an assigned clinical  
 112 preceptor, a supervising program faculty member is available by  
 113 telephone, and such arrangement is approved by the clinical  
 114 facility.

115 3. For community-based clinical experiences that involve  
 116 student participation in invasive or complex nursing activities,  
 117 students must be directly supervised by a program faculty member  
 118 or clinical preceptor and such arrangement must be approved by  
 119 the community-based clinical facility.

120 4. For community-based clinical experiences not subject to  
 121 subparagraph 3., indirect supervision may occur only when a  
 122 supervising program faculty member is available to the student  
 123 by telephone.

124  
 125 A program's policies established under this paragraph must  
 126 require that a clinical preceptor who is,~~if~~ supervising  
 127 students in a professional nursing education program,~~to~~ be a  
 128 registered nurse or, if supervising students in a practical  
 129 nursing education program, ~~to~~ be a registered nurse or licensed  
 130 practical nurse.

131            (e)~~(f)~~ The professional or practical nursing curriculum  
 132 plan documents clinical experience and theoretical instruction  
 133 in medical, surgical, obstetric, pediatric, and geriatric  
 134 nursing; ~~A professional nursing curriculum plan shall also~~  
 135 ~~document~~ clinical experience and theoretical instruction in  
 136 psychiatric nursing; and. ~~Each curriculum plan must document~~  
 137 clinical training experience in appropriate settings that  
 138 include, but are not limited to, acute care, long-term care, and  
 139 community settings.

140            (f)~~(g)~~ The professional or practical nursing education  
 141 program provides theoretical instruction and clinical  
 142 application in personal, family, and community health concepts;  
 143 nutrition; human growth and development throughout the life  
 144 span; body structure and function; interpersonal relationship  
 145 skills; mental health concepts; pharmacology and administration  
 146 of medications; and legal aspects of practice. A professional  
 147 nursing education program must ~~shall~~ also provide theoretical  
 148 instruction and clinical application in interpersonal  
 149 relationships and leadership skills; professional role and  
 150 function; and health teaching and counseling skills.

151            (2) PROGRAM APPROVAL.—

152            (a) Upon receipt of a program application and review fee,  
 153 the department shall examine the application to determine if  
 154 ~~whether~~ it is complete. If the ~~a~~ ~~program~~ application is not  
 155 complete, the department shall notify the educational  
 156 institution in writing of any errors or omissions within 30 days

157 after the department's receipt of the application. A program  
 158 application is deemed complete upon the department's receipt of:

159 1. The initial application, if the department does not  
 160 notify the educational institution of any errors or omissions  
 161 within the 30-day period; or

162 2. A revised application that corrects each error and  
 163 omission of which the department notifies the educational  
 164 institution within the 30-day period.

165 (b) Within 90 days after the department's receipt of a  
 166 complete program application, the board shall:

167 1. Approve the application if it documents compliance with  
 168 subsection (1) ~~paragraphs (1)(a)-(g)~~; or

169 2. Provide the educational institution with a notice of  
 170 intent to deny the application if it does not document  
 171 compliance with subsection (1) ~~paragraphs (1)(a)-(g)~~. The notice  
 172 must specify ~~set forth~~ written reasons for the board's denial of  
 173 the application. The board may not deny a program application  
 174 because of an educational institution's failure to correct an  
 175 ~~any~~ error or omission that ~~of which~~ the department failed to  
 176 provide notice of to ~~does not notify~~ the institution within the  
 177 30-day notice period under paragraph (a). The educational  
 178 institution may request a hearing on the notice of intent to  
 179 deny the program application pursuant to chapter 120.

180 (c) A program application is deemed approved if the board  
 181 does not act within the 90-day review period provided under  
 182 paragraph (b).

183 (d) Upon the board's approval of a program application,  
 184 the program becomes an approved program.

185 ~~(3) STATUS OF CERTAIN PROGRAMS. A professional or~~  
 186 ~~practical nursing education program becomes an approved program~~  
 187 ~~if, as of June 30, 2009, the program:~~

188 ~~(a) Has full or provisional approval from the board or,~~  
 189 ~~except as provided in paragraph (b), is on probationary status.~~

190 ~~(b) Is on probationary status because the program did not~~  
 191 ~~meet the board's requirement for graduate passage rates. Such~~  
 192 ~~program shall remain on probationary status until it achieves a~~  
 193 ~~graduate passage rate for calendar year 2009 or 2010 that equals~~  
 194 ~~or exceeds the required passage rate for the respective calendar~~  
 195 ~~year and must disclose its probationary status in writing to the~~  
 196 ~~program's students and applicants. If the program does not~~  
 197 ~~achieve the required passage rate, the board shall terminate the~~  
 198 ~~program pursuant to chapter 120.~~

199 ~~(3)(4)~~ ANNUAL REPORT.—By November 1 of each year, each  
 200 approved program that is not accredited shall submit to the  
 201 board an annual report comprised of an affidavit certifying  
 202 continued compliance with subsection (1) ~~paragraphs (1)(a)–(g),~~  
 203 a summary description of the program's compliance with  
 204 subsection (1) ~~paragraphs (1)(a)–(g),~~ and documentation for the  
 205 previous academic year that, to the extent applicable, describes  
 206 ~~sets forth:~~

207 (a) The number of student applications received, qualified  
 208 applicants, applicants accepted, accepted applicants who enroll

209 in the program, students enrolled in the program, and program  
 210 graduates.

211 (b) The program's retention rates for students tracked  
 212 from program entry to graduation.

213 (c) The program's accreditation status, including  
 214 identification of the accrediting agency if the program is  
 215 accredited ~~such agency is not an accrediting agency described in~~  
 216 ~~s. 464.003(1)~~.

217 ~~(4)(5)~~ INTERNET WEBSITE. ~~By October 1, 2010,~~ The board  
 218 shall publish the following information on its Internet website:

219 (a) A list of each accredited program conducted in the  
 220 state and the program's graduate passage rates for the most  
 221 recent 2 calendar years, which the department shall determine  
 222 through the following sources:

223 1. For a program's accreditation status, the specialized  
 224 accrediting agencies that are nationally recognized by the  
 225 United States Secretary of Education to accredit nursing  
 226 education programs.

227 2. For a program's graduate passage rates, the contract  
 228 testing service of the National Council of State Boards of  
 229 Nursing.

230 (b) The following data for each approved program, which  
 231 includes ~~shall include~~, to the extent applicable:

232 1. All documentation provided by the program in its  
 233 program application if submitted on or after July 1, 2009.

234 2. The summary description of the program's compliance

235 submitted under subsection (3) ~~(4)~~.

236 3. The program's accreditation status, including  
237 identification of the accrediting agency if the program is  
238 accredited ~~such agency is not an accrediting agency described in~~  
239 ~~s. 464.003(1)~~.

240 4. The program's probationary status.

241 5. The program's graduate passage rates for the most  
242 recent 2 calendar years.

243 6. Each program's retention rates for students tracked  
244 from program entry to graduation.

245 (c) The average passage rates for United States educated  
246 first-time test takers on the National Council of State Boards  
247 of Nursing Licensing Examination for the most recent 2 calendar  
248 years, as calculated by the contract testing service of the  
249 National Council of State Boards of Nursing. The average passage  
250 rates shall be published separately for each type of comparable  
251 degree program listed in subparagraph (5)(a)1. ~~sub-subparagraphs~~  
252 ~~(6)(a)1.a.-d.~~

253

254 The information required to be published under this subsection  
255 shall be made available in a manner that allows interactive  
256 searches and comparisons of individual programs selected by the  
257 website user. The board shall update the Internet website at  
258 least quarterly with the available information.

259 (5)(6) ACCOUNTABILITY.—

260 (a)1. An approved program must achieve a graduate passage

261 rate that is not more ~~lower~~ than 10 percentage points lower ~~less~~  
 262 than the average passage rate during the same calendar year for  
 263 graduates of comparable degree programs who are United States  
 264 educated, first-time test takers on the National Council of  
 265 State Boards of Nursing Licensing Examination ~~during a calendar~~  
 266 ~~year~~, as calculated by the contract testing service of the  
 267 National Council of State Boards of Nursing. For purposes of  
 268 this subparagraph, an approved program is comparable to all  
 269 degree programs of the same program type from among the  
 270 following program types:

271 a. Professional nursing education programs that terminate  
 272 in a bachelor's degree.

273 b. Professional nursing education programs that terminate  
 274 in an associate degree.

275 c. Professional nursing education programs that terminate  
 276 in a diploma.

277 d. Practical nursing education programs.

278 2. Beginning with graduate passage rates for calendar year  
 279 2010, if an approved program's graduate passage rates do not  
 280 equal or exceed the required passage rates for 2 consecutive  
 281 calendar years, the board shall place the program on  
 282 probationary status pursuant to chapter 120 and the program  
 283 director shall ~~must~~ appear before the board to present a plan  
 284 for remediation. The program must ~~shall~~ remain on probationary  
 285 status until it achieves a graduate passage rate that equals or  
 286 exceeds the required passage rate for any 1 calendar year. The



287 | board shall deny a program application for a new prelicensure  
 288 | nursing education program submitted by an educational  
 289 | institution if the institution has an existing program that is  
 290 | already on probationary status.

291 |         3. Upon the program's achievement of a graduate passage  
 292 | rate that equals or exceeds the required passage rate, the  
 293 | board, at its next regularly scheduled meeting following release  
 294 | of the program's graduate passage rate by the National Council  
 295 | of State Boards of Nursing, shall remove the program's  
 296 | probationary status. However, if the program, during the 2  
 297 | calendar years following its placement on probationary status,  
 298 | does not achieve the required passage rate for any 1 calendar  
 299 | year, the board shall terminate the program pursuant to chapter  
 300 | 120.

301 |         (b) If an approved program fails to submit the annual  
 302 | report required in subsection (3) ~~(4)~~, the board shall notify  
 303 | the program director and president or chief executive officer of  
 304 | the educational institution in writing within 15 days after the  
 305 | due date of the annual report. The program director shall ~~must~~  
 306 | appear before the board at the board's next regularly scheduled  
 307 | meeting to explain the reason for the delay. The board shall  
 308 | terminate the program pursuant to chapter 120 if it does not  
 309 | submit the annual report within 6 months after the due date.

310 |         (c) An approved program on probationary status shall  
 311 | disclose its probationary status in writing to the program's  
 312 | students and applicants.

313 (6)~~(7)~~ DISCLOSURE OF GRADUATE PASSAGE RATE DATA.—

314 (a) For each graduate of the program ~~an approved program's~~  
 315 ~~or accredited program's graduates~~ included in the calculation of  
 316 the program's graduate passage rate, the department shall  
 317 disclose to the program director, upon his or her written  
 318 request, the name, examination date, and determination of  
 319 whether each graduate passed or failed the National Council of  
 320 ~~for~~ State Boards of Nursing Licensing Examination, if to the  
 321 ~~extent that~~ such information is provided to the department by  
 322 the contract testing service of the National Council of ~~for~~  
 323 State Boards of Nursing. The written request must specify the  
 324 calendar years for which the information is requested.

325 (b) A program director to whom confidential information  
 326 exempt from public disclosure pursuant to s. 456.014 is  
 327 disclosed under this subsection must maintain the  
 328 confidentiality of the information and is subject to the same  
 329 penalties provided in s. 456.082 for department employees who  
 330 unlawfully disclose confidential information.

331 (7)~~(8)~~ PROGRAM CLOSURE.—

332 (a) An educational institution conducting an approved  
 333 program or accredited program in this state, at least 30 days  
 334 before voluntarily closing the program, shall notify the board  
 335 in writing of the institution's reason for closing the program,  
 336 the intended closure date, the institution's plan to provide for  
 337 or assist in the completion of training by the program's  
 338 students, and the arrangements for storage of the program's

339 permanent records.

340 (b) An educational institution conducting a nursing  
 341 education program that is terminated under subsection (5) ~~(6)~~ or  
 342 closed under subparagraph (9)(b)3. ~~(10)(b)3.~~:

343 1. May not accept or enroll new students.

344 2. Shall ~~Must~~ submit to the board within 30 days after the  
 345 program is terminated or closed a written description of how the  
 346 institution will assist in completing the ~~completion~~ of training  
 347 of ~~by~~ the program's students and the institution's arrangements  
 348 for storage of the program's permanent records.

349 (c) If an educational institution does not comply with  
 350 paragraph (a) or paragraph (b), the board shall provide a  
 351 written notice explaining the institution's noncompliance to the  
 352 following persons and entities:

353 1. The president or chief executive officer of the  
 354 educational institution.

355 2. The Board of Governors, if the program is conducted by  
 356 a state university.

357 3. The district school board, if the program is conducted  
 358 by an educational institution operated by a school district.

359 4. The Commission for Independent Education, if the  
 360 program is conducted by an educational institution licensed  
 361 under chapter 1005.

362 5. The State Board of Education, if the program is  
 363 conducted by an educational institution in the Florida College  
 364 System or by an educational institution that is not subject to

365 subparagraphs 2.-4.

366 (8)~~(9)~~ RULEMAKING.—The board does not have ~~any~~ rulemaking  
 367 authority to administer this section, except that the board  
 368 shall adopt rules ~~a rule~~ that prescribe ~~prescribes~~ the format  
 369 for submitting program applications under subsection (1) and  
 370 annual reports under subsection (3), ~~and to administer the~~  
 371 documentation of the accreditation of nursing education programs  
 372 under subsection (11) ~~(4)~~. The board may not impose any  
 373 condition or requirement on an educational institution  
 374 submitting a program application, an approved program, or an  
 375 accredited program, except as expressly provided in this  
 376 section. ~~The board shall repeal all rules, or portions thereof,~~  
 377 ~~in existence on July 1, 2009, that are inconsistent with this~~  
 378 ~~subsection.~~

379 (9)~~(10)~~ APPLICABILITY TO ACCREDITED PROGRAMS.—

380 (a) Subsections (1)-(3) ~~(1)-(4)~~, paragraph (4)(b) ~~(5)(b)~~,  
 381 and subsection (5) ~~(6)~~ do not apply to an accredited program. ~~An~~  
 382 ~~accredited program on probationary status before July 1, 2010,~~  
 383 ~~ceases to be subject to the probationary status.~~

384 (b) If an accredited program ceases to be accredited, the  
 385 educational institution conducting the program:

386 1. Within 10 business days after the program ceases to be  
 387 accredited, must provide written notice of the date that the  
 388 program ceased to be accredited to the board, the program's  
 389 students and applicants, and each entity providing clinical  
 390 training sites or community-based clinical experience sites for

391 the program. The educational institution must continue to  
 392 provide the written notice to new students, applicants, and  
 393 entities providing clinical training sites or community-based  
 394 clinical experience sites for the program until the program  
 395 becomes an approved program or is closed under subparagraph 3.

396 2. Within 30 days after the program ceases to be  
 397 accredited, must submit an affidavit to the board, signed by the  
 398 educational institution's president or chief executive officer  
 399 which, ~~that~~ certifies the institution's compliance with  
 400 subparagraph 1. The board shall notify the required persons and  
 401 applicable entities listed in paragraph (7)(c) ~~persons listed in~~  
 402 ~~subparagraph (8)(c)1. and the applicable entities listed in~~  
 403 ~~subparagraphs (8)(c)2.-5.~~ if an educational institution does not  
 404 submit the affidavit required by this subparagraph.

405 3. May apply to become an approved program under this  
 406 section. If the educational institution:

407 a. Within 30 days after the program ceases to be  
 408 accredited, submits a program application and review fee to the  
 409 department under subsection (1) and the affidavit required under  
 410 subparagraph 2., the program shall be deemed an approved program  
 411 from the date that the program ceased to be accredited until the  
 412 date that the board approves or denies the program application.  
 413 The program application must be denied by the board pursuant to  
 414 chapter 120 if it does not contain the affidavit. If the board  
 415 denies the program application under subsection (2) or if  
 416 ~~because~~ the program application does not contain the affidavit,

417 the program shall be closed and the educational institution  
 418 conducting the program must comply with paragraph (7) (b) ~~(8) (b)~~.

419 b. Does not apply to become an approved program pursuant  
 420 to sub-subparagraph a., the program shall be deemed an approved  
 421 program from the date ~~that~~ the program ceased to be accredited  
 422 until the 31st day after that date. On the 31st day after the  
 423 program ceased to be accredited, the program shall be closed and  
 424 the educational institution conducting the program must comply  
 425 with paragraph (7) (b) ~~(8) (b)~~.

426 (10) ~~(11)~~ IMPLEMENTATION STUDY.—The Florida Center for  
 427 Nursing and the ~~education policy area of the Office of Program~~  
 428 ~~Policy Analysis and Government Accountability~~ shall study the 5-  
 429 year administration of this section and submit reports to the  
 430 Governor, the President of the Senate, and the Speaker of the  
 431 House of Representatives by January 30, 2011, and annually  
 432 thereafter through January 30, 2015. The annual reports shall  
 433 address the previous academic year; provide ~~set forth~~ data on  
 434 the measures specified in paragraphs (a) and (b), as such data  
 435 becomes available; and include an evaluation of such data for  
 436 purposes of determining whether this section is increasing the  
 437 availability of nursing education programs and the production of  
 438 quality nurses. The department and each approved program or  
 439 accredited program shall comply with requests for data from the  
 440 Florida Center for Nursing and the ~~education policy area of the~~  
 441 ~~Office of Program Policy Analysis and Government Accountability~~.

442 (a) The Florida Center for Nursing ~~education policy area~~

443 ~~of the Office of Program Policy Analysis and Government~~  
 444 ~~Accountability~~ shall evaluate program-specific data for each  
 445 approved program and accredited program conducted in the state,  
 446 including, but not limited to:

447 1. The number of programs and student slots available.

448 2. The number of student applications submitted, the  
 449 number of qualified applicants, and the number of students  
 450 accepted.

451 3. The number of program graduates.

452 4. Program retention rates of students tracked from  
 453 program entry to graduation.

454 5. Graduate passage rates on the National Council of State  
 455 Boards of Nursing Licensing Examination.

456 6. The number of graduates who become employed as  
 457 practical or professional nurses in the state.

458 (b) The Florida Center for Nursing shall evaluate the  
 459 board's implementation of the:

460 1. Program application approval process, including, but  
 461 not limited to, the number of program applications submitted  
 462 under subsection (1); the number of program applications  
 463 approved and denied by the board under subsection (2); the  
 464 number of denials of program applications reviewed under chapter  
 465 120; and a description of the outcomes of those reviews.

466 2. Accountability processes, including, but not limited  
 467 to, the number of programs on probationary status, the number of  
 468 approved programs for which the program director is required to

469 appear before the board under subsection (5) ~~(6)~~, the number of  
 470 approved programs terminated by the board, the number of  
 471 terminations reviewed under chapter 120, and a description of  
 472 the outcomes of those reviews.

473 ~~(c) For any state fiscal year in which the Florida Center~~  
 474 ~~for Nursing does not receive legislative appropriations, the~~  
 475 ~~education policy area of the Office of Program Policy Analysis~~  
 476 ~~and Government Accountability shall perform the duties assigned~~  
 477 ~~by this subsection to the Florida Center for Nursing.~~

478 (11) ACCREDITATION REQUIRED.-

479 (a) A nursing education program that prepares students for  
 480 the practice of professional nursing, that was approved under  
 481 this section before July 1, 2014, and that enrolled students  
 482 before July 1, 2014, must be accredited by an accrediting agency  
 483 described in s. 464.003(1) by July 1, 2019.

484 (b) A nursing education program that prepares students for  
 485 the practice of professional nursing, that was approved under  
 486 this section before July 1, 2014, but did not enroll students  
 487 before that date, must become accredited by an accrediting  
 488 agency described in s. 464.003(1) within 5 years after the date  
 489 of enrolling the program's first students.

490 (c) A nursing education program that prepares students for  
 491 the practice of professional nursing and that is approved by the  
 492 board after June 30, 2014, must become accredited by an  
 493 accrediting agency described in s. 464.003(1) within 5 years  
 494 after the date of enrolling the program's first students.



495           (d) This subsection does not apply to a nursing education  
 496 program provided by an institution that is exempted from  
 497 licensure by the Commission for Independent Education under s.  
 498 1005.06(1)(e).

499           Section 4. Subsection (1) of section 456.014, Florida  
 500 Statutes, is amended to read:

501           456.014 Public inspection of information required from  
 502 applicants; exceptions; examination hearing.-

503           (1) All information required by the department of any  
 504 applicant shall be a public record and shall be open to public  
 505 inspection pursuant to s. 119.07, except financial information,  
 506 medical information, school transcripts, examination questions,  
 507 answers, papers, grades, and grading keys, which are  
 508 confidential and exempt from s. 119.07(1) and shall not be  
 509 discussed with or made accessible to anyone except the program  
 510 director of an approved program or accredited program as  
 511 provided in s. 464.019(6) ~~464.019(7)~~, members of the board, the  
 512 department, and staff thereof, who have a bona fide need to know  
 513 such information. Any information supplied to the department by  
 514 any other agency which is exempt from the provisions of chapter  
 515 119 or is confidential shall remain exempt or confidential  
 516 pursuant to applicable law while in the custody of the  
 517 department or the agency.

518           Section 5. This act shall take effect July 1, 2014.



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COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Select Committee on Health  
 2 Care Workforce Innovation

3 Representative Pigman offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (10), (19), and (23) of section  
 8 464.003, Florida Statutes, are amended to read:

9 464.003 Definitions.—As used in this part, the term:

10 (10) "Clinical training" means direct nursing care  
 11 experiences with patients or clients, or clinical simulation of  
 12 such experiences, which offer the student the opportunity to  
 13 integrate, apply, and refine specific skills and abilities based  
 14 on theoretical concepts and scientific principles.

15 (19) "Practice of practical nursing" means the performance  
 16 of selected acts, including the administration of treatments and  
 17 medications, in the care of the ill, injured, or infirm; and the



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18 promotion of wellness, maintenance of health, and prevention of  
19 illness of others under the direction of a registered nurse, a  
20 licensed physician, a licensed osteopathic physician, a licensed  
21 podiatric physician, or a licensed dentist; and the teaching of  
22 general principles of health and wellness to the public and to  
23 students other than nursing students. A practical nurse is  
24 responsible and accountable for making decisions that are based  
25 upon the individual's educational preparation and experience in  
26 nursing.

27 (23) "Required passage rate" means the graduate passage  
28 rate required for an approved program pursuant to s.

29 464.019(5)(a) ~~464.019(6)(a)~~±.

30 Section 2. Subsection (3) of section 464.013, Florida  
31 Statutes, is amended to read:

32 464.013 Renewal of license or certificate.—

33 (3) The board shall by rule prescribe up to 30 hours of  
34 continuing education not to exceed 30 hours biennially as a  
35 condition for renewal of a license or certificate. A nurse who  
36 is certified by a health care specialty program accredited by  
37 the National Commission for Certifying Agencies or the  
38 Accreditation Board for Specialty Nursing Certification is  
39 exempt from continuing education requirements. The criteria for  
40 programs shall be approved by the board.

41 Section 3. Section 464.019, Florida Statutes, is amended  
42 to read:

43 464.019 Approval of nursing education programs.—



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44 (1) PROGRAM APPLICATION APPLICATIONS.—An educational  
45 institution that wishes to conduct a program in this state for  
46 the prelicensure education of professional or practical nurses  
47 must submit to the department a program application and review  
48 fee of \$1,000 for each prelicensure nursing education program to  
49 be offered at the institution's main campus, branch campus, or  
50 other instructional site. The ~~Each~~ program application must  
51 include the legal name of the educational institution, the legal  
52 name of the nursing education program, and, if such institution  
53 ~~program~~ is accredited by ~~an accrediting agency other than an~~  
54 ~~accrediting agency described in s. 464.003(1)~~, the name of the  
55 accrediting agency. The application must also document that:

56 (a)1. For a professional nursing education program, the  
57 program director and at least 50 percent of the program's  
58 faculty members are registered nurses who have a master's or  
59 higher degree in nursing or a bachelor's degree in nursing and a  
60 master's or higher degree in a field related to nursing.

61 2. For a practical nursing education program, the program  
62 director and at least 50 percent of the program's faculty  
63 members are registered nurses who have a bachelor's or higher  
64 degree in nursing.

65

66 The educational degree requirements of this paragraph may be  
67 documented by an official transcript or by a written statement  
68 from the educational institution verifying that the institution  
69 conferred the degree.



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70 (b) The program's nursing major curriculum consists of at  
71 least:

72 1. Fifty percent clinical training in the United States,  
73 the District of Columbia, or a possession or territory of the  
74 United States for a practical nursing education program, an  
75 associate degree professional nursing education program, or a  
76 professional diploma nursing education program.

77 2. Forty percent clinical training in the United States,  
78 the District of Columbia, or a possession or territory of the  
79 United States for a bachelor's degree professional nursing  
80 education program.

81 (c) No more than 50 ~~25~~ percent of the program's clinical  
82 training consists of clinical simulation.

83 (d) The program has signed agreements with each agency,  
84 facility, and organization included in the curriculum plan as  
85 clinical training sites and community-based clinical experience  
86 sites.

87 (e) The program has written policies for faculty which  
88 include provisions for direct or indirect supervision by program  
89 faculty or clinical preceptors for students in clinical training  
90 consistent with the following standards:

91 1. The number of program faculty members equals at least  
92 one faculty member directly supervising every 12 students unless  
93 the written agreement between the program and the agency,  
94 facility, or organization providing clinical training sites



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95 allows more students, not to exceed 18 students, to be directly  
96 supervised by one program faculty member.

97 2. For a hospital setting, indirect supervision may occur  
98 only if there is direct supervision by an assigned clinical  
99 preceptor, a supervising program faculty member is available by  
100 telephone, and such arrangement is approved by the clinical  
101 facility.

102 3. For community-based clinical experiences that involve  
103 student participation in invasive or complex nursing activities,  
104 students must be directly supervised by a program faculty member  
105 or clinical preceptor and such arrangement must be approved by  
106 the community-based clinical facility.

107 4. For community-based clinical experiences not subject to  
108 subparagraph 3., indirect supervision may occur only when a  
109 supervising program faculty member is available to the student  
110 by telephone.

111  
112 A program's policies established under this paragraph must  
113 require that a clinical preceptor who is, ~~if~~ supervising  
114 students in a professional nursing education program, ~~to~~ be a  
115 registered nurse or, if supervising students in a practical  
116 nursing education program, ~~to~~ be a registered nurse or licensed  
117 practical nurse.

118 (f) The professional or practical nursing curriculum plan  
119 documents clinical experience and theoretical instruction in  
120 medical, surgical, obstetric, pediatric, and geriatric nursing.



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121 A professional nursing curriculum plan shall also document  
122 clinical experience and theoretical instruction in psychiatric  
123 nursing. Each curriculum plan must document clinical training  
124 experience in appropriate settings that include, but are not  
125 limited to, acute care, long-term care, and community settings.

126 (g) The professional or practical nursing education  
127 program provides theoretical instruction and clinical  
128 application in personal, family, and community health concepts;  
129 nutrition; human growth and development throughout the life  
130 span; body structure and function; interpersonal relationship  
131 skills; mental health concepts; pharmacology and administration  
132 of medications; and legal aspects of practice. A professional  
133 nursing education program must ~~shall~~ also provide theoretical  
134 instruction and clinical application in interpersonal  
135 relationships and leadership skills; professional role and  
136 function; and health teaching and counseling skills.

137 (2) PROGRAM APPROVAL.—

138 (a) Upon receipt of a program application and review fee,  
139 the department shall examine the application to determine if  
140 ~~whether~~ it is complete. If the ~~a program~~ application is not  
141 complete, the department shall notify the educational  
142 institution in writing of any errors or omissions within 30 days  
143 after the department's receipt of the application. A program  
144 application is deemed complete upon the department's receipt of:



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145 1. The initial application, if the department does not  
146 notify the educational institution of any errors or omissions  
147 within the 30-day period; or

148 2. A revised application that corrects each error and  
149 omission of which the department notifies the educational  
150 institution within the 30-day period.

151 (b) Within 90 days after the department's receipt of a  
152 complete program application, the board shall:

153 1. Approve the application if it documents compliance with  
154 subsection (1) paragraphs (1)(a)-(g); or

155 2. Provide the educational institution with a notice of  
156 intent to deny the application if it does not document  
157 compliance with subsection (1) paragraphs (1)(a)-(g). The notice  
158 must specify ~~set forth~~ written reasons for the board's denial of  
159 the application. The board may not deny a program application  
160 because of an educational institution's failure to correct an  
161 any error or omission that ~~of which~~ the department failed to  
162 provide notice of to ~~does not notify~~ the institution within the  
163 30-day notice period under paragraph (a). The educational  
164 institution may request a hearing on the notice of intent to  
165 deny the program application pursuant to chapter 120.

166 (c) A program application is deemed approved if the board  
167 does not act within the 90-day review period provided under  
168 paragraph (b).

169 (d) Upon the board's approval of a program application,  
170 the program becomes an approved program.





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171 ~~(3) STATUS OF CERTAIN PROGRAMS. A professional or~~  
172 ~~practical nursing education program becomes an approved program~~  
173 ~~if, as of June 30, 2009, the program:~~

174 ~~(a) Has full or provisional approval from the board or,~~  
175 ~~except as provided in paragraph (b), is on probationary status.~~

176 ~~(b) Is on probationary status because the program did not~~  
177 ~~meet the board's requirement for graduate passage rates. Such~~  
178 ~~program shall remain on probationary status until it achieves a~~  
179 ~~graduate passage rate for calendar year 2009 or 2010 that equals~~  
180 ~~or exceeds the required passage rate for the respective calendar~~  
181 ~~year and must disclose its probationary status in writing to the~~  
182 ~~program's students and applicants. If the program does not~~  
183 ~~achieve the required passage rate, the board shall terminate the~~  
184 ~~program pursuant to chapter 120.~~

185 ~~(3)(4) ANNUAL REPORT.~~By November 1 of each year, each  
186 approved program shall submit to the board an annual report  
187 comprised of an affidavit certifying continued compliance with  
188 subsection (1) paragraphs (1)(a)-(g), a summary description of  
189 the program's compliance with subsection (1) paragraphs (1)(a)-  
190 ~~(g)~~, and documentation for the previous academic year that, to  
191 the extent applicable, describes sets forth:

192 (a) The number of student applications received, qualified  
193 applicants, applicants accepted, accepted applicants who enroll  
194 in the program, students enrolled in the program, and program  
195 graduates.



Amendment No.

196 (b) The program's retention rates for students tracked  
197 from program entry to graduation.

198 (c) The program's accreditation status, including  
199 identification of the accrediting agency ~~if such agency is not~~  
200 ~~an accrediting agency described in s. 464.003(1).~~

201 ~~(4) (5)~~ INTERNET WEBSITE. ~~By October 1, 2010,~~ The board  
202 shall publish the following information on its Internet website:

203 (a) A list of each accredited program conducted in the  
204 state and the program's graduate passage rates for the most  
205 recent 2 calendar years, which the department shall determine  
206 through the following sources:

207 1. For a program's accreditation status, the specialized  
208 accrediting agencies that are nationally recognized by the  
209 United States Secretary of Education to accredit nursing  
210 education programs.

211 2. For a program's graduate passage rates, the contract  
212 testing service of the National Council of State Boards of  
213 Nursing.

214 (b) The following data for each approved program, which  
215 includes ~~shall include~~, to the extent applicable:

216 1. All documentation provided by the program in its  
217 program application if submitted on or after July 1, 2009.

218 2. The summary description of the program's compliance  
219 submitted under subsection (3) ~~(4)~~.



Amendment No.

220 3. The program's accreditation status, including  
221 identification of the accrediting agency ~~if such agency is not~~  
222 ~~an accrediting agency described in s. 464.003(1).~~

223 4. The program's probationary status.

224 5. The program's graduate passage rates for the most  
225 recent 2 calendar years.

226 6. Each program's retention rates for students tracked  
227 from program entry to graduation.

228 (c) The average passage rates for United States educated  
229 first-time test takers on the National Council of State Boards  
230 of Nursing Licensing Examination for the most recent 2 calendar  
231 years, as calculated by the contract testing service of the  
232 National Council of State Boards of Nursing. The average passage  
233 rates shall be published separately for each type of comparable  
234 degree program listed in subparagraph (5)(a)1. ~~sub-subparagraphs~~  
235 ~~(6)(a)1.a. d.~~

236  
237 The information required to be published under this subsection  
238 shall be made available in a manner that allows interactive  
239 searches and comparisons of individual programs selected by the  
240 website user. The board shall update the Internet website at  
241 least quarterly with the available information.

242 (5)(6) ACCOUNTABILITY.—

243 (a)1. An approved program must achieve a graduate passage  
244 rate that is not more lower than 10 percentage points lower less  
245 than the average passage rate during the same calendar year for



Amendment No.

246 graduates of comparable degree programs who are United States  
247 educated, first-time test takers on the National Council of  
248 State Boards of Nursing Licensing Examination ~~during a calendar~~  
249 ~~year~~, as calculated by the contract testing service of the  
250 National Council of State Boards of Nursing. For purposes of  
251 this subparagraph, an approved program is comparable to all  
252 degree programs of the same program type from among the  
253 following program types:

254 a. Professional nursing education programs that terminate  
255 in a bachelor's degree.

256 b. Professional nursing education programs that terminate  
257 in an associate degree.

258 c. Professional nursing education programs that terminate  
259 in a diploma.

260 d. Practical nursing education programs.

261 2. Beginning with graduate passage rates for calendar year  
262 2010, if an approved program's graduate passage rates do not  
263 equal or exceed the required passage rates for 2 consecutive  
264 calendar years, the board shall place the program on  
265 probationary status pursuant to chapter 120 and the program  
266 director shall ~~must~~ appear before the board to present a plan  
267 for remediation. The program must ~~shall~~ remain on probationary  
268 status until it achieves a graduate passage rate that equals or  
269 exceeds the required passage rate for any 1 calendar year. The  
270 board shall deny a program application for a new prelicensure  
271 nursing education program submitted by an educational



Amendment No.

272 institution if the institution has an existing program that is  
273 already on probationary status.

274 3. Upon the program's achievement of a graduate passage  
275 rate that equals or exceeds the required passage rate, the  
276 board, at its next regularly scheduled meeting following release  
277 of the program's graduate passage rate by the National Council  
278 of State Boards of Nursing, shall remove the program's  
279 probationary status. However, if the program, during the 2  
280 calendar years following its placement on probationary status,  
281 does not achieve the required passage rate for any 1 calendar  
282 year, the board shall terminate the program pursuant to chapter  
283 120.

284 (b) If an approved program fails to submit the annual  
285 report required in subsection (3) ~~(4)~~, the board shall notify  
286 the program director and president or chief executive officer of  
287 the educational institution in writing within 15 days after the  
288 due date of the annual report. The program director shall ~~must~~  
289 appear before the board at the board's next regularly scheduled  
290 meeting to explain the reason for the delay. The board shall  
291 terminate the program pursuant to chapter 120 if it does not  
292 submit the annual report within 6 months after the due date.

293 (c) An approved program on probationary status shall  
294 disclose its probationary status in writing to the program's  
295 students and applicants.

296 (6) ~~(7)~~ DISCLOSURE OF GRADUATE PASSAGE RATE DATA.—



Amendment No.

297 (a) For each graduate of the program ~~an approved program's~~  
298 ~~or accredited program's graduates~~ included in the calculation of  
299 the program's graduate passage rate, the department shall  
300 disclose to the program director, upon his or her written  
301 request, the name, examination date, and determination of  
302 whether each graduate passed or failed the National Council of  
303 ~~for~~ State Boards of Nursing Licensing Examination, if to the  
304 ~~extent that~~ such information is provided to the department by  
305 the contract testing service of the National Council of for  
306 State Boards of Nursing. The written request must specify the  
307 calendar years for which the information is requested.

308 (b) A program director to whom confidential information  
309 exempt from public disclosure pursuant to s. 456.014 is  
310 disclosed under this subsection must maintain the  
311 confidentiality of the information and is subject to the same  
312 penalties provided in s. 456.082 for department employees who  
313 unlawfully disclose confidential information.

314 ~~(7)-(8)~~ PROGRAM CLOSURE.-

315 (a) An educational institution conducting an approved  
316 program or accredited program in this state, at least 30 days  
317 before voluntarily closing the program, shall notify the board  
318 in writing of the institution's reason for closing the program,  
319 the intended closure date, the institution's plan to provide for  
320 or assist in the completion of training by the program's  
321 students, and the arrangements for storage of the program's  
322 permanent records.



Amendment No.

323 (b) An educational institution conducting a nursing  
324 education program that is terminated under subsection (5) ~~(6)~~ or  
325 closed under subparagraph (9)(b)3. ~~(10)(b)3.~~:

326 1. May not accept or enroll new students.

327 2. Shall ~~Must~~ submit to the board within 30 days after the  
328 program is terminated or closed a written description of how the  
329 institution will assist in completing the ~~completion of~~ training  
330 of ~~by~~ the program's students and the institution's arrangements  
331 for storage of the program's permanent records.

332 (c) If an educational institution does not comply with  
333 paragraph (a) or paragraph (b), the board shall provide a  
334 written notice explaining the institution's noncompliance to the  
335 following persons and entities:

336 1. The president or chief executive officer of the  
337 educational institution.

338 2. The Board of Governors, if the program is conducted by  
339 a state university.

340 3. The district school board, if the program is conducted  
341 by an educational institution operated by a school district.

342 4. The Commission for Independent Education, if the  
343 program is conducted by an educational institution licensed  
344 under chapter 1005.

345 5. The State Board of Education, if the program is  
346 conducted by an educational institution in the Florida College  
347 System or by an educational institution that is not subject to  
348 subparagraphs 2.-4.



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349        ~~(8)-(9)~~ RULEMAKING.—The board does not have any rulemaking  
350 authority to administer this section, except that the board  
351 shall adopt rules ~~a rule~~ that prescribe ~~prescribes~~ the format  
352 for submitting program applications under subsection (1) and  
353 annual reports under subsection (3), and to administer the  
354 documentation of the accreditation of nursing education programs  
355 under subsection (11) ~~(4)~~. The board may not impose any  
356 condition or requirement on an educational institution  
357 submitting a program application, an approved program, or an  
358 accredited program, except as expressly provided in this  
359 section. ~~The board shall repeal all rules, or portions thereof,~~  
360 ~~in existence on July 1, 2009, that are inconsistent with this~~  
361 ~~subsection.~~

362        ~~(9)-(10)~~ APPLICABILITY TO ACCREDITED PROGRAMS.—

363        (a) Subsections (1)-(3) ~~(1)-(4)~~, paragraph (4)(b) ~~(5)(b)~~,  
364 and subsection (5) ~~(6)~~ do not apply to an accredited program. ~~An~~  
365 ~~accredited program on probationary status before July 1, 2010,~~  
366 ~~ceases to be subject to the probationary status.~~

367        (b) If an accredited program ceases to be accredited, the  
368 educational institution conducting the program:

369            1. Within 10 business days after the program ceases to be  
370 accredited, must provide written notice of the date that the  
371 program ceased to be accredited to the board, the program's  
372 students and applicants, and each entity providing clinical  
373 training sites or community-based clinical experience sites for  
374 the program. The educational institution must continue to





Amendment No.

375 provide the written notice to new students, applicants, and  
376 entities providing clinical training sites or community-based  
377 clinical experience sites for the program until the program  
378 becomes an approved program or is closed under subparagraph 3.

379 2. Within 30 days after the program ceases to be  
380 accredited, must submit an affidavit to the board, signed by the  
381 educational institution's president or chief executive officer  
382 which, ~~that~~ certifies the institution's compliance with  
383 subparagraph 1. The board shall notify the persons and  
384 applicable entities listed in paragraph (7)(c) ~~subparagraph~~  
385 ~~(8)(c)1. and the applicable entities listed in subparagraphs~~  
386 ~~(8)(c)2.-5.~~ if an educational institution does not submit the  
387 affidavit required by this subparagraph.

388 3. May apply to become an approved program under this  
389 section. If the educational institution:

390 a. Within 30 days after the program ceases to be  
391 accredited, submits a program application and review fee to the  
392 department under subsection (1) and the affidavit required under  
393 subparagraph 2., the program shall be deemed an approved program  
394 from the date that the program ceased to be accredited until the  
395 date that the board approves or denies the program application.  
396 The program application must be denied by the board pursuant to  
397 chapter 120 if it does not contain the affidavit. If the board  
398 denies the program application under subsection (2) or if  
399 ~~because~~ the program application does not contain the affidavit,



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400 the program shall be closed and the educational institution  
401 conducting the program must comply with paragraph (7)(b) ~~(8)(b)~~.

402 b. Does not apply to become an approved program pursuant  
403 to sub-subparagraph a., the program shall be deemed an approved  
404 program from the date ~~that~~ the program ceased to be accredited  
405 until the 31st day after that date. On the 31st day after the  
406 program ceased to be accredited, the program shall be closed and  
407 the educational institution conducting the program must comply  
408 with paragraph (7)(b) ~~(8)(b)~~.

409 ~~(10)(11)~~ IMPLEMENTATION STUDY.—The Florida Center for  
410 Nursing and the education policy area of the Office of Program  
411 Policy Analysis and Government Accountability shall study the ~~5-~~  
412 ~~year~~ administration of this section and submit reports to the  
413 Governor, the President of the Senate, and the Speaker of the  
414 House of Representatives annually by January 30, ~~2011, and~~  
415 ~~annually thereafter~~ through January 30, 2020 ~~2015~~. The annual  
416 reports shall address the previous academic year; provide ~~set~~  
417 ~~forth~~ data on the measures specified in paragraphs (a) and (b),  
418 as such data becomes available; and include an evaluation of  
419 such data for purposes of determining whether this section is  
420 increasing the availability of nursing education programs and  
421 the production of quality nurses. The department and each  
422 approved program or accredited program shall comply with  
423 requests for data from the Florida Center for Nursing and the  
424 education policy area of the Office of Program Policy Analysis  
425 and Government Accountability.



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426 (a) The education policy area of the Office of Program  
427 Policy Analysis and Government Accountability shall evaluate  
428 program-specific data for each approved program and accredited  
429 program conducted in the state, including, but not limited to:

430 1. The number of programs and student slots available.

431 2. The number of student applications submitted, the  
432 number of qualified applicants, and the number of students  
433 accepted.

434 3. The number of program graduates.

435 4. Program retention rates of students tracked from  
436 program entry to graduation.

437 5. Graduate passage rates on the National Council of State  
438 Boards of Nursing Licensing Examination.

439 6. The number of graduates who become employed as  
440 practical or professional nurses in the state.

441 (b) The Florida Center for Nursing shall evaluate the  
442 board's implementation of the:

443 1. Program application approval process, including, but  
444 not limited to, the number of program applications submitted  
445 under subsection (1); the number of program applications  
446 approved and denied by the board under subsection (2); the  
447 number of denials of program applications reviewed under chapter  
448 120; and a description of the outcomes of those reviews.

449 2. Accountability processes, including, but not limited  
450 to, the number of programs on probationary status, the number of  
451 approved programs for which the program director is required to



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452 appear before the board under subsection (5) ~~(6)~~, the number of  
453 approved programs terminated by the board, the number of  
454 terminations reviewed under chapter 120, and a description of  
455 the outcomes of those reviews.

456 (c) For any state fiscal year in which the Florida Center  
457 for Nursing does not receive legislative appropriations, the  
458 education policy area of the Office of Program Policy Analysis  
459 and Government Accountability shall perform the duties assigned  
460 by this subsection to the Florida Center for Nursing.

461 (11) ACCREDITATION REQUIRED.—

462 (a) A nursing education program that prepares students for  
463 the practice of professional nursing, that was approved under  
464 this section before July 1, 2014, and that enrolled students  
465 before July 1, 2014, must become an accredited program by July  
466 1, 2019.

467 (b) A nursing education program that prepares students for  
468 the practice of professional nursing, that was approved under  
469 this section before July 1, 2014, but did not enroll students  
470 before that date, must become an accredited program within 5  
471 years after the date of enrolling the program's first students.

472 (c) A nursing education program that prepares students for  
473 the practice of professional nursing and that is approved by the  
474 board after June 30, 2014, must become an accredited program  
475 within 5 years after the date of enrolling the program's first  
476 students.



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477           (d) This subsection does not apply to a nursing education  
478 program provided by an institution that is exempted from  
479 licensure by the Commission for Independent Education under s.  
480 1005.06(1)(e).

481           Section 4. Subsection (1) of section 456.014, Florida  
482 Statutes, is amended to read:

483           456.014 Public inspection of information required from  
484 applicants; exceptions; examination hearing.-

485           (1) All information required by the department of any  
486 applicant shall be a public record and shall be open to public  
487 inspection pursuant to s. 119.07, except financial information,  
488 medical information, school transcripts, examination questions,  
489 answers, papers, grades, and grading keys, which are  
490 confidential and exempt from s. 119.07(1) and shall not be  
491 discussed with or made accessible to anyone except the program  
492 director of an approved program or accredited program as  
493 provided in s. 464.019(6) ~~464.019(7)~~, members of the board, the  
494 department, and staff thereof, who have a bona fide need to know  
495 such information. Any information supplied to the department by  
496 any other agency which is exempt from the provisions of chapter  
497 119 or is confidential shall remain exempt or confidential  
498 pursuant to applicable law while in the custody of the  
499 department or the agency.

500           Section 5. This act shall take effect July 1, 2014.

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Amendment No.

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524**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:  
An act relating to nursing education programs;  
amending s. 464.003, F.S.; revising definitions;  
conforming a cross-reference; amending s. 464.013,  
F.S.; exempting nurses who are certified by an  
accredited program from continuing education  
requirements; amending s. 464.019, F.S.; specifying  
the location of clinical training; revising the  
limitation on the percentage of clinical training that  
may consist of clinical simulation; deleting obsolete  
requirements; authorizing the Board of Nursing to  
adopt certain rules relating to documenting the  
accreditation of nursing education programs; deleting  
the requirement that the Office of Program Policy  
Analysis and Government Accountability participate in  
an implementation study and revising the terms of the  
study; requiring nursing education programs that  
prepare students for the practice of professional  
nursing to be accredited; providing an exception;  
amending s. 456.014, F.S.; conforming a cross-  
reference; providing an effective date.

**OPPAGA Report  
Nursing Education Program**



# Florida's Nursing Education Programs Continued to Expand in 2013, While Licensure Exams Passage Rates of New Programs Declined

## *at a glance*

To address the nursing shortage in Florida, the 2009 Legislature modified how the Board of Nursing oversees nursing education programs. The intent of the modifications was to increase the number of nursing programs and qualified nurses in Florida. Since the legislation took effect in July 2009,

- the Board of Nursing has approved 231 new nursing education programs, which has increased the total number of programs by 139%;
- the number of nursing student seats has increased by 180%;
- enrollment in nursing programs has increased by 58%, with the greatest increase occurring in nursing bridge programs;
- the number of students graduating from nursing programs has increased by 30%;
- the licensure exam passage rates of the nursing programs created since 2009 that had graduates who took the licensure exam declined—approximately 73% had exam passage rates that were more than 10% below the national average for the 2013 calendar year;
- 73% of practical nursing program graduates that received their initial license in 2011 are employed in a nursing-related field; and
- 90% of associate and bachelor's degree in nursing program graduates that received their initial registered nurse license in 2011 are employed in a nursing-related field.

Also, when comparing the two most recent academic years (2011-12 and 2012-13), nursing program retention rates decreased by 2%.

## Scope

The 2009 Legislature directed OPPAGA to conduct a series of five annual reviews of the Board of Nursing's administration of the program approval and accountability processes for nursing programs.<sup>1</sup> This is the fourth report that addresses how nursing programs' capacity, enrollment, and student outcomes have changed since the 2009 law took effect.<sup>2</sup> OPPAGA will issue one more report on the program approval process and outcomes in 2015.

## Background

To ensure quality nursing practice, Ch. 464, *Florida Statutes*, establishes the Florida Board of Nursing and grants the board authority to adopt rules, discipline nurses who violate regulations, and approve and monitor nursing education programs.<sup>3</sup> In 2009, the Legislature modified the

<sup>1</sup> Chapters [2009-168](#) and [2010-37](#), *Laws of Florida*.

<sup>2</sup> The prior OPPAGA reports are *Board of Nursing Addressed Statutory Changes; Nursing Program Capacity Expanded in 2009-10*, OPPAGA [Report No. 11-06](#), January 2011; *Florida's Nursing Education Programs Continued to Expand in 2011 with Significant Increases in Student Enrollment and Graduates*, OPPAGA [Report No. 12-04](#), January 2012; and *Florida's Nursing Education Programs Continued to Expand in 2012 with Increases in Program Capacity, Student Enrollment, and Graduates*, OPPAGA [Report 13-03](#), January 2013.

<sup>3</sup> New programs submit an application, fees, and supporting documents to the board office, which then reviews the application for any errors or deficiencies. Upon the receipt of a complete application, board staff places the program's application on the Board of Nursing's agenda for approval. The board monitors approved nursing programs by reviewing their students' scores on the National Council of State Boards of Nursing's National Council Licensure Examination (NCLEX).



process for approving new nursing education programs by removing rulemaking authority from the Board of Nursing and specifying the nursing education program approval process in statute.<sup>4</sup> Our 2010 report identified several issues with the board’s implementation of the 2009 law and made recommendations to the Legislature and the Board of Nursing.<sup>5</sup> The 2010 Legislature modified statutes to address issues consistent with those raised in our report and by stakeholders.<sup>6</sup> Our 2011 report determined that the board has implemented the revised processes and addressed other issues identified.<sup>7</sup> Our 2012 and 2013 reports found that student enrollment and the number of graduates was increasing.<sup>8</sup>

As shown in Exhibit 1, 294 nursing education programs in Florida had students enrolled during the 2012-13 academic year.<sup>9,10</sup> These

included 133 programs that offered a licensed practical nursing certificate, 128 programs that offered an associate degree in nursing, and 33 programs that offered a bachelor’s degree in nursing. Many of these programs offered both a generic curriculum (also called a track) for students with no medical experience and a bridge curriculum, which is an expedited program for students with nursing licenses or previous medical experience.<sup>11</sup>

These nursing programs are offered by public school districts, Florida colleges, state universities, private institutions licensed by the Commission for Independent Education, and private institutions that are members of the Independent Colleges and Universities of Florida (ICUF). In addition, state law authorizes Pensacola Christian College to offer a bachelor of science in nursing degree.<sup>12, 13</sup>

<sup>4</sup> Chapter [2009-168](#), *Laws of Florida*.

<sup>5</sup> *Since Implementing Statutory Changes, the State Board of Nursing Has Approved More Nursing Programs; the Legislature Should Address Implementation Issues*, OPPAGA [Report No. 10-14](#), January 2010.

<sup>6</sup> Chapter [2010-37](#), *Laws of Florida*.

<sup>7</sup> *Board of Nursing Addressed Statutory Changes; Nursing Program Capacity Expanded in 2009-10*, OPPAGA [Report No. 11-06](#), January 2011.

<sup>8</sup> *Florida’s Nursing Education Programs Continued to Expand in 2011 with Significant Increases in Student Enrollment and Graduates*, OPPAGA [Report No. 12-04](#), January 2012; and *Florida’s Nursing Education Programs Continued to Expand in 2012 with Increases in Program Capacity, Student Enrollment, and Graduates*, OPPAGA [Report 13-03](#), January 2013.

<sup>9</sup> Two institutions in other states offer two of Florida’s nursing education programs. Indiana State University and Western

Governors University have distance learning nursing programs that award a bachelor of science in nursing degree. At Indiana State University students must have a practical nursing certificate to be admitted. These programs are not included in this total.

<sup>10</sup> In addition, 52 programs were approved by the Board of Nursing but did not have students enrolled during the 2012-13 academic year.

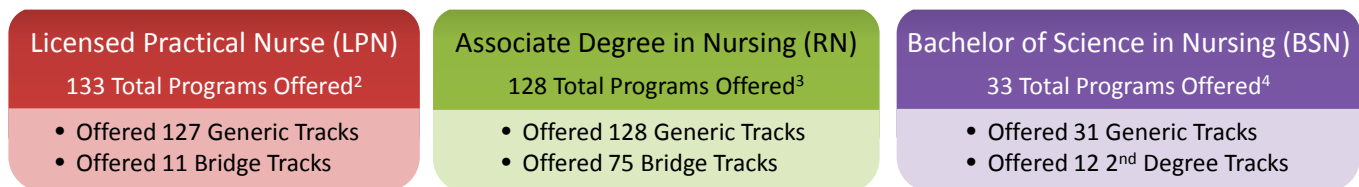
<sup>11</sup> Section [464.019](#), *F.S.*, does not differentiate between bridge and generic curriculum tracks. In addition, the Florida Board of Nursing does not make a distinction between generic, bridge, or accelerated tracks.

<sup>12</sup> Section [1005.06 \(1\) \(e\)](#), *F.S.*

<sup>13</sup> Nursing education programs in Florida that hold specialized nursing accreditation by the National League for Nursing Accrediting Commission (NLNAC) or by the Collegiate Commission on Nursing Education (CCNE) are not regulated by the Florida Board of Nursing.

## Exhibit 1

### During Academic Year 2012-13, 294 Nursing Education Programs in Florida Had Students Enrolled<sup>1</sup>



<sup>1</sup> The total includes all curriculum tracks for programs, including 70 programs with multiple tracks.

<sup>2</sup> Five licensed practical nurse programs have both a generic and a bridge curriculum track and six have a bridge-only track.

<sup>3</sup> Sixty-three associate degree programs have both a generic and a bridge curriculum track and 12 have a bridge-only track.

<sup>4</sup> Two bachelor’s degree programs have both a generic curriculum track and a second degree curriculum track and 10 programs only have a second degree track. In addition, Indiana State University and Western Governors University are not included in these totals but have distance bachelor’s degree programs that admit Florida students.

Source: OPPAGA survey of nursing education programs and analysis.

# Findings

## *How many new nursing programs did the board approve, and how is the board monitoring programs?*

The 2009 law changed how nursing education programs are approved and monitored by the Board of Nursing. Since the law took effect, the number of new nursing programs has increased significantly. In addition, the 2009 law specified the criteria the board should follow for placing nursing programs on probationary status.

Overall, the number of new nursing programs has increased by 139% since the 2009 law went into effect. Of the 370 nursing programs statewide, 231 were approved since the statutory changes took effect in July 2009 (a 139%

increase).<sup>14</sup> As shown in Exhibit 2, all but 10 of the programs that applied since the law took effect have been approved.<sup>15</sup> During calendar year 2013, the board considered 60 and approved 59 applications for new nursing programs offered by private institutions licensed by the Commission for Independent Education.<sup>16</sup>

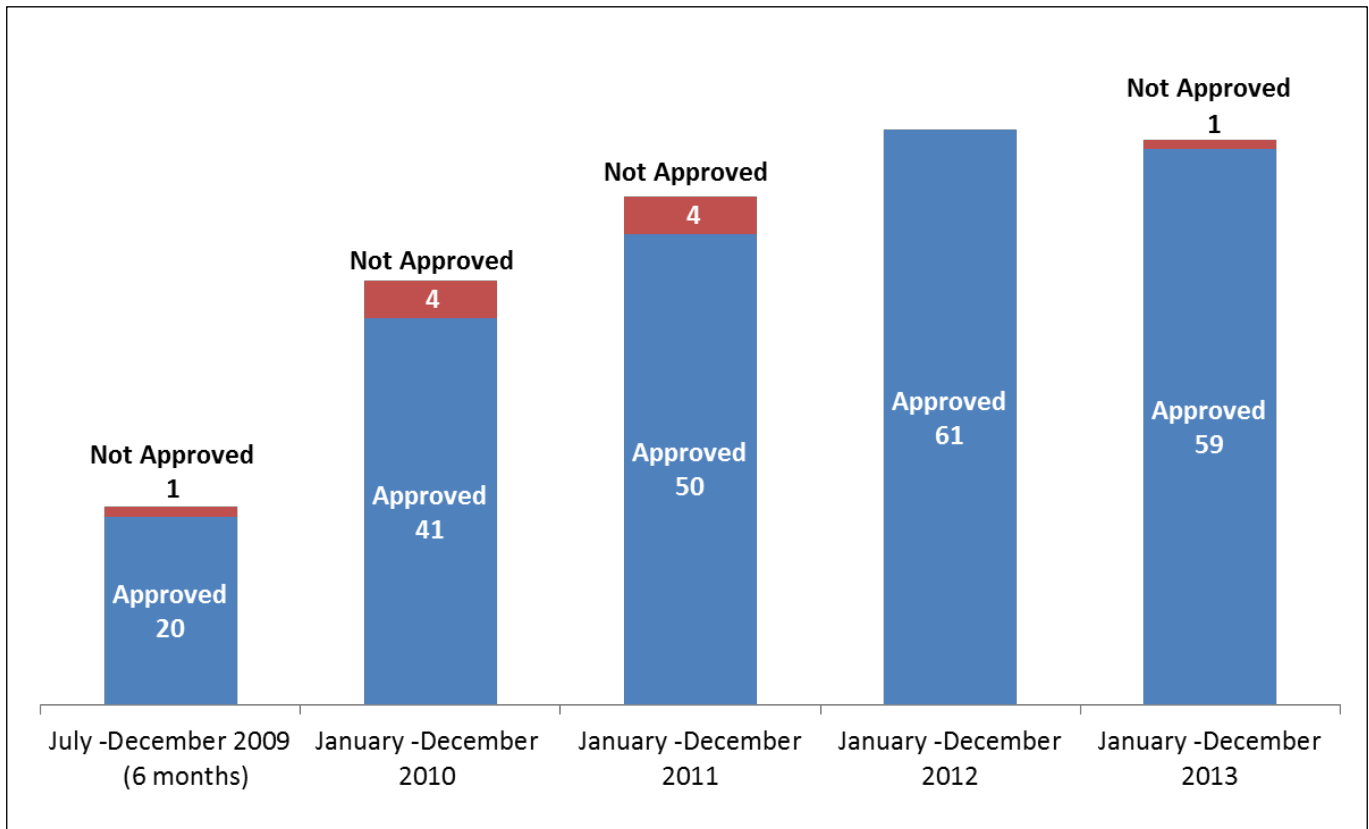
<sup>14</sup> Nineteen programs closed in 2013 and 52 programs were approved by the Board of Nursing but did not have students enrolled during the 2012-13 academic year. Five programs did not respond to the survey and were not included in our analysis.

<sup>15</sup> Prior to the law taking effect, 17 of 18 nursing program applications were approved from January 2008 through June 2009.

<sup>16</sup> This is an unduplicated count of program applications and board approvals from January through December 2013. Programs may waive the committee's review of their application or their application may be denied. Also, the one program that was denied is in the application process to be reconsidered at the next board meeting.

### Exhibit 2

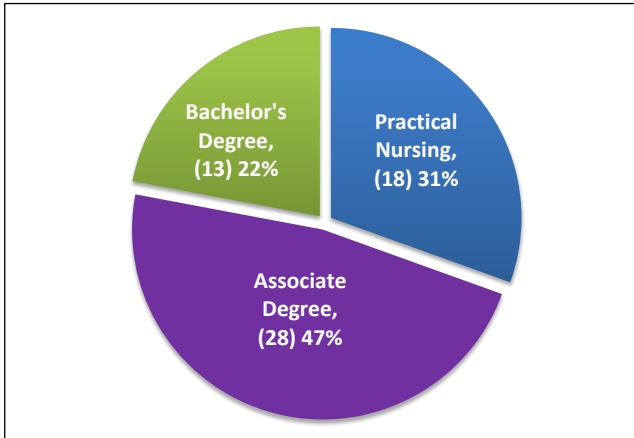
Since the 2009 Law Went Into Effect, 231 of the 241 Nursing Programs That Applied Were Approved



Source: OPPAGA analysis of Florida Board of Nursing data.

As shown in Exhibit 3, 47% of the 59 new programs approved in 2013 award associate degrees and 31% award practical nursing certificates. The remaining programs (22%) award bachelor's degrees; this is an increase of 11 bachelor's degree programs since last year.

**Exhibit 3**  
**Almost Half of the Nursing Programs Approved in 2013 Offer Associate Degrees**



Source: OPPAGA analysis of Florida Board of Nursing data.

In 2013, 24 (6%) of the 370 nursing programs in Florida were on probation. The 2009 law requires nursing programs to have a minimum average graduate licensure exam passage rate and to submit an annual report. If a program's average falls below 10% of the national average for two consecutive calendar years, it is placed on probation, must submit a corrective action plan, and must increase its average passage rate within two years.<sup>17, 18</sup>

During 2013, the board placed 18 nursing programs on probation and 6 remained on probation from the prior year because their average graduate licensure exam passage rates were below the required rate for two consecutive years.<sup>19</sup>

***How have nursing programs' capacity, enrollment, and student outcomes changed since the 2009 law took effect?***

Legislative changes to nursing program accountability processes were intended to increase the number and quality of nursing graduates in Florida by expanding the capacity of existing programs and creating new programs.

The number of seats available in nursing education programs for qualified students continued to increase in academic year 2012-13, while other capacity measures declined. As shown in Exhibit 4, the number of seats available for qualified students increased from 16,420 to 45,942 from 2008-09 to 2012-13 for an overall increase of 180% since the law was enacted. This increase in available seats is the result of the approval of new programs and the expansion of existing programs. The revised law allows existing programs to increase capacity without board approval. In addition, the number of students admitted to nursing programs also increased by 60% from 2008-09 to 2012-13. However, when comparing 2011-12 and 2012-13, other capacity measures declined. For instance, there was a 9% decline in the number of student applications received, a 4% decline in the number of qualified applicants, and a 1% decline in the number of students approved for admission who actually enrolled in nursing programs.

<sup>17</sup> Section 464.019, F.S., specifies that the first calendar year of scores the board could use was 2010. As a result, 2012 was the first year the board could place programs on probation using the criteria in law, based on calendar years 2010 and 2011.

<sup>18</sup> Fifteen practical nursing and nine associate degree in nursing programs were on probation.

<sup>19</sup> In 2012, there were 11 programs on probation; in 2013, 4 of these programs were closed, 1 increased its average passage rate and was removed from probation, and 6 remained on probation.

**Exhibit 4****The Number of Seats Available in Nursing Programs Continued to Increase Under the New Law<sup>1,2</sup>**

Capacity Measure	2008-09 <sup>3</sup>	2009-10	2010-11	2011-12	2012-13	Percentage Change	
						2011-12 to 2012-13	2008-09 to 2012-13
Seats <sup>4</sup>	16,420	20,021	24,284	29,477	45,942	56%	180%
Applications Received	47,104	70,556	65,816	70,542	63,866	-9%	36%
Qualified Applicants	30,760	41,391	40,410	42,806	41,158	-4%	34%
Students Admitted	17,339	19,815	22,920	26,848	27,689	3%	60%
Students Admitted Who Enrolled	15,691	18,414	21,296	24,171	24,017	-1%	53%

<sup>1</sup> Eighteen programs did not respond to the survey in 2013 but did respond in 2012. For these programs, we used the data reported for 2011-12. Five programs did not respond in 2013 and did not have data for the prior year; therefore, we did not include these programs in our analysis.

<sup>2</sup> This data does not include practical nursing (bridge curriculum) programs.

<sup>3</sup> The 2008-09 data is prior to the law taking effect.

<sup>4</sup> Nursing programs reported a large increase in the seats available in 2012-13 compared to prior years. This increase may be attributed to programs that were ramping up, expanding, or had underreported seats in prior years. We contacted programs with large changes in the number of seats reported to resolve potential inaccuracies.

Source: OPPAGA survey of nursing education programs.

Total student enrollment also continued to increase in 2012-13. As shown by Exhibit 5, overall student enrollment in nursing programs grew by 58% from 2008-09 to 2012-13. Enrollment increased in almost all types of curriculum during this four-year period, with the largest percentage increases in nursing bridge curriculum programs. In addition, the associate degree in nursing (generic curriculum) programs experienced a 73%

increase in enrollment due to the addition of 28 new programs and the expansion of existing programs. Enrollment in bachelor's in nursing (second degree) programs decreased 19%. However, when comparing the two most recent academic years (2011-12 and 2012-13), student enrollment in all types of nursing programs increased by 3.6% (from 35,831 to 37,127).

**Exhibit 5****Student Enrollment Continued to Increase Across Most Types of Nursing Programs**

Curriculum Type	Enrollment <sup>1</sup>					Percentage Change	
	2008-09 <sup>2</sup>	2009-10	2010-11	2011-12	2012-13	2011-12 to 2012-13	2008-09 to 2012-13
Practical Nursing (LPN) – Generic	6,534	7,705	9,021	9,555	8,239	-13.8%	26%
Practical Nursing (LPN) – Bridge	30	33	219	176	302	71.6%	907% <sup>3</sup>
Associate Degree in Nursing – Generic	9,825	10,676	13,826	15,118	16,970	12.3%	73%
Associate Degree in Nursing – Bridge	1,935	2,212	3,356	4,371	4,856	11.1%	151%
Bachelor's Degree in Nursing – Generic	4,081	4,342	4,854	5,600	5,835	4.2%	43%
Bachelor's Degree in Nursing – 2nd Degree	1,142	1,225	1,012	1,011	925	-8.5%	-19%
<b>Total</b>	<b>23,547</b>	<b>26,193</b>	<b>32,288</b>	<b>35,831</b>	<b>37,127</b>	<b>3.6%</b>	<b>58%</b>

<sup>1</sup> Eighteen programs did not respond to the survey in 2013 but did respond in 2012. For these programs, we used the data reported for 2011-12. Five programs did not respond in 2013 and did not have data for the prior year; therefore, we did not include these programs in our analysis.

<sup>2</sup> The 2008-09 data is prior to the law taking effect.

<sup>3</sup> Since the law took effect, practical nursing (bridge curriculum) programs have grown from two programs in 2008-09 with enrollment to nine programs with enrollment in 2012-13, which accounts for the large percentage increase in graduates from 2008-09 to 2012-13.

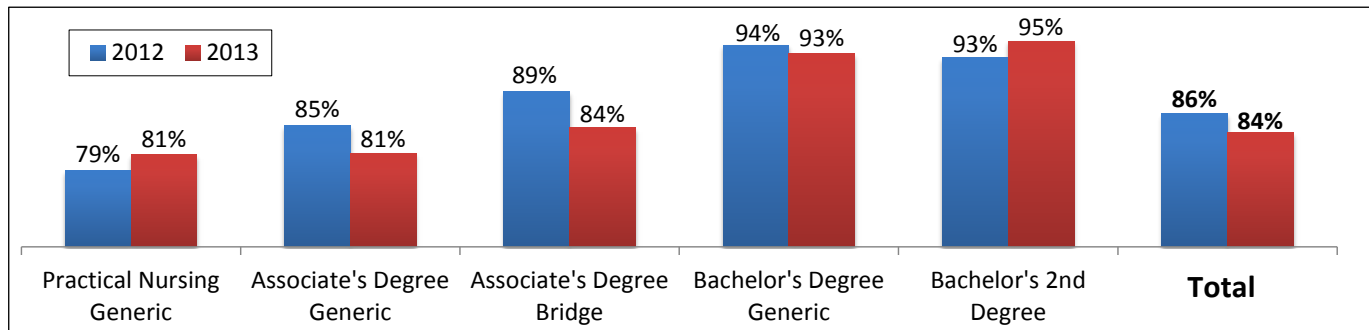
Source: OPPAGA survey of nursing education programs.

The total percentage of students retained in nursing programs has decreased slightly. Retention rates measure whether students persist in or complete their educational program a year later. We assessed retention in each type of nursing program using the cohort of students who entered the programs from 2008 to 2012. To calculate retention, we added the number of graduates and the number of students still enrolled and divided by the number of newly enrolled students for each cohort.<sup>20</sup>

<sup>20</sup> Nursing programs admit students throughout the year, with several programs admitting students multiple times per year. We requested each nursing program to select a cohort of students for 2008 through 2012 and report to us the outcomes of these students over a one-year period.

The resulting retention rates varied slightly among program types and curriculum tracks, with an overall decrease from 2011-12 to 2012-13 of two percentage points (from 86% to 84%). As shown in Exhibit 6, the one-year retention rates decreased for most curriculum types, with the largest percentage point decrease in associate degree bridge curriculum programs from 89% to 84%. Two curriculum tracks had improved retention rates. The practical nursing programs retention rate increased from 79% to 81%, and the retention rate for bachelor’s degree in nursing second degree programs increased from 93% to 95%. Appendix A, Exhibit A-1 provides additional details on the retention rates for nursing programs.

**Exhibit 6**  
**The Total Percentage of Students Retained in Nursing Programs Decreased Slightly in 2013<sup>1,2</sup>**



<sup>1</sup> Eighteen programs did not respond to the survey in 2013 but did respond in 2012. For these programs, we used the data reported for 2011-12. Five programs did not respond in 2013 and did not have data for the prior year; therefore, we did not include these programs in our analysis.

<sup>2</sup> This data includes graduates and students enrolled and does not include the practical nursing (bridge curriculum) programs.

Source: OPPAGA survey of nursing education programs.

Overall, the number of students graduating from nursing programs continued to increase in 2012-13. Lengths of time for completing nursing programs generally range from one to four years, depending on curriculum. For example, a licensed practical nursing program is a one-year program, while the associate degree in nursing is a two-year program, and the bachelor’s degree in nursing is a four-year program. As a result, students who enrolled in new programs or programs that experienced increased capacity as a result of the new law began to graduate during the 2010-11 academic year. As shown in Exhibit 7, overall, the number of students graduating from nursing programs increased by 30% from 2008-09 to 2012-13. However, when comparing the two most recent academic years (2011-12 and 2012-13), the

percentage increase of nursing graduates in all types of nursing programs was only 1.4% (from 14,923 to 15,128).<sup>21</sup> The percentage change in graduates varied among the types of programs. The bridge curriculum programs experienced the largest increases, 74.3% in the number of practical nursing bridge graduates and 17.1% in the number of associate degree bridge curriculum graduates. In contrast, the number of practical nursing generic curriculum graduates decreased by 18.6% from 2011-12 to 2012-13. Graduates from bachelor’s degree in nursing programs also declined slightly during this time period.

<sup>21</sup> Other factors may affect the graduation rate of students. Factors for which OPPAGA could not control include students’ economic stability, cost of programs, and curriculum changes.

**Exhibit 7**

**The Overall Number of Students Graduating from Nursing Programs Continued to Increase Slightly in 2012-13**

Curriculum Type	Graduates <sup>1</sup>					Percentage Change	
	2008-09 <sup>2</sup>	2009-10	2010-11	2011-12	2012-13	2011-12 to 2012-13	2008-09 to 2012-13
Practical Nursing (LPN) – Generic	3,944	3,801	4,591	5,035	4,101	-18.6%	4%
Practical Nursing (LPN) – Bridge	23	19	93	101	176	74.3%	665% <sup>3</sup>
Associate Degree in Nursing – Generic	4,774	4,685	4,920	5,477	6,351	16.0%	33%
Associate Degree in Nursing – Bridge	873	1,014	1,330	1,787	2,092	17.1%	140%
Bachelor's Degree in Nursing – Generic	1,623	1,757	1,750	2,008	1,900	-5.4%	17%
Bachelor's Degree in Nursing – 2nd Degree	407	432	508	515	508	-1.4%	25%
<b>Total</b>	<b>11,644</b>	<b>11,708</b>	<b>13,192</b>	<b>14,923</b>	<b>15,128</b>	<b>1.4%</b>	<b>30%</b>

<sup>1</sup> Eighteen programs did not respond to the survey in 2013 but did respond in 2012. For these programs, we used the data reported for 2011-12. Five programs did not respond in 2013 and did not have data for the prior year; therefore, we did not include these programs in our analysis.

<sup>2</sup> The 2008-09 data is prior to the law taking effect.

<sup>3</sup> Since the law took effect, practical nursing (bridge curriculum) programs have grown from two programs in 2008-09 with enrollment to nine programs with enrollment in 2012-13, which accounts for the large percentage increase in graduates from 2008-09 to 2012-13.

Source: OPPAGA survey of nursing education programs.

The licensure exam passage rates of the nursing programs created since 2009 that had graduates who took the licensure exam declined—approximately 73% had exam passage rates that were more than 10% below the national average for the 2013 calendar year. Since the statutory changes took effect in July 2009, 112 of the 231 newly-approved programs had graduates who took the National Council of State Boards of Nursing Licensure Examination (NCLEX) in calendar year 2013. Approximately 73% of these programs (82 of the 112) had exam passage rates that were more than 10% below the national average.<sup>22</sup> During 2013, 24 of the 82 programs were on probation; if the remaining programs continue to have licensure passage rates 10% below the national average for another consecutive calendar year, Florida law requires the Board of Nursing to place these programs on probation.<sup>23</sup> Of the remaining 30 programs that had graduates who took the licensure exam, 10 had passage rates that were slightly below the national average, while the remaining 20

programs met or exceeded the national average for the 2013 calendar year.<sup>24, 25</sup>

The overall licensure exam passage rate in Florida for associate degree in nursing programs was 74%, for licensed practical nursing programs was 75%, and for bachelor’s degree in nursing programs was 88%; these rates were a decline from 2012. In addition, the overall number of students who passed the exam decreased compared to 2012. Appendix B lists the passage rates for each nursing program in Florida.

Most practical nursing program graduates (73%) that received their initial license in 2011 were likely employed in a nursing-related field. As the curriculum length for practical nursing programs is typically one year, data was available to determine if practical nursing students who graduated since the passage of the 2009 law were

<sup>24</sup> The national average exam passage rates for each program type vary from 85.18% for a bachelor’s degree program, 81.43% for an associate degree program, and 84.63% for a practical nursing program.

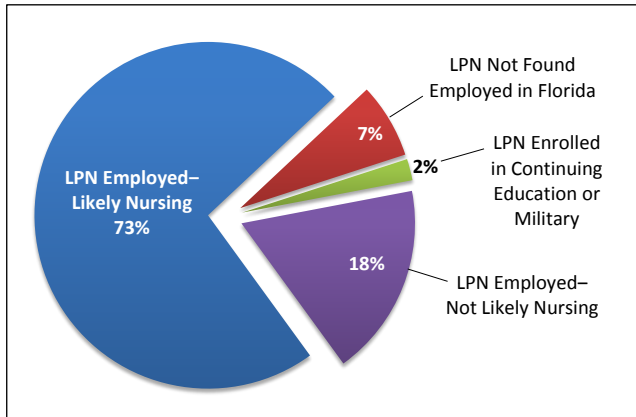
<sup>25</sup> In calendar year 2012, 158 new bachelor’s degrees in nursing program graduates took the NCLEX exam, while 2,555 new associate degree in nursing program graduates and 753 new practical nursing program graduates took the exam.

<sup>22</sup> All of these programs were private institutions licensed by the Commission for Independent Education.

<sup>23</sup> These guidelines do not apply to programs that are accredited by a specialized nursing accrediting agency in accordance with s. [464.003\(1\)](#), F.S.

likely employed in a nursing-related field.<sup>26</sup> As of 2012, 73% of the practical nursing program graduates that received their initial license in 2011 were likely employed in a nursing-related field.<sup>27</sup> (See Exhibit 8.)

**Exhibit 8  
Most Graduates of Practical Nursing (LPN) Programs Who Received Their Initial Nursing Licenses in 2011 Were Likely Employed in Nursing-Related Fields<sup>1</sup>**



<sup>1</sup> The FETPIP data used in this analysis shows whether nurses were employed in a nursing-related industry, but it did not indicate that they were employed as nurses.

Source: OPPAGA analysis of licensure data from the Department of Health and unemployment insurance data from the Florida Education and Training Placement Information Program (FETPIP).

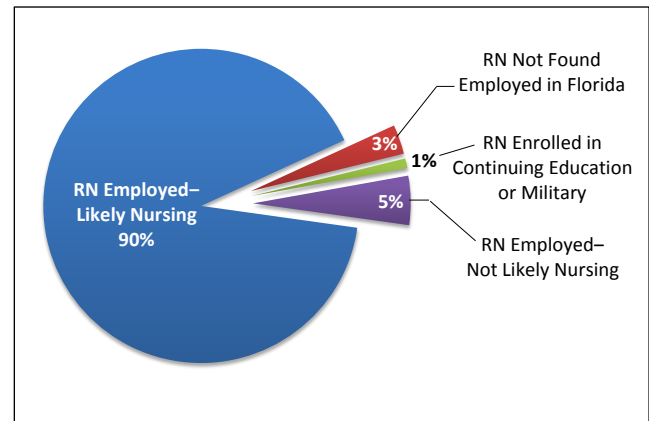
Most nursing program graduates (90%) that received their initial registered nurse license in 2011 were likely employed in a nursing-related field. Registered nurses (RNs) may be graduates of associate degree and bachelor’s degree nursing

<sup>26</sup> This analysis is based on licensure data from the Department of Health and unemployment insurance data from the Florida Education and Training Placement Information Program (FETPIP). This data includes any nurses who received their licenses by passing the licensure exam in 2011 and may include students who graduated in prior years. The FETPIP data shows whether nurses are employed in a nursing-related industry but it does not indicate that they are employed as nurses. Nursing-related industries include hospitals, doctors’ offices, assisted living facilities, nursing homes, and other patient care facilities. Nursing-related industries may also include educational programs that teach health care or health care insurance industries.

<sup>27</sup> This is consistent with the previous findings: in 2011, 72% of the practical nursing program graduates that received their initial license in 2010 were employed in a nursing-related field, while 21% of these graduates were not employed in a nursing-related field.

programs.<sup>28</sup> As of 2012, 90% of the associate or bachelor’s nursing program graduates that received their initial RN license in 2011 were likely employed in a nursing-related field. (See Exhibit 9.) Appendix C shows the percentages of Florida nursing program graduates (practical, associate degree, and bachelor’s degree) who received their licenses in 2007 through 2011 and were likely employed in a nursing-related field as of 2012.

**Exhibit 9  
Most Graduates of Nursing Programs Who Received Their Initial Registered Nursing (RN) Licenses in 2011 Were Likely Employed in Nursing-Related Fields<sup>1 2</sup>**



<sup>1</sup> The FETPIP data used in this analysis shows whether nurses were employed in a nursing-related industry, but it did not indicate that they were employed as nurses.

<sup>2</sup> Percentages do not add exactly to 100% due to rounding.

Source: OPPAGA analysis of licensure data from the Department of Health and unemployment insurance data from the Florida Education and Training Placement Information Program (FETPIP).

<sup>28</sup> This analysis is based on licensure data from the Department of Health and unemployment insurance data from the Florida Education and Training Placement Information Program (FETPIP). This data includes any nurses who received their licenses by passing the licensure exam in 2011 and may include students who graduated in prior years. The FETPIP data shows whether nurses are employed in a nursing-related industry, but it does not indicate that they are employed as nurses. Nursing-related industries include hospitals, doctors’ offices, assisted living facilities, nursing homes, and other patient care facilities. Nursing-related industries may also include educational programs that teach health care or health care insurance industries.

**Appendix A**

**Retention of Florida Nursing Education Programs**

**Nursing Program Student Retention**

Exhibit A-1 shows the number of new students enrolled in each type of nursing program who entered the programs in 2010, 2011, and 2012 and the percentage of students retained (i.e., still enrolled in the programs). Retention rates provide information on whether students persist in or complete their educational program a year later. We assessed retention in each type of nursing program using the cohort of students who entered the programs in 2010, 2011, and 2012. To calculate retention for each cohort, we added the number of graduates and the number of students still enrolled and divided by the number of newly enrolled students. Overall, the retention rate for students who entered in 2012 was slightly lower than the rates for those who entered in 2011.

**Exhibit A-1  
The Percentage of Students Retained in Nursing Programs Decreased in 2013<sup>1</sup>**

Curriculum Type	Students Entering in 2010 (Status as of 2011)		Students Entering in 2011 (Status as of 2012)		Students Entering in 2012 <sup>2</sup> (Status as of 2013)	
	Total New Students Enrolled	Percentage Retained	Total New Students Enrolled	Percentage Retained	Total New Students Enrolled	Percentage Retained
Practical Nursing (LPN) – Generic	2,947	79%	2,494	79%	2,954	81%
Associate's Degree in Nursing – Generic	4,605	85%	4,472	85%	6,305	81%
Associate's Degree in Nursing – Bridge	1,173	83%	1,440	89%	2,299	84%
Bachelor's Degree in Nursing – Generic	1,478	92%	2,023	94%	1,665	93%
Bachelor's Degree in Nursing – 2nd Degree	538	87%	459	93%	576	95%
<b>Total</b>	<b>10,741</b>	<b>84%</b>	<b>10,888</b>	<b>86%</b>	<b>13,799</b>	<b>84%</b>

<sup>1</sup> Nursing programs admit students throughout the year, with several programs admitting students multiple times per year. We requested each nursing program to select a cohort of students for 2010, 2011, and 2012 and report to us the outcomes of these students over a one-year period.

<sup>2</sup> Eighteen programs did not respond to the survey in 2013 but did respond in 2012. For these programs, we used the data reported for 2011-12. For these programs, we used the data reported for 2011-12. Five programs did not respond in 2013 and did not have data for the prior year; therefore, we did not include these programs in our analysis.

Source: OPPAGA survey of nursing education programs.



**Appendix B**

**Licensed Practical Nurse Program Graduate Exam Scores**

Exhibit B-1 shows for each institution the passage rates for licensed practical nurse program graduates who took the National Council of State Boards of Nursing's National Council Licensure Examination (NCLEX) during calendar years 2011 through 2013.<sup>1,2</sup> The percentage of exam takers who passed the exam continued to decline from 2012 to 2013 (77% to 75%). Programs approved since the 2009 law are highlighted in yellow.

**Exhibit B-1  
Passage Rates for Licensed Practical Nurse Program Graduates<sup>1</sup>**

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-201	Academy for Nursing and Health Occupations	149	116	78%	114	92	81%	63	55	87%
70-240	American Health Institute							4	2	50%
70-138	American Medical Academy				6	5	83%	0	0	
70-152	Azure College – Boca Raton							1	1	100%
70-117	Azure College – Miami Gardens				20	4	20%	56	11	20%
70-147	Azure College – Sebring							24	18	75%
70-107	Bradford-Union Area Vocational Technical Center	17	16	94%	15	15	100%	19	17	89%
70-172	Brevard Community College	38	26	68%	32	28	88%	30	25	83%
70-133	Brewster Technical Center	17	15	88%	15	13	87%	21	19	90%
70-186	Broward Atlantic Technical Center	89	85	96%	88	84	95%	93	86	92%
70-210	Broward Blanche Ely High School	9	8	89%	18	17	94%	10	7	70%
70-202	Broward McFatter Technical Center	126	105	83%	122	105	86%	122	104	85%
70-205	Broward Sheridan Technical Center	104	91	88%	101	83	82%	120	93	78%
70-127	Cambridge Institute of Allied Health and Technology – Altamonte Springs	16	6	38%	12	7	58%	32	24	75%

<sup>1</sup> This includes both licensed practical nurse (generic program) students as well as licensed practical nurse (bridge program) students.

<sup>2</sup> This data includes only first-time test takers.

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-227	Cambridge Institute of Allied Health and Technology – Delray Beach				3	1	33%	4	2	50%
70-135	Capscore Academy for Healthcare Education				13	4	31%	42	15	36%
70-277	Caregiver Education	30	10	33%	32	11	34%	6	0	0%
70-272	Carleen Home Health School	24	19	79%	15	5	33%	9	2	22%
70-288	Casel Healthcare Training Center				41	24	59%	31	16	52%
70-132	Center for Allied Health & Nursing Education – Jacksonville				47	41	87%	53	43	81%
70-155	Center for Allied Health & Nursing Education – Tampa	78	76	97%	110	100	91%	62	61	98%
70-131	Centura Institute	42	20	48%	50	30	60%	25	16	64%
70-166	Charlotte Technical Center	48	44	92%	39	29	74%	75	62	83%
70-100	Chipola College	11	11	100%	8	8	100%	10	10	100%
70-105	Choice Technical Center	36	35	97%	41	40	98%	35	35	100%
70-237	Christian International School of Healthcare Professions				9	9	100%	3	3	100%
70-102	College of Central Florida	27	27	100%	28	26	93%	31	28	90%
70-282	Community Educational School – Indian River County	7	6	86%	7	7	100%	8	8	100%
70-125	Concorde Career Institute	53	45	85%	41	37	90%	38	36	95%
70-221	Coral Ridge Training School	47	10	21%	20	2	10%	2	0	0%
70-288	Dade County – Homestead Senior High	14	13	93%	11	8	73%	6	5	83%
70-153	Dade County – Lindsey Hopkins Technical Center	71	63	89%	62	52	84%	97	71	73%
70-254	Dade County – Miami Lakes Technical Center	124	102	82%	116	87	75%	81	64	79%
70-248	Dade County – Robert Morgan Technical Center	120	105	88%	109	100	92%	70	63	90%
70-148	Dade Medical College – Hialeah				31	18	58%	0	0	
70-270	Dade Medical College – Hollywood				5	3	60%	0	0	
70-284	Dade Medical College – Homestead				8	4	50%	2	1	50%
70-274	Dade Medical College – Miami				4	1	25%	0	0	
70-185	Daytona State College	65	64	98%	86	81	94%	64	61	95%
70-163	DeSoto County School of Practical Nursing	11	6	55%	10	8	80%	8	6	75%
70-110	Dr. Earl Lennard High School – Ruskin	4	0	0%	1	0	0%	0	0	
70-154	Erwin Vocational Technical Center	137	117	85%	155	143	92%	133	122	92%

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-156	Express Training Services							15	10	67%
70-279	Faith Medical Institute				6	5	83%	8	2	25%
70-182	First Coast Technical College	44	37	84%	45	38	84%	74	60	81%
70-106	Florida Gateway College	56	50	89%	32	31	97%	57	51	89%
70-216	Florida National University – Hialeah	22	12	55%	19	8	42%	17	4	24%
70-231	Florida National University – Miami	26	23	88%	25	11	44%	5	3	60%
70-179	Florida State College at Jacksonville	99	70	71%	104	72	69%	74	40	54%
70-181	Fort Myers Institute of Technology – Fort Myers	79	73	92%	35	34	97%	48	45	94%
70-219	Fort Myers Institute of Technology – Labelle	3	3	100%	8	8	100%	5	5	100%
70-123	Fortis College – Tampa	63	48	76%	67	52	78%	52	45	87%
70-161	Gadsden Health Center for Education				9	9	100%	4	4	100%
70-104	Galen School of Nursing	212	193	91%	218	190	87%	119	91	76%
70-224	Genesis Vocational Institute							1	0	0%
70-260	Green Cross School of Nursing	31	15	48%	11	1	9%	10	4	40%
70-197	Gulf Coast State College	30	27	90%	32	28	88%	29	25	86%
70-118	Health Opportunity Technical Center	74	25	34%	51	10	20%	16	0	0%
70-126	Heath Education Training School				4	0	0%	4	1	25%
70-264	Hope Health Career Institute	16	8	50%	29	8	28%	13	3	23%
70-149	Horizon Healthcare Institute – Ft. Myers							22	8	36%
70-246	Horizon Healthcare Institute – Palm Bay							1	0	0%
70-206	Horizon Healthcare Institute – Port Charlotte							7	2	29%
70-243	Ideal Professional Institute							1	1	100%
70-145	Immokalee Technology Center	14	11	79%	32	29	91%	15	12	80%
70-177	Indian River State College	58	53	91%	72	66	92%	59	55	93%
70-169	Inlet Grove Adult Community High School				9	8	89%	3	3	100%
70-116	Inlet Grove Community High School	48	32	67%	5	1	20%	1	0	0%
70-213	International Academy Training Center				18	5	28%	11	1	9%
70-217	International Institute for Healthcare Professionals – Boca Raton							3	2	67%

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-241	International Institute for Healthcare Professionals – Ft. Pierce							9	2	22%
70-178	Lake County Technical Center	71	67	94%	72	66	92%	50	44	88%
70-142	Lee County High Technical Center North	33	33	100%	32	31	97%	28	27	96%
70-130	Lincoln Technical Institute	68	50	74%	123	58	47%	78	45	58%
70-199	Lively Technical Center	53	49	92%	42	36	86%	38	34	89%
70-236	Locklin Technical Center	1	1	100%	9	8	89%	20	18	90%
70-170	Lorenzo Walker Institute of Technology	62	44	71%	44	33	75%	55	40	73%
70-183	Manatee Technical Institute	75	69	92%	63	58	92%	76	65	86%
70-139	Medical Prep Institute of Tampa Bay				50	24	48%	27	20	74%
70-141	Med-Life Institute – Bradenton							14	4	29%
70-209	Med-Life Institute – Kissimmee							28	11	39%
70-208	Med-Life Institute – Miramar							6	1	17%
70-239	Med-Life Institute – Naples				2	0	0%	46	9	20%
70-238	Med-Life Institute – Pompano Beach				13	2	15%	56	6	11%
70-223	Med-Life Institute – West Palm Beach							3	0	0%
70-124	Meditech Institute				4	1	25%	27	11	41%
70-115	MedVance Institute – Miami	33	25	76%	27	23	85%	15	13	87%
70-111	MedVance Institute – Palm Springs	38	19	50%	39	24	62%	41	27	66%
70-109	MedVance Institute – Stuart	40	26	65%	75	58	77%	42	39	93%
70-160	Mercy Hospital School of Practical Nursing	68	52	76%	65	56	86%	63	58	92%
70-140	Miami Dade College	5	4	80%	84	51	61%	60	43	72%
70-220	North Broward Technical Center							11	7	64%
70-189	North Florida Community College	24	20	83%	23	19	83%	18	18	100%
70-187	Orlando Tech	64	57	89%	60	49	82%	63	47	75%
70-180	Palm Beach County Schools	9	0	0%	1	0	0%	16	0	0%
70-150	Palm Beach State College	35	34	97%	44	41	93%	30	27	90%
70-228	Palm Beach Vocational Institute				44	12	27%	33	5	15%
70-164	Pasco Hernando Community College	95	86	91%	81	78	96%	75	73	97%

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-157	Pensacola State College	27	26	96%	39	34	87%	42	35	83%
70-194	Pinellas Technical Education Center – Clearwater	125	107	86%	98	92	94%	78	75	96%
70-151	Pinellas Technical Education Center – St. Petersburg	86	80	93%	72	64	89%	81	81	100%
70-129	Premiere International Institute <sup>2</sup>				7	6	86%	3	0	0%
70-222	Rasmussen College – Land O' Lakes							27	25	93%
70-119	Rasmussen College – New Port Richey	45	43	96%	31	23	74%	4	2	50%
70-214	Rasmussen College – Ocala							3	2	67%
70-232	Rasmussen College – Tampa				1	0	0%	0	0	
70-108	Ridge Career Center	58	55	95%	29	29	100%	52	47	90%
70-290	Rose Training Institute	37	12	32%	15	5	33%	5	0	0%
70-249	Saber, Inc.	114	62	54%	99	56	57%	72	43	60%
70-196	Santa Fe College	22	22	100%	20	19	95%	22	22	100%
70-193	Sarasota County Technical Institute	62	58	94%	58	54	93%	54	52	96%
70-175	Seminole State College	33	31	94%	32	31	97%	31	29	94%
70-112	Sigma College – Oakland Park	111	25	23%	82	24	29%	75	14	19%
70-192	Sigma College – Royal Palm Beach				1	0	0%	0	0	
70-168	South Florida Community College	25	25	100%	20	20	100%	24	23	96%
70-159	South Technical Academy	4	0	0%	2	1	50%	9	7	78%
70-134	Southeastern College – Green Acres	50	37	74%	36	22	61%	18	17	94%
70-144	Southeastern College – Jacksonville	54	53	98%	45	39	87%	37	31	84%
70-269	Southeastern College – Miami Lakes	61	54	89%	29	28	97%	19	19	100%
70-207	Southeastern College – New Port Richey	82	75	91%	49	46	94%	32	29	91%
70-190	Southeastern College – St. Petersburg	42	39	93%	32	28	88%	30	27	90%
70-121	Southwest Florida Technical Institute				35	16	46%	42	18	43%
70-203	Sunshine Training Center				5	1	20%	10	4	40%
70-173	Suwannee-Hamilton Technical Center	15	11	73%	18	17	94%	17	14	82%
70-128	Tampa Bay Technical High School	17	4	24%	5	2	40%	0	0	
70-114	Taylor College	47	33	70%	57	48	84%	53	45	85%
70-136	Technical Education Center Osceola	61	60	98%	30	29	97%	31	30	97%

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-286	Techni-Pro Institute	5	4	80%	20	8	40%	38	6	16%
70-191	Tom P. Haney Technical Center	40	38	95%	45	42	93%	32	28	88%
70-195	Traviss Career Center	65	59	91%	70	62	89%	52	49	94%
70-113	Victoria Medical College				10	3	30%	1	0	0%
70-162	Vintex Training Institute	57	23	40%	18	6	33%	8	2	25%
70-215	Virginia College at Pensacola	22	19	86%	24	22	92%	30	28	93%
70-120	Walton Career Development Center	31	30	97%	42	41	98%	37	36	97%
70-171	Washington-Holmes Technical Center	40	38	95%	49	40	82%	37	34	92%
70-212	West Lawrence School of Nursing							6	3	50%
70-167	Withlacoochee Technical Institute	16	15	94%	26	25	96%	11	11	100%
<b>Total Statewide<sup>3</sup></b>		<b>4,617</b>	<b>3,695</b>	<b>80%</b>	<b>4,724</b>	<b>3,657</b>	<b>77%</b>	<b>4,315</b>	<b>3,251</b>	<b>75%</b>
<b>National Average</b>				<b>85%</b>			<b>85%</b>			<b>85%</b>

<sup>1</sup> All percentages are rounded to the nearest whole number. Remedial programs were not included in the table or statewide totals.

<sup>2</sup> Premiere International Institute was previously named West Lawrence Academy.

<sup>3</sup> The statewide totals include graduates of closed programs.

Source: *National Council Licensure Examination for Practical Nurses Quarterly Report* from the Florida Board of Nursing.

# Associate Degree in Nursing (Generic and Bridge) Program Graduate Exam Scores

Exhibit B-2 shows for each institution the passage rates for associate degree in nursing program graduates who took the National Council of State Boards of Nursing’s National Council Licensure Examination (NCLEX) during calendar years 2011 through 2013.<sup>3</sup> This includes both associate degree in nursing (generic curriculum) program students as well as associate degree in nursing (bridge curriculum) program students. While the percentage of exam takers who passed declined from 2012 to 2013 (83% to 74%), the overall number of students passing the exam increased (6,182 to 6,407). Programs approved since the 2009 law are highlighted in yellow.

**Exhibit B-2  
Passage Rates for Associate Degree in Nursing Program Graduates<sup>1</sup>**

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-463	Academy for Nursing and Health Occupations	136	116	85%	162	138	85%	191	135	71%
70-410	Adventist University of Health Sciences				48	19	40%	140	39	28%
70-458	Azure College – Miami Gardens							8	5	63%
70-459	Azure College – Sebring									
70-470	Brevard Community College – Cocoa Campus	74	65	88%	59	52	88%	68	55	81%
70-438	Brevard Community College – Palm Bay Campus	59	55	93%	53	47	89%	52	45	87%
70-475	Broward College	373	342	92%	360	352	98%	329	309	94%
70-466	Brown Mackie College							48	25	52%
70-700	Burnett International College							31	9	29%
70-429	Cambridge Medical Institute	13	9	69%	50	18	36%	36	14	39%
70-479	Carleen Home Health School				23	13	57%	199	45	23%
70-401	Chipola College	53	48	91%	67	50	75%	62	49	79%
70-715	Christian International School of Healthcare Professions							5	4	80%
70-437	City College – Ft. Lauderdale	46	30	65%	107	55	51%	66	28	42%

<sup>3</sup> This data includes only first-time test takers.

NCLX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-449	City College – Miami	1	1	100%	104	68	65%	41	22	54%
70-451	College of Central Florida – Lecanto Campus	4	4	100%	20	19	95%	0	0	
70-482	College of Central Florida – Ocala Campus	91	87	96%	70	67	96%	103	93	90%
70-433	Concorde Career Institute – Jacksonville	36	18	50%	34	27	79%	32	22	69%
70-499	Concorde Career Institute – Miramar	26	15	58%	40	30	75%	35	18	51%
70-419	Concorde Career Institute – Orlando				5	3	60%	23	16	70%
70-421	Concorde Career Institute – Tampa	14	10	71%	24	18	75%	29	24	83%
70-431	Dade Medical College – Hollywood	42	14	33%	267	103	39%	106	41	39%
70-432	Dade Medical College – Homestead				32	26	81%	37	22	59%
70-408	Dade Medical College – Miami	22	12	55%	128	59	46%	117	39	33%
70-452	Dade Medical College – Miami Lakes				77	43	56%	51	23	45%
70-723	Dade Medical College – West Palm Beach							9	7	78%
70-483	Daytona State College	188	178	95%	220	203	92%	215	195	91%
70-472	Edison State College	270	240	89%	241	222	92%	226	202	89%
70-430	Everest University – Brandon	15	14	93%	29	27	93%	33	20	61%
70-417	Florida Career College – Boynton Beach				105	42	40%	83	32	39%
70-722	Florida Career College – Lauderdale Lakes							4	4	100%
70-478	Florida Gateway College	73	66	90%	76	74	97%	65	55	85%
70-474	Florida Keys Community College	33	32	97%	61	56	92%	40	37	93%
70-453	Florida National University – Hialeah Main Campus	22	12	55%	33	15	45%	56	22	39%
70-443	Florida National University – Hialeah Training Campus				30	21	70%	51	17	33%
70-454	Florida National University – Miami				61	35	57%	39	17	44%
70-473	Florida State College at Jacksonville	394	331	84%	373	332	89%	304	266	88%
70-412	Fortis College – Largo				2	1	50%	55	38	69%
70-447	Fortis College – Pensacola	114	70	61%	59	57	97%	66	55	83%
70-422	Fortis Institute				21	17	81%	52	37	71%
70-411	Galen Health Institute	133	115	86%	147	139	95%	203	160	79%
70-481	Gulf Coast State College	70	66	94%	101	96	95%	110	87	79%



NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-444	Herzing College	45	42	93%	17	10	59%	85	70	82%
70-469	Hillsborough Community College	225	179	80%	321	270	84%	283	214	76%
70-702	Hope College of Arts and Sciences							35	17	49%
70-477	Indian River State College	136	123	90%	119	117	98%	107	97	91%
70-732	International Institute for Healthcare Professionals – Boca Raton							5	4	80%
70-729	International Institute for Healthcare Professionals – Ft. Pierce							1	1	100%
70-448	ITT Technical Institute – Ft. Lauderdale							1	1	100%
70-488	ITT Technical Institute – Ft. Myers	3	1	33%	1	1	100%	17	13	76%
70-435	ITT Technical Institute – Jacksonville				2	0	0%	28	12	43%
70-434	ITT Technical Institute – Lake Mary				4	4	100%	47	22	47%
70-446	ITT Technical Institute – Miami							2	1	50%
70-445	ITT Technical Institute – Tallahassee							25	14	56%
70-498	ITT Technical Institute – Tampa				65	42	65%	66	28	42%
70-404	Jersey College – Tampa <sup>2</sup>	24	23	96%	140	110	79%	99	65	66%
70-456	Jersey College – Jacksonville <sup>2</sup>				21	20	95%	73	49	67%
70-735	Jersey College – Ft. Lauderdale <sup>2</sup>							1	0	0%
70-442	Kaplan College				1	1	100%	46	23	50%
70-441	Kaplan University	22	11	50%	1	1	100%	19	9	47%
70-423	Keiser University – Ft. Lauderdale	33	26	79%	57	53	93%	51	41	80%
70-490	Keiser University – Jacksonville	28	22	79%	43	38	88%	28	21	75%
70-407	Keiser University – Kendall	33	28	85%	39	38	97%	32	20	63%
70-403	Keiser University – Lakeland	33	27	82%	54	49	91%	64	49	77%
70-415	Keiser University – Melbourne	55	47	85%	54	49	91%	61	55	90%
70-455	Keiser University – Orlando	36	32	89%	34	31	91%	64	52	81%
70-440	Keiser University – Port Saint Lucie							32	31	97%
70-420	Keiser University – Sarasota	45	43	96%	36	35	97%	36	34	94%
70-426	Keiser University – Tallahassee	18	15	83%	11	10	91%	27	21	78%

NCLX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-418	Keiser University – Tampa	9	8	89%	40	35	88%	33	28	85%
70-406	Keiser University – West Palm Beach	47	35	74%	50	43	86%	54	48	89%
70-405	Lake-Sumter State College	70	68	97%	86	80	93%	74	59	80%
70-713	Management Resources Institute							56	45	80%
70-733	Medical Prep Institute of Tampa Bay							23	23	100%
70-719	Med-Life Institute – Pompano Beach							15	2	13%
70-409	Mercy Hospital College of Nursing – Miami	35	30	86%	34	32	94%	37	31	84%
70-484	Miami Dade College	515	434	84%	539	454	84%	575	446	78%
70-416	North Florida Community College	23	19	83%	21	21	100%	24	22	92%
70-450	Northwest Florida State College	55	55	100%	48	48	100%	68	61	90%
70-492	Palm Beach State College – Belle Glade	13	13	100%	11	8	73%	16	14	88%
70-486	Palm Beach State College – Lake Worth	143	138	97%	154	145	94%	161	136	84%
70-728	Palm Beach Vocational Institute							20	9	45%
70-464	Pasco Hernando Community College	161	138	86%	151	129	85%	175	148	85%
70-487	Pensacola State College – Warrington Campus	218	178	82%	302	220	73%	255	154	60%
70-476	Polk State College	142	139	98%	147	143	97%	154	140	91%
70-414	Professional Training Center				20	10	50%	42	15	36%
70-436	Rasmussen College – Ft. Myers Campus				34	26	76%	96	65	68%
70-491	Rasmussen College – New Port Richey				55	46	84%	135	92	68%
70-495	Rasmussen College – Ocala Campus	44	36	82%	93	75	81%	103	82	80%
70-494	Rasmussen College – Tampa Campus							52	33	63%
70-493	Saber, Inc.				33	21	64%	83	51	61%
70-428	Sanford Brown Institute	40	21	53%	34	23	68%	24	12	50%
70-471	Santa Fe College	137	129	94%	131	124	95%	134	115	86%
70-705	Schiller International University							1	1	100%
70-462	Seminole State College	187	181	97%	150	149	99%	206	197	96%
70-701	Sigma College – Oakland Park							60	18	30%
70-718	Sigma College – Royal Palm Beach							1	0	0%

NCLX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-400	South Florida State College	53	47	89%	36	34	94%	47	42	89%
70-413	Southeastern College – Miami Lakes	19	14	74%	23	22	96%	34	24	71%
70-439	Southeastern College – St. Petersburg							5	4	80%
70-714	Southwest Florida College							1	1	100%
70-731	Southwest Florida Technical Institute							8	2	25%
70-425	St. Johns River State College	65	59	91%	65	64	98%	71	63	89%
70-489	St. Petersburg College	397	348	88%	344	315	92%	340	282	83%
70-480	State College of Florida – Manatee-Sarasota	145	143	99%	137	135	99%	148	138	93%
70-468	Tallahassee Community College	49	44	90%	73	72	99%	84	75	89%
70-427	Taylor College – Belleview				17	10	59%	16	11	69%
70-457	Taylor College – Belleview	15	12	80%	30	16	53%	42	22	52%
70-740	Techni-Pro Institute							9	0	0%
70-497	Ultimate Medical Academy							27	17	63%
70-467	Valencia College	293	275	94%	266	252	95%	237	223	94%
70-703	Victoria Medical College							6	1	17%
70-424	Virginia College				12	8	67%	22	11	50%
<b>Total Statewide<sup>3</sup></b>		<b>4,690</b>	<b>4,010</b>	<b>86%</b>	<b>7,444</b>	<b>6,182</b>	<b>83%</b>	<b>8,707</b>	<b>6,407</b>	<b>74%</b>
<b>National Average</b>				<b>87%</b>			<b>90%</b>			<b>81%</b>

<sup>1</sup> All percentages are rounded to the nearest whole number. Remedial programs were not included in the table or statewide totals.

<sup>2</sup> Jersey College was previously named Center for Allied Health and Nursing Education.

<sup>3</sup> The statewide totals include graduates of closed programs.

Source: *National Council Licensure Examination for Registered Nurses Quarterly Report* from the Florida Board of Nursing.

# Bachelor of Science in Nursing (Generic and Second Degree) Program Graduate Exam Scores

Exhibit B-3 shows for each institution the passage rates for bachelor of science in nursing program graduates who took the National Council of State Boards of Nursing’s National Council Licensure Examination (NCLEX) in calendar years 2011 through 2013.<sup>4</sup> This includes both bachelor of science in nursing (generic program) students and bachelor of science in nursing second degree students. The percentage of exam takers who passed decreased from 2012 to 2013 (94% to 88%) as did the number of students passing the exam (2,300 to 2,246).

**Exhibit B-3  
Passage Rates for Bachelor of Science in Nursing Program Graduates<sup>1</sup>**

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-592	Barry University	150	127	85	154	145	94	103	75	73%
70-569	Bethune-Cookman University	63	49	78	52	45	87	52	32	62%
70-525	Chamberlain College of Nursing – Jacksonville	7	6	86	56	50	89	71	50	70%
70-540	Chamberlain College of Nursing – Miramar							9	9	100%
70-598	Florida A&M University	73	62	85	84	76	90	82	61	74%
70-566	Florida Atlantic University	62	58	94	76	70	92	75	70	93%
70-503	Florida Gulf Coast University	57	53	93	63	62	98	51	47	92%
70-589	Florida International University	149	140	94	223	211	95	175	156	89%
70-520	Florida Southern College	21	16	76	27	21	78	28	17	61%
70-590	Florida State University	108	103	95	110	106	96	121	107	88%
70-560	Jacksonville University	72	66	92	74	73	99	87	80	92%
70-508	Miller's College of Nursing							1	1	100%
70-578	Nova Southeastern University – Ft. Lauderdale	145	137	94	216	195	90	249	221	89%
70-596	Nova Southeastern University –Ft. Myers	21	19	90	59	49	83	76	50	66%
70-530	Palm Beach Atlantic University	30	29	97	52	48	92	41	35	85%

<sup>4</sup> This data includes only first-time test takers.

NCLEX Code	School	2011 Calendar Year			2012 Calendar Year			2013 Calendar Year		
		Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed	Exam Takers	Number Passed	Percentage Passed
70-568	Pensacola Christian College	84	69	82	86	81	94	98	88	90%
70-513	Professional Training Centers							1	0	0%
70-515	Remington College of Nursing	71	66	93	76	73	96	73	69	95%
70-504	South University – Tampa	80	69	86	85	70	82	86	69	80%
70-570	South University – West Palm Beach	57	52	91	58	55	95	70	55	79%
70-567	University of Central Florida	237	227	96	218	215	99	222	212	95%
70-585	University of Florida – Gainesville	128	117	91	186	179	96	239	221	92%
70-591	University of Miami	180	172	96	120	118	98	189	181	96%
70-594	University of North Florida	128	113	88	115	112	97	106	102	96%
70-565	University of South Florida	210	199	95	184	172	93	186	169	91%
70-510	University of Tampa	39	38	97	37	36	97	40	39	98%
70-505	University of West Florida	29	27	93	38	38	100	34	30	88%
<b>Total Statewide</b>		<b>2,201</b>	<b>2,014</b>	<b>92%</b>	<b>2,449</b>	<b>2,300</b>	<b>94%</b>	<b>2,565</b>	<b>2,246</b>	<b>88%</b>
<b>National Average</b>				<b>89%</b>			<b>92%</b>			<b>85%</b>

<sup>1</sup> All percentages are rounded to the nearest whole number. Remedial programs were not included in the table or statewide totals.

<sup>2</sup> The statewide totals include graduates of closed programs.

Source: *National Council Licensure Examination for Registered Nurses Quarterly Report* from the Florida Board of Nursing.

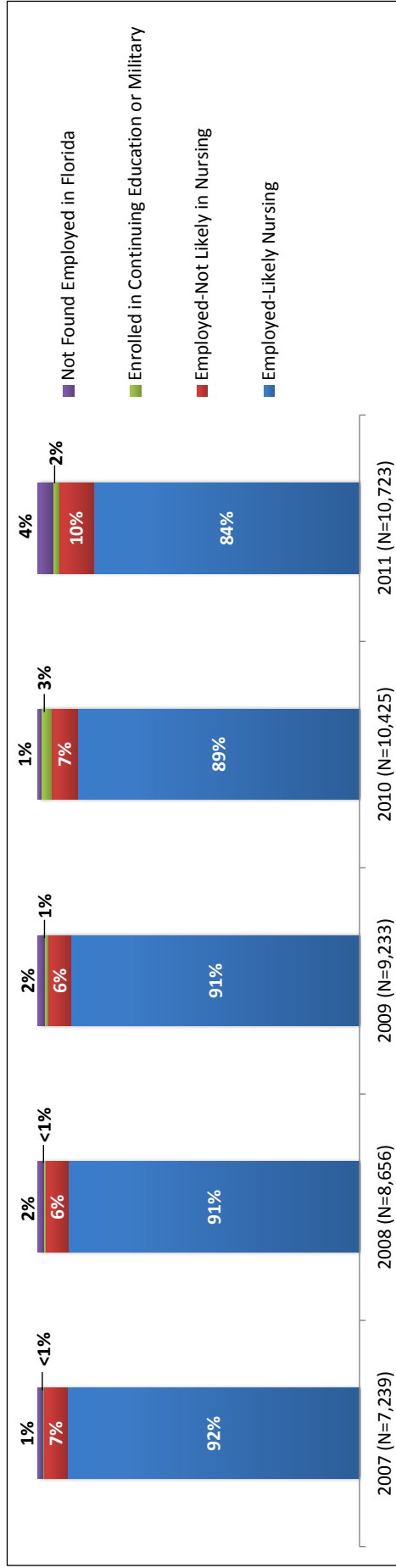
## Appendix C

# Employment Outcomes of Florida Nursing Education Program Graduates

Exhibit C-1 shows the percentages of Florida nursing program graduates who received their licenses in 2007 through 2011 and were employed in a nursing-related field as of 2012. The data showed that most individuals who graduated from a Florida nursing program and received a license to practice nursing were employed in nursing-related fields in Florida.<sup>5</sup> For example, 92% of 2007 licensees, 91% of 2008 licensees, 91% of 2009 licensees, 89% of 2010 licensees, and 84% of 2011 licenses were employed in a health care-related field in Florida.<sup>6</sup> To determine how many graduates were likely employed in nursing fields in Florida, we obtained data on individuals who were approved for a nursing license (practical nursing or professional nursing) in 2007, 2008, 2009, 2010, and 2011 and selected those individuals who reported graduating from a Florida nursing school. We matched these individuals to the Florida Education and Training Placement Information Program (FETPIP) unemployment insurance database to determine if they were employed in Florida and where they were employed.

### Exhibit C-1

**Most Graduates of Florida Nursing Programs Who Received a Nursing License from 2007 through 2011 Were Likely Employed in Nursing-Related Fields in 2012<sup>1</sup>**



<sup>1</sup> Percentages do not add exactly to 100% due to rounding.

Source: OPPAGA analysis of licensure data from the Department of Health and unemployment insurance data from the Florida Education and Training Placement Information Program (FETPIP).

<sup>5</sup> The 2007, 2008, 2009, 2010, 2011, and 2012 calendar years were the most recent years available for this analysis, as the unemployment insurance database runs a year behind.

<sup>6</sup> In 2011, all of the licensees identified as “enrolled in continuing education or in the military” were enrolled in continuing education.

# *The Florida Legislature*

## *Office of Program Policy Analysis and Government Accountability*

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Project supervised by Emily Sikes (850/717-0531)

Project conducted by Heather Orender Turner (850/717-0533), William Howard, and Sean Millard

David Summers (850/717-0555), Staff Director, Education Policy Area

R. Philip Twogood, Coordinator