

# ANNUAL REPORT

## OHIO BOARD OF NURSING

July 1, 2002 through June 30, 2003



*The mission of the Ohio Board of Nursing is to actively promote and protect the health of the citizens of Ohio through the safe and effective practice of nursing as defined by law. Measurable ends to achieve this mission include competent practitioners, informed public and a law which accurately reflects the dynamic practice of nursing.*

Prepared for The Honorable Bob Taft, Governor



# Ohio Board of Nursing

www.state.oh.us/nur

17 South High Street, Suite 400 • Columbus, Ohio 43215-3413 • (614) 466-3947

December 15, 2003

The Honorable Bob Taft  
Governor, State of Ohio  
77 South High Street, 30<sup>th</sup> Floor  
Columbus, Ohio 43215

Dear Governor Taft:

On behalf of the Board of Nursing (Board) we are pleased to submit this annual report for fiscal year 2003 in accordance with Section 4723.06 of the Ohio Revised Code (ORC). This report highlights the work of the thirteen-member Board, supported by a staff of approximately fifty-five employees throughout FY'03.

The 2003 fiscal year marked the first complete year with a new executive director, John Brion, RN, MS, who was hired in April of 2002. The year was one marked with growth, transition and improvement at the Board of Nursing. The major focus areas for the Board during 2003 include:

- In response to requests from individuals and organizations, began the process of collecting data about the current Ohio nursing workforce. This process will provide detailed information about current and expected work habits of nurses in the state allowing for a more accurate picture of Ohio's nursing workforce.
- In response to the public safety threat posed by the growing shortage of nurses in Ohio, the Board initiated a multi-media campaign to educate the public about nursing. This campaign, co-sponsored by several other state organizations, will target ethnic minorities and men, two groups currently not well represented in the nursing profession. Campaign media will direct individuals to a website containing information about nursing education and careers in Ohio.
- As of July 8, 2002, Began to implement criminal background checks for all individuals seeking initial licensure in Ohio as indicated in legislation (HB 327).
- Participated in the Department of Aging Governor's Task Force on the Healthcare Workforce Shortage.
- Worked closely with leadership of the MR/DD community to implement law and rule changes (SB 191) to increase access of residents in various settings to safe, effective and appropriate nursing care.
- The Board worked closely with individuals in the community to allow for certification of community health workers who provide basic services to mostly inner city and rural communities who traditionally lack access to health care. Certification of these individuals will begin in 2005.

The Board continued to meet all of the obligations imposed upon it by Chapter 4723 of the Ohio Revised Code. Licenses and certificates were issued to qualified individuals and renewed according to the Board's schedule; prelicensure nursing education programs were surveyed and approved; and disciplinary action was taken when licensees or certificate holders violated the law regulating nursing practice. All activities were geared

towards fulfilling the Board's mission and are described more fully in the body of this report.

Thank you for your support of the Board's efforts to enforce sections 4723.01 through 4723.99 of the Ohio Revised Code.

Sincerely,

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Mary Kay Sturbois, RN, BSN  
President

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John M. Brion, RN, MS  
Executive Director

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## **Board Members**

<b>Name/Position</b>	<b>City</b>	<b>Term Expires</b>
<b>Mary Kay Sturbois, RN, BSN,</b> President	Athens	12/31/03
<b>Mary Jean Flossie, LPN, LNHA</b> Vice President	Massillon	12/31/05
<b>Bertha Lovelace, RN, BA, CRNA</b> Advanced Practice Liaison	Shaker Heights	12/31/06
<b>Judith Brachman, Consumer</b> member Chair Advisory Group on Nursing Practice & Education	Columbus	12/31/03
<b>Janet Sekelsky, LPN</b> Licensure Liaison	Willowick	12/31/03
<b>Debra Broadnax, MSN, RN, CNS</b> Chair Advisory Group on Dialysis	Columbus	12/31/04
<b>Richard Nowowiejski, LPN, BARS</b>	Toledo	12/31/04
<b>Patricia Schlecht, RN, MSN</b> Education Liaison	Loveland	12/31/04
<b>Yvonne Smith, MSN, RN, CNS</b> Supervising Board Member for Disciplinary Matters	Canton	12/31/05
<b>T. Diann Caudill, LPN</b>	Newark	12/31/05
<b>Kathy Driscoll, JD, MS, RN</b> Legislative Liaison	West Chester	12/31/05
<b>Lisa Klenke, RN, MBA</b> Chair Advisory Group on Continuing Education and Fiscal Liaison	Coldwater	12/31/05
<b>Anne Barnett, BSN, RNC</b>	Junction City	12/31/06

The Board of Nursing (Board) met 7 times during the year for a total of 17 meeting days. Meetings were held at the Board offices, 17 South High Street, Suite 400, Columbus, Ohio. The May Board meeting was held at Lakeland Community College, Kirtland, Ohio. Approximately 97 individuals attended the meetings with 12 participating in the Open Forum opportunity provided during each meeting. Issues brought to the Board's attention through this public dialogue included:

- Information from the Catholic Health Partner's on their successes in dealing with nurse recruitment and retention.
- A request for the Board's support from the Diabetes Cost Reduction Act (DCRA) on legislation for diabetic education and supplies.
- Information on a proposed media campaign presented by Ohio Government Telecommunications (OGT) for a suggested marketing plan to help increase the number of nurses in Ohio.
- A request from Community Health Access (CHAP) to obtain the Board's support for legislation to certify its Community Care Coordinators (CCCs).
- Update on the proposed media campaign presented by (OGT), which included a draft Action Plan.
- A proposal to require a BSN degree as the minimum requirement to be licensed as a registered nurse.
- Information regarding support for the Interstate Licensure Compact.
- Information on the 1 hour CE offering sponsored by Ohio Nursing Law.
- Inquiry regarding when grant applications would become available.

In addition to carrying out its powers and duties pursuant to Chapter 4723 of the Revised Code (described more fully throughout this report), the Board also addressed several important issues that warranted special consideration. They included:

- Continual review of the Nursing Education Assistance Loan Program (NEALP) to determine how to make the program more responsive to students and potential students, particularly in light of the nursing shortage.
- A review of the provisions of S.B. 191, which allows trained unlicensed MR/DD personnel to administer medications and perform certain other health-related tasks to individuals with mental retardation/developmental disabilities, including the performance of certain tasks without nursing delegation. The Board also reviewed potential rules drafted by the Department of MR/DD as a result of passage of this bill.
- Following the events of September 11<sup>th</sup>, the overall safety of the workplace environment was scrutinized and structural changes made to improve employee safety. Security doors separating the waiting room from the main office space were installed. Electronic key card controlled locks were added and the use of visitor badges required. A disaster recovery plan was completed and is already in the process of being updated to incorporate the template recommended by public safety.
- Met with Sen. Harris, representatives from CHAP, and LSC to work on draft language included in H.B. 95 that requires the Board to certify community health workers.

Board members also were actively involved with the National Council of State Boards of Nursing. This participation enabled Ohio to work synergistically with regulatory boards across the country in order to enhance effectiveness and expertise. The result is safer nursing care and better public protection.

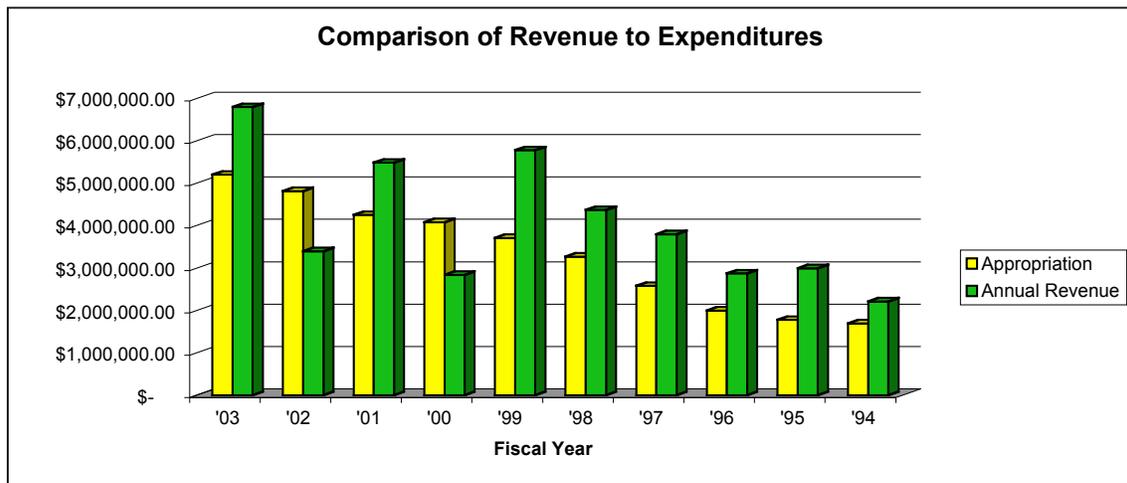
# ADMINISTRATION

*The Board of Nursing shall administer and enforce the provisions of Chapter 4723 of the Revised Code*

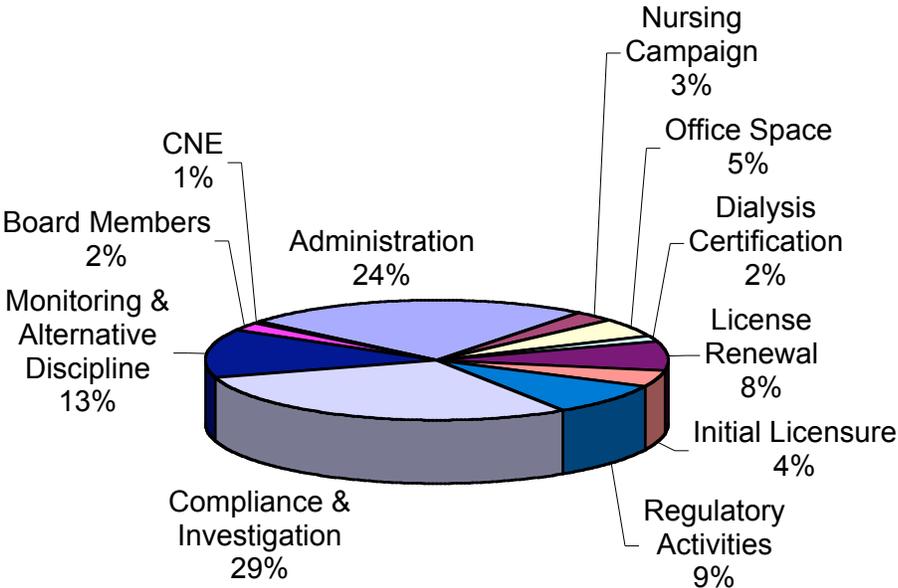
*A staff of 55 individuals, many of whom are registered nurses, supports the work of the 13-member Board. The administrative component of the staff includes fifteen individuals responsible for overall daily operations, such as fiscal and personnel matters and information technology. This unit also assumes responsibility for communications, both internally and externally, and the annual rule review required by section 119.032 of the Revised Code.*

## FISCAL OPERATIONS

The chart below depicts the variation from year to year in the income collected by the Board from licensing and other fees. The majority of RN license renewals occur on odd-numbered fiscal years while LPN renewals occur on even-numbered fiscal years. Given the disproportionate number of RNs to LPNs in the state of Ohio, the Board experiences an irregular flow of income. Board budgeted appropriations thus are based on two-year income projections as it is possible for the Board to expend more than it takes in during one year and have a surplus the next. The Board is in the process of evaluating the changes necessary to transition its license renewals to year round processing that will evenly distribute revenue yearly. Additionally, the Board's budget continues to increase within its revenue capacity in order to support and achieve its mission. The Board expects continued increases in its operational costs due to the addition of staff, expansion of automated services and inflation.



# Distribution of Costs



The chart above demonstrates the distribution of operational costs between the different programmatic functions of the Board. While the Administrative portion does seem high, costs for supplies, maintenance and computer services are charged almost exclusively to Administration. Additional breakouts were added this year to better portray the board's expenditures.

**Ohio Board of Nursing  
4K9 Fund—SFY 2003**

REVENUE

Endorsement	130,150.00
Examination	311,500.00
Certificates of Authority (all fees)*	144,090.00
Renewal (all other)	6,129,606.00
Dialysis Certification	58,015.00
CNE Approvers	3,350.00
Verification	1,050.00
Fines	11,392.50
Publications	7,338.66
Miscellaneous (all other fees)	3,785.34
<i>Donations to Special Issues Fund</i>	<i>3300.00</i>
	<b>Total    \$ 6,803,571.50</b>

\*Includes some RN renewals paid as one transaction.

**Transferred to Nurse Education Assistance Fund: \$ 205,710.00**

**OPERATIONAL COSTS**

<b>Payroll Account</b>	<b>Actual</b>
Payroll and Fringe Benefits	3,342,494.84
Training, Registrations, Etc.	10,581.00
Court Reporting Services	22,488.98
Hearing Officer Services	51,499.60
Computer Related Services	68,376.55
Nursing Ed. Consultants	15,717.24
Advisory Group Travel	6,912.30
Other Personal Services	28,137
<b>Original Allotment +/-</b>	<b>3,931,332.00</b>
<b>Adjustments</b>	
<b>Total Expended</b>	<b>3,546,207.51</b>

<b>Maintenance Account</b>	<b>Actual</b>
Attorney General Services	51,838.59
Equipment Maintenance, Rental & Repairs	18,927.11
Supplies & Small Equipment	30,789.33
Postage & Shipping	45,106.16
Printing	55,099.91
Publications	6,330.80
Telephone Charges	46,781.09
Travel Staff & Board	70,928.90
Computer Services, Charges & Maintenance	121,994.78

Office Space Rent, Repairs & Improvements	224,241.92
Bank Lockbox Service	6,089.48
Nurse Recruitment Campaign	123,199.00
All other costs	11,832.07
<i>Original Allotment +/- Adjustments</i>	<b>1,072,544.00</b>
<b>Total Expended</b>	<b>813,159.14</b>

<b>Equipment Account</b>	<b>Actual</b>
Computer Equipment	59,919.46
Fax/Telephone Equipment	1,920.00
Other Equipment	40,118.89
<i>Original Allotment +/- Adjustments</i>	<b>39,000.00</b>
<b>Total Expended</b>	<b>101,958.35</b>

<b>Refund Account</b>	<b>Actual</b>
Refunds	1,561.00
<b>Original Allotment +/- Adjustments</b>	<b>5,000.00</b>
<b>Total Refunded</b>	

### SUMMARY

Encumbered Funds Pending	\$ 161,705.44
Expended Funds at EOY	\$ 4,462,841.00
<b>Total Operational Expenses</b>	<b>\$ 4,624,546.44</b>
SFY 2003 Appropriation	\$ 5,205,776.00
Amount Returned to 4K9	\$ 581,229.56

### Nursing Special Issues Fund

<b>Transaction Type</b>	<b>Balance</b>
Yearly Legislative Allocation	\$5,000.00
Donations (Brought Forward)	\$5,850.00
Donations (New)	\$3,300.00
<i>Encumbrances &amp; Expenditures</i>	<i>(\$0.00)</i>
<b>Ending Balance*</b>	<b>\$14,150.00</b>

\* Unlike operational funding, the "Special Issues" funds are a separate line item and do not lapse with the fiscal year.

## **INFORMATION TECHNOLOGY**

Information Technology (IT) is an area of continual change and challenge for the Board. The Board makes a valiant attempt to keep pace with the continually evolving world of technology for both internal data management and external customer communication.

- The computer hardware and software used by our local and remote office staff was upgraded. All old and outdated equipment that could not be upgraded was de-commissioned.
- The Board continues to increase the amount of information available to its' constituents on the website.
- Public Information – Presently constituents have the ability to search and verify RN licenses, LPN licenses, Dialysis Technician Certifications and Prescriptive Authority certifications from the website.
- The Board created a network administrator position to further reduce its dependence on outside contractors for computer system support.

## **PERSONNEL MATTERS**

- The overall structure of the Board's organizational chart has continued to be re-defined under Director Brion as his first full year in that position came to a close during the 2003 Fiscal year. These changes allow for more efficient use of personnel, and help the Board to better deal with the challenges posed by the statewide financial situation.
- In all, during this fiscal year the Board has seen 10 separations, 13 promotions/reassignments, and 16 new hires/transfers from other state agencies.
- All open positions were filled in accordance with federal and state laws and, when appropriate, in accordance with the contracts between the State of Ohio and, OCSEA and SEIU/District 1199. (A roster of Board employees and their positions can be found at appendix "A").

## **COMMUNICATION**

*A well-informed public is one way to assure that the Board meets its mandate to protect the public from the unsafe practice of nursing and dialysis care. Informing the public means that nurses and dialysis technicians must be aware of and have access to the laws and rules governing their practice. They must be kept up-to-date regarding changes to these laws and rules and about other issues affecting nursing practice and dialysis care. The Board must also provide information to employers of nurses and dialysis technicians and to consumers of the care these individuals provide so they can be certain that their caregivers are both authorized to practice and free from disqualifying disciplinary action. The Board relies on several mechanisms to inform its public including personal interaction, written materials, and the use of technologies such as e-mail, a web page, and a list serve news service.*

## **PERSONAL INTERACTION**

- Board members and staff participated in a number of continuing education sessions during 2002. Topics included Board of Nursing general information, standards of practice and delegation standards, laws and rules updates, advanced practice, impairment, compliance, mutual recognition, Alternative Program for Chemical Dependency, and the Practice Intervention & Improvement Program.

- The Board also sponsored a spring continuing education conference in Sylvania for nursing students and licensed nurses. In addition, the annual fall 2002 Emerging Issues conference was held in Columbus.

### **WRITTEN MATERIALS**

All Board publications are available on the Board's web site at [www.state.oh.us/nur](http://www.state.oh.us/nur).

- The Board issued *Momentum*, its official newsletter, twice during the year. It was mailed to all holders of active licenses or certificates, approximately 185,000 individuals. The Spring 2003 issue was published in a new, magazine-style format. The comments received on the new format were overwhelmingly positive. In addition to allowing for more content in each issue, the new *Momentum* will be published quarterly.
- The following brochures or pamphlets were developed or updated and widely distributed to licensees, certificate holders, and students:
  - Facts About the Ohio Board of Nursing
  - Continuing Education Requirements for Licensed Nurses & Ohio Certified Dialysis Technicians
  - Nursing Standards & Delegation: A Guide to Ohio Board of Nursing Rules
  - The Board of Nursing & The Rule Making Process
  - Standards of Practice for Dialysis Technicians
  - Practice Intervention & Improvement Program: An Alternative Approach to Disciplinary Action
  - Booklets containing the law regulating the practice of nursing and the rules of the Board were published and distributed upon request. Significantly more hard copies of these documents were requested due to the new requirement regarding continuing education on Ohio's laws and rules.

### **ELECTRONIC COMMUNICATION**

The Board continued to expand its use of electronic means of communication to better inform the public. Public access to and reliance on this form of communication has increased dramatically.

- The Board web site is updated on a regular basis and includes all written materials published by the Board. Additions to the web site include: Board meeting materials prior to the Board meeting, a listing of disciplinary actions taken by the Board, and application forms for licensure exam, renewal and endorsement.
- A list serve option continues to be a valuable means of getting information to subscribers quickly. OBN e-news was used to inform subscribers of the latest changes to relevant laws and rules and about other issues important to nurses and dialysis technicians. Approximately 14 e-news updates were sent during the year.

### **OTHER COMMUNICATION ACTIVITIES**

- The Board maintains an ongoing liaison and/or working relationship with multiple state agencies, nursing groups, and other health care stakeholders. These relationships have helped to foster a spirit of cooperation and information sharing that allows the Board to more effectively fulfill its mission. Some of the entities the Board has worked with during the past year include:
  - The Ohio Department of Mental Retardation & Developmental Disabilities
  - The Ohio Department of Aging
  - The Ohio Department of Health
  - The Ohio Department of Job and Family Services
  - The Ohio Department of Mental Health
  - Health care regulatory boards
  - The Ohio Board of Regents
  - The Ohio Nurses Association
  - The Licensed Practical Nurses Association of Ohio
  - The Ohio Association of Advanced Practice Nurses
  - The Ohio Organization of Nurse Executives

- The Ohio State Association of Nurse Anesthetists
  - Various nursing education groups
  - The Association of Occupational Health Nurses
  - Ohio Legislative Service Commission
  - Community Health Access Project
  - Various Ohio legislators
  - The Ohio Health Care Association
- The Board responded to an average of 35 public record requests each month with the majority of those requests being for information about licensees or certificate holders.

## **RULE REVIEW/LEGISLATIVE ACTION**

*The Board regularly evaluated its regulatory processes to determine areas where regulatory effectiveness should be improved. Through its rule-making authority to carry out Chapter 4723 of the Revised Code, the Board adopted rules that modify the testing standards required by nursing education programs to maintain good standing with the Board and updated requirements for faculty at nursing education programs. The Board also extensively revised the Ohio Administrative Code chapter governing continuing education.*

### **RULE REVIEW**

- The Board conducted its annual rule review in accordance with section 119.032 of the Revised Code. Since the last annual report, the Board reviewed 36 rules. As a result of this review, 19 rules were modified pursuant to the public hearing process. In addition, the Board considered changes to 56 rules that were not subject to section 119.032 ORC review.
- Ongoing review of the rules continued with Chapters 4723-4 (Standards for Safe Nursing Practice for Registered Nurses and Licensed Practical Nurses), 4723-6 (Alternative Program for Chemical Dependency), 4723-18 (Practice Intervention and Improvement Program), and 4723-20 (Prevention of Disease Transmission) of the Administrative Code being reviewed pursuant to section 119.032 ORC by the appropriate Board advisory groups. Approximately 32 rules are undergoing review as a result of the five-year review requirement.
- As a result of the passage of S.B. 191, the Board is reviewing Chapter 4723-13 (Delegation by Licensed Nurses). The statutory authority for Chapters 4723-21 (Delegation in MR/DD County Board Facilities) and 4723-22 (Delegation of the Authority to Give Oral and/or Apply Topical Medications in ICFs/MR with Fifteen or Fewer Residents) was repealed in S.B. 191 and these two chapters will, therefore, also be repealed.
- Numerous additional rules were and continue to be considered for revisions as a result of recently enacted legislation or in response to public comments regarding how the rules affect nursing practice or dialysis care.

### **LEGISLATIVE ACTION**

- Four bills amending the Nurse Practice Act (ORC Chapter 4723) went into effect during the past year: H.B. 474 (effective 3/24/03), S.B. 191 (effective 3/31/03), S.B. 179 (effective 4/9/03), and H.B. 95 (effective 6/26/03 & 9/26/03).
- The amendment in H.B. 474 authorizes the Board to sanction a licensee or certificate holder for assisting suicide as defined in ORC 3795.01.
- The technical change in S.B. 179 updated a cross-reference to a section of the Revised Code that was renumbered in that bill.
- As a result of the passage of S.B. 191, various changes affecting delegation to MR/DD personnel were enacted. The changes govern the performance of medication administration, health-related activities, and tube feedings by unlicensed MR/DD

personnel to individuals with mental retardation and developmental disabilities. Instead of requiring the Board of Nursing to adopt rules governing these delegated activities, the Department of MR/DD will write rules governing these activities, and the Board will rescind OAC Chapters 4723-21 and 4723-22.

- H.B. 95, the biennial budget bill for FYs 2004 and 2005 contained many provisions affecting the operations of the Board of Nursing. Some of these changes went into effect immediately upon the signature of the governor, while others have an effective date of September 26, 2003. The bill increases a variety of fees charged by the Board, including allowing the Board to charge up to \$15 for a Board-sponsored continuing education activity related to the laws and rules governing the practice of nursing in Ohio. The budget bill also contains a provision requiring the Board to operate a nurse education grant program. To fund this grant program, \$10 from all license renewal fees will be used for the next 10 years. Two other changes in the bill include allowing practical nursing education programs to incorporate training in IV therapy as part of the program's curriculum and requiring the Board of Nursing to certify community health workers. Initial certificates for community health workers must be issued no later than February 1, 2005 and rules governing this program will be drafted during FY 2004.

# NURSING PRACTICE AND EDUCATION

## NURSING PRACTICE

*The Board establishes acceptable and prevailing standards of safe nursing care for regulatory purposes.*

*Currently the Board regulates licensed practical nurses, registered nurses and nurses in advanced practice roles such as certified nurse practitioners, certified registered nurse anesthetists, certified nurse-midwives, and clinical nurse specialists. The Board has established, through rules, acceptable standards of safe practice. All nurses are expected to adhere to these standards when providing care to their patients.*

- The Advisory Group on Nursing Practice and the Advisory group on Nursing Education were combined to form the Advisory Group on Nursing Practice and Education. The group continues to address and provide input to the Board regarding nursing education and practice issues as they have an impact on the law and rules regulating the practice of nursing. These issues include differentiated practice, congruence between nursing education and practice, and articulation within the various nursing education programs. In addition, the group reviewed and put forward recommendations to the Board for revisions to Chapters 4723-04 and 4723-20 Ohio Administrative Code. The group continued to review proposed curriculum changes and proposals for new nursing education programs to determine compliance with Board rules.
- Board staff answered over 4,500 telephone calls and responded to approximately 700 e-mails dealing with nursing and dialysis practice. The majority of nursing practice calls continued to be related to workforce shortage issues such as staffing ratios, patient abandonment, mandatory overtime, and the integration of the LPN into acute care settings previously staffed primarily by RNs. Additional practice issues brought to the attention of the Board centered around the clarification of the role of the LPN in performing intravenous therapy, patient assessment, the role of the RN in directing care provided by the LPN, and the delegation of nursing tasks to unlicensed assistive personnel.

## ADVANCED PRACTICE

*The Board issues and renews certificates of authority to practice nursing as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner and may approve national certifying organizations for examination and certification of these nurses. The board also issues and renews certificates to prescribe to qualified certificate of authority holders.*

- The Board continues to issue certificates to prescribe or externship certificates to qualified applicants. The Board has approved over 2000 certificates of authority to prescribe.
- As part of the process for issuing certificates of authority, the Board re-approved eight national certifying organizations for purposes of approving nurses in advanced practice. A list of organizations that meet Board criteria can be found on the Board's web site at [www.state.oh.us/nur](http://www.state.oh.us/nur).
- The Committee on Prescriptive Governance, made up of three nurses in advanced practice, three physicians, a clinical pharmacist, and representatives from the boards of nursing, medicine, and pharmacy, met regularly to review and refine the formulary used by nurses with certificates to prescribe.

- The formulary for prescribers in advanced practice is available on the Board's web site.
- All nurses with prescriptive authority can be verified on the Board's website.
- Responses were provided to numerous questions concerning the implementation of prescriptive authority for advanced practice nurses. Education and consultation was provided to APNs, university programs, physicians, pharmacists, government entities, employers, consumers, and others through a variety of methods.
- Recommendations of the Committee on Prescriptive Governance were utilized to revise rules containing requirements for prescribing certified nurse-midwives, clinical nurse specialists, and certified nurse practitioners (Chapters 4723-8, 4723-9, Ohio Administrative Code).
- Board staff worked collaboratively with the Department of Jobs and Family Services, and Department of Mental Health, regarding advanced practice nursing and reimbursement issues and with the Ohio State Medical Board and the Ohio Board of Pharmacy regarding advanced practice and prescribing issues.
- The liaison role with statewide advanced practice association was continued with Board staff serving as a resource regarding law, rules, practice requirements, and other relevant advanced practice information.

## **NURSING EDUCATION**

*The Board of Nursing shall define the minimum curricula and standards for schools of professional nursing and schools of practical nursing & shall survey, inspect and grant approval to programs that meet Board standards.*

*The Board fulfills its public protection mandate in three ways, by establishing and enforcing standards for prelicensure nursing education programs, by issuing licenses only to those who meet the requirements set by the General Assembly and Board rules, and finally by taking disciplinary action when licensees or certificate holders violate the nurse practice act. With respect to nursing education, the Board develops minimum standards programs must meet and maintain in order for their students to be eligible to take the licensure examination.*

- The Board granted Conditional Approval (new program approval status) to the following new nursing education programs:
  - Owens State Community College, Practical Nursing Education Program, Findlay/Toledo; November, 2002
  - Graduate Entry Master's in Nursing Initiative (GEMENI), Medical College of Ohio, Toledo (a pre-licensure MSN Program), May, 2003
- The Board regularly surveys pre-licensure nursing education programs and approves those that comply with standards set forth in Chapter 4723-5 OAC. Of 109 nursing education programs in Ohio, a Board representative visited 28 in FY '03 with the results of the survey visit used by Board members to determine the programs' approval status. The Board changed the approval status of two programs; one program met all requirements to regain full approval, another was moved from full to provisional approval and will be revisited in September 2003 to determine compliance with all rules of Chapter 4723-5 OAC.

- The Board reviewed the performance of students on the licensure examination, NCLEX®, by educational program. Eighteen programs reported a 100% pass rate for the year 2002. Board standards require that a program must have a passing rate that is at or above 95% of the national pass rate for that year. Ninety-one % (91%) of Ohio programs met or exceeded the national standard. Those programs that do not meet the standard must address the passing rate in writing. If the passing rate for the program does not meet the standard for a second consecutive year, a plan for corrective action must be submitted to the Board, and if a third poor year occurs, a focused survey visit by a Board representative is conducted. Currently, eighteen (18) have submitted reports addressing low passing percentages, and in FY 2003, the Board visited 4 for three consecutive years with passing percentages below standard.

Ohio's passing percentage rates were significantly better than those of the other 50 states and U.S. Territories. A comparison is found follows:

**National and State NCLEX® Passing Percentage for First Time Candidates 2002 and Ohio “95% of National Average” Benchmark**

<b>Registered Nurses</b>		<b>Practical Nurses</b>	
<b>Ohio:</b>	<b>90.09%</b>	<b>Ohio:</b>	<b>90.42%</b>
<b>National:</b>	<b>81.90%</b>	<b>National:</b>	<b>85.00%</b>

- The rules setting forth requirements for nursing education programs (Chapter 4723-5 Ohio Administrative Code) went through technical revisions. One change involved the benchmark standard programs must meet with regards to the NCLEX® examinations. The benchmark changed from a stable 85% passing rate in the program, to 95% of the national passing rate. This change allows for some flexibility when the difficulty level of the test changes; and when a new test plan and passing standard is adopted by the National Council of State Boards of Nursing every three years. Another rule change makes it more reasonable for individuals with bachelor's degrees in other fields to complete a nursing program, and allows their programs to be accelerated to a shorter time frame. This will allow for an “output” of new nurses who are qualified and safe in less time.
- Annual reports were received from all the nursing education programs regulated by the Board. In these reports, programs document continued compliance with Board standards and also report enrollment statistics.
- The Board continued to work with the Board of Regents to develop refinements to the Nurse Education Assistance Loan Program (NEALP). A portion of the renewal fees paid by each nurse in Ohio generates the funds for this program.

## STATISTICS

Nursing Education Program Statistics	Nursing Education Program Enrollment Statistics	Program Graduates
Certificate in Professional Nursing 2002 . . . 1 2003 . . . 1	Certificate in Professional Nursing 1995 . . . 94 2002 . . . 48	Certificate in Professional Nursing 2002. . . 27
Baccalaureate 2002 . . . 23 2003 . . . 23	Baccalaureate 1995 . . . 7201 2002 . . . 4681	Baccalaureate 2002. . . 1411
Diploma 2002 . . . 8 2003 . . . 6	Diploma 1995 . . . 1691 2002 . . . 756	Diploma 2002. . . 174
Associate Degree 2002 . . . 29 2003 . . . 29	Associate Degree 1995 . . . 5945 2002. . . 4445	Associate Degree 2002. . . 1752
Practical – High School 2002 . . . 4 2003 . . . 4	Practical – High School 1995 . . . 128 2002. . . 123	Practical – High School 2002. . . 47
Practical – Adult 2002 . . . 43 2003 . . . 45	Practical – Adult 1995 . . . 2186 2002. . . 3023	Practical – Adult 2002. . . 1751

### Survey Visit Summary and Board Action\*

Program Name	Date Approved	Approval Status
Trumbull Career and Technical Center School of Practical Nursing – Post Secondary Program, Warren	July 18, 2002	Full approval with recommendations for enhancement
University of Rio Grande, Holzer School of Nursing Associate Degree Nursing Program, Rio Grande	July 18, 2002	Full approval with recommendations for enhancement
EHOVE School of Practical Nursing, EHOVE Career Center, Milan	July 18, 2002	Full approval
Practical Nurse Program of Canton City Schools, Martin Center, Canton	July 18, 2002	Full approval with recommendations for enhancement
Cincinnati State Bethesda School of Nursing, Cincinnati	July 18, 2002	Continued Provisional Approval with recommendations for enhancement
	March 20, 2003	Full Approval Granted

Medical College of Ohio/Bowling Green State University School of Nursing, Toledo	July 18, 2002	Action to accept findings of focused survey visit regarding NCLEX® passing rate – continues on Full approval
Community Hospital School of Nursing, Springfield	July 18, 2002	Action to accept findings of focused survey visit regarding NCLEX® passing rate with recommendations for enhancement – continues on Full approval
Miami Valley Medical, School of Practical Nursing, Dayton	November 21, 2002	Full approval with recommendations for enhancement
Firelands Regional Medical Center School of Nursing, Sandusky	November 21, 2002	Full approval
The Ohio State University College of Nursing, BSN Program, Columbus	November 21, 2002	Full approval with recommendations for enhancement
Great Oaks School of Practical Nursing, Scarlet Oaks Career Development Center, Cincinnati	November 21, 2002	Full approval
University of Toledo College of Health and Human Services, Associate Degree Nursing Program, Toledo	November 21, 2002	Action to accept findings of focused survey visit regarding NCLEX® passing rate with recommendations for enhancement – continues on Provisional approval
Akron School of Practical Nursing, Akron	November 21, 2002	Full Approval
Cleveland State University, BSN Program, Cleveland	November 21, 2002	Full approval with recommendations for enhancement
Marion Technical College, Associate Degree Nursing Program, Marion	January 16, 2003	Full approval
University of Akron college of Nursing, BSN Program, Akron	January 16, 2003	Full approval with recommendations for enhancement
Wayne County Joint Vocational School of Practical Nursing, Smithville	January 16, 2003	Full approval with recommendations for enhancement
Wayne County Adult School of Practical Nursing, Smithville	January 16, 2003	Full approval with recommendations for enhancement

Edison State Community College, Associate Degree Nursing Program, Piqua	January 16, 2003	Action to accept findings of focused survey visit regarding NCLEX® passing rate with recommendations for enhancement – continues on Provisional approval
Huron Road School of Nursing, Cleveland	March 20, 2003	Full approval
Upper Valley JVS School of Practical Nursing, Troy	March 20, 2003	Provisional approval with recommendations for enhancement
Capital University School of Nursing BSN Program, Columbus	March 20, 2003	Full approval
Hocking Technical College, Nursing Technology Career ladder Program – Level I, Nelsonville	March 20, 2003	Full approval with recommendations for enhancement
Hocking Technical College, Nursing Technology Career ladder Program – Level II, Nelsonville	March 20, 2003	Full approval with recommendations for enhancement
Graduate Entry Master’s in Nursing Initiative (GEMENI), Medical College of Ohio, Toledo (pre-licensure MSN Program)	May 15, 2003	Conditional approval
Walsh University, BSN Nursing Program, North Canton	March 20, 2003	Full approval with recommendations for enhancement
Parma School of Practical Nursing at Cuyahoga Valley Career Center, Brecksville	March 20, 2003	Action to accept findings of focused survey visit regarding change of controlling agency – continues on Full approval
Toledo School of Practical Nursing, Toledo	March 20, 2003	Full approval with recommendations for enhancement

\* A list of all approved pre-licensure nursing education programs is available on the Board’s web site, [www.state.oh.us/nur](http://www.state.oh.us/nur)

## REGULATION OF DIALYSIS TECHNICIANS

*The Board is authorized to issue certificates to qualified dialysis technicians and to adopt rules setting forth approval processes for dialysis technician training programs and testing organizations.*

*Effective December 24, 2000 individuals providing dialysis care as defined in statute were required to hold a certificate to practice issued by the Board of Nursing.*

### STATISTICS—As of June 30, 2003

Type of certificate issued	Number of certificate holders
Ohio certified dialysis technicians	1005
Temporary certificate 1	577
Temporary certificate 2	160
Temporary certificate 3	4

- The Board approved a total of 28 and re-approved 23 dialysis technician programs.
- The Board re-approved two national testing organizations that provide certification for dialysis technicians. A list of all approved programs and testing organizations is available on the Board's web site at [www.state.oh.us/nur](http://www.state.oh.us/nur).

The Advisory Group on Dialysis is made up of four dialysis technicians, a registered nurse who cares for patients receiving dialysis, a physician who specializes in nephrology, an administrator of a dialysis center, a dialysis patient, a representative from the Ohio Hospital Association, and a representative from the End Stage Renal Disease network. The group is scheduled to meet five times per year. The group continued to review the rules for dialysis technicians and made recommendations for revisions to clarify criteria for admission to technician training programs. Recommendations for potential changes to the law were made to streamline the certification process for dialysis technicians, and to provide additional levels of approval for the training programs that mirror the approval process for nursing education programs.

## CONTINUING EDUCATION

*The Board of Nursing shall approve continuing nursing education programs and courses. Nurses and dialysis technicians must complete continuing education to be eligible to renew a license or certificates to practice.*

*Continuing education requirements represent an attempt to assure that individuals once authorized to practice nursing or provide dialysis care continue to be current and updated regarding developments related to their practice. A prescribed amount of approved education must be completed in order to be eligible to renew a license to practice nursing or certificate to practice as a dialysis technician. Beginning with this renewal all registered nurses and dialysis technicians were to have obtained one contact hour of continuing education relating to the Law (ORC 4723) and the Rules (OAC 4723-1 to 23) Promulgated to regulate nursing practice. Beginning with the renewal of 2004, licensed practical nurses will be expected to do the same.*

- To assure compliance with the continuing education requirements, all registered nurses (approx 140,000) were expected to provide verification of completion of these requirements. Four thousand, one hundred ninety-five (4195) registered nurses were audited for the licensing period of September 1, 1999 through August 31, 2001, prior to the renewal of their license. At the end of the renewal period, 166 registered

nurses had not completed their audit and were ineligible to renew. Because of a shortage of health care workers, every effort was made to contact these nurses: four letters in total were sent to the final nurses being audited.

- The Ohio Board of Nursing (OBN) Approvers of Continuing Education are reviewed by the Advisory Group on Continuing Education to determine adherence to the OAC Chapter 14 and ultimately approved or re-approved by the Board. Three OBN Approvers were re-approved and one new Approver was added and approved by the Board. A list of the Approvers is available on the Board's website.
  - Upper Valley Medical Center re-approved through February 2006
  - Ohio Dept of Mental Health re-approved through February 2006
  - Ohio Organization of Nurse Execs. re-approved through February 2006
  - Ohio Academy of Nursing Homes initial approval, will be surveyed within the year.
- Seven Board-Approved continuing education activities were conducted reaching a total of approximately 1000 nurses.

The Advisory Group on Continuing Competency made a final recommendation to the Board this July, to require any nurse who had a lapsed or inactive license to practice nursing in the State of Ohio for more than five (5) years to take a refresher course. (This would be waived if the nurse could show evidence of current licensure in another state.) The Group further recommended that the Board charge the NP&E Advisory Group and the Advisory Group for Continuing Education to determine the content of the refresher course and to begin to draft some rules to present to the Board in November 2003 or January 2004.

The Board accepted the recommendation of the Advisory Group on Continuing Competency. There are tangential issues related to these changes: one being when to actually license these reactivating nurses, another assuring there are adequate refresher courses for these nurses to attend. Board Staff will work with the AAG and keep the Board members informed of the progress.

# LICENSURE

*The Board issues and renews nursing licenses, certificates of authority and dialysis certificates for qualified individuals.*

*The Board assures that applicants for licensure in Ohio meet all requirements set forth in law or Board rules. Licenses are renewed on a two-year cycle to individuals who meet eligibility requirements. In addition initial licenses are issued to those who pass the licensure examination or to nurses licensed in another state seeking endorsement to practice in Ohio.*

## LICENSURE STATISTICS FY '02

Category of licensee or certificate holder	Number as of July 1, 2002	Number as of June 30, 2003
Registered nurse	141,844	147,166
Licensed practical nurse	41,726	40,877
Advanced practice nurses: University pilot programs	55 active (transferred 301 pilot APNs to Certificate Of Authority)	5
Certificate of authority holders	5,822	6,208
Certificates to prescribe *	1,502	1,950
RNs licensed by examination		3,684
LPNs licensed by examination		1,896
RNs licensed by endorsement		1,322
LPNs licensed by endorsement		343
*externship and following externship		

- The Board either by phone or computer provides verification of licensure in good standing. The original date of licensure was added to the verification system to better serve customers.
- Licensure information for Ohio licensees was submitted to the National Council of State Boards of Nursing database (NURSYS). Nurses who leave Ohio and seek licensure elsewhere have their Ohio licenses verified through NURSYS.
- The Board continued to update all of its licensee information in the state's VAX system in anticipation of the transition of all state regulatory boards' data onto a new web-based system.
- The Board transition to a new NCLEX® (licensure examination) vendor was successfully implemented in October 2002.
- The Board implemented Criminal Record Checks for all endorsement applicants July 8, 2002.
- The Board implemented Criminal Record Checks for applicants who enter a pre-licensure nursing education program on or after June 1, 2003.
- The renewal unit assumed partial responsibility for renewal of dialysis technician certificates and Certificate of Authority licenses.
- Planning for year round licensure renewal was begun.

# COMPLIANCE

*The Board is authorized to take disciplinary action in accordance with Chapter 119 of the Revised Code for violations of the law regulating nursing practice and the rules of the Board.*

*The authority to take disciplinary action when a licensee or certificate holder violates the nurse practice act is an integral part of the Board's regulatory responsibility. In the effort to protect the public from nurses or dialysis technicians whose practice is alleged to be a threat to public safety, the Board investigates complaints, takes action in accordance with Chapter 119 of the Revised Code, and monitors those who have had action taken by the Board.*

- A staff of seven enforcement agents investigated all complaints. A staff of four adjudication coordinators was responsible for complaint intake review, review of investigations, and disciplinary actions.
- During the time frame covered by this report, the Board received over 1800 complaints.
- For the second consecutive year, there was a significant increase in the number of formal disciplinary actions taken by the Board (39 Consent Agreements in 2001, 146 Consent Agreements in 2002, and 237 Consent Agreements in 2003).
- The increase can be attributed to an addition of an adjudication coordinator to the compliance unit from the monitoring unit in 2002; moving a field office attorney position to the Board office in 2002; and modification of the job responsibilities of the adjudication coordinators and the compliance manager.
- Developed a database to transcribe and track the case review process.
- Developed a letter to provide to the public when complaints are filed.
- Developed a pamphlet that explains the disciplinary process when a notice of opportunity for hearing is issued to a licensee.
- Developed and implemented a complaint protocol.
- Developed a brochure regarding the new HIPPA legislation.
- Developed and implemented the use of templates for Consent Agreement.
- All Board action was reported to two national disciplinary databanks and a federal agency.
- Began posting Board actions on the website after every Board meeting.
- Networked with law enforcement and other agencies throughout the state.

## COMPLIANCE STATISTICS FY '03

### COMPLAINTS

<b>Type of complaint</b>	<b>Received '02</b>	<b>Received '03</b>
Action in another state	41	66
Criminal matters	52	108
Default of child support payments	4	4
Drug/alcohol	400	441
Fraud/Medicaid-Medicare	6	13
Imposters	21	27
Patient abuse	96	114
Practice standards	385	400
Advanced practice issues	2	10
Noncompliance	2	103
Renewal applications	109	72
NCLEX® applicants	141	141
Endorsement applications	85	148
Dialysis technicians-applicants	14	29
Dialysis technicians-renewals	4	0
Invalid license/lapsed or inactive	7	30
Miscellaneous	33	91
<b>TOTAL</b>	<b>1402</b>	<b>1817</b>

### ADJUDICATIONS

<b>Type of action taken</b>	<b>Actions '02</b>	<b>Actions '03</b>
Voluntary surrender	13	33
Immediate suspension	31	49
Summary suspension	0	0
Automatic suspension	5	34
Suspension without stay	34	58
Stayed suspension	71	148
Revocation	0	1
Permanent revocation	12	57
Reprimand/ Fine	26	37
Deny application for examination	0	0

# MONITORING

*Monitors the compliance of licensees and certificate holders with their respective Board adjudication orders, consent agreements, and agreements with the Alternative Program for Chemical Dependency and Practice Intervention and Improvement Program.*

In FY 2003, three of the Board's programs, Post-discipline Monitoring, Practice Intervention and Improvement and the Alternative Program for Chemical Dependency, were removed from two respective Board units, and were grouped to create the Monitoring Unit. This new grouping of all programs that require on-going monitoring of Board licensees and cross-utilization of existing staff within all programs enhanced the Board's administrative efficiency.

## POST-DISCIPLINARY MONITORING

*Monitors individuals' compliance with their respective Board adjudication order or consent agreement, provides public information concerning the imposed discipline and licensure restrictions.*

Activity in this area increased significantly because of the increased numbers of disciplinary actions taken by the Board.

Active Monitoring Cases as of 6/30/03	310
Cases added in FY 2003 resulting from consent agreements	255
Cases added in FY 2003 resulting from Board adjudication orders	26
Cases in which monitoring ceased, resulting from the issuance of a Notice of Opportunity for Hearing	12
Cases in which monitoring ceased in FY 2003, resulting from the issuance of an Automatic Suspension and Notice of Opportunity for Hearing	34
Cases in which monitoring ceased in FY 2003, resulting from the Board's release of the licensee/ certificate holder from the terms and conditions of their Board adjudication order/ consent agreement	14
Cases in which monitoring ceased in FY 2003, resulting from individual permanent licensure surrenders	7
Modifications in adjudication order or consent agreement authorized by the Board	7

## ALTERNATIVE PROGRAM FOR CHEMICAL DEPENDENCY

*Monitors participants' compliance with their Alternative Program agreements, which sets minimum requirements necessary for the Board to determine actively recovering individuals' abilities to practice nursing in accordance with the statutes and rules regulating nursing practice.*

- The Board closely examined the admission criteria and policies of the Program to determine their regulatory effectiveness. The examination revealed the need to modify its rules and policies to enhance the Board's ability to effectively monitor individuals within this non-public Program.
- The Board revised this Program's admission processes, agreements, and various forms to optimize the Program's administrative efficiency.

### **ALTERNATIVE PROGRAM FOR CHEMICAL DEPENDENCY**

#### **STATISTICS FY '03**

<b>Case description</b>	<b>Number</b>
Total referrals	145
Cases active as of 6-30-02	200
Admissions	82
Successful completions	56
Ineligible for admission	63
Terminations	81 (3 temporary suspensions)

### **PRACTICE INTERVENTION & IMPROVEMENT PROGRAM (PIIP)**

*Monitors participants' compliance with their Participatory Agreement, which sets minimum requirements for practice remediation, including both education and worksite monitoring.*

- The Board modified the Program's rules in FY 03 to require a Participant to actively collaborate with their respective employer concerning workplace monitor selections and for notification purposes to define the employer's representative.
- Thirty-two institutions or entities currently serve as providers of educational interventions or remediation.

### **PRACTICE INTERVENTION & IMPROVEMENT PROGRAM**

#### **STATISTICS FY '03**

<b>Case description</b>	<b>Number</b>
Referrals	16
Cases admitted	11
Cases active as of 6-30-02	14
Successful completions	11
Refused admission/ineligible	4
Failed to complete terms of program agreement	5

**BOARD of NURSING STAFF (as of June 30, 2003)**

**ADMINISTRATION UNIT**

**EXECUTIVE DIRECTOR**

**John Brion, RN, MS**

\*Executive Assistant/Supervisor  
Customer Service/Program Assistant  
Customer Service/Program Assistant  
Administrative Unit Secretary  
\*Human Resources Officer  
\*Legislative/Regulatory Specialist

Diana Hisle  
Cindi Stine  
Renata Armstead  
Angela White  
Joy Estose  
Jeff Rosa

**\*ASSOCIATE EXECUTIVE DIRECTOR**

**Theresa Stir, JD, RN**

Unit Administrative Assistant

Rosa Smith

**\*OPERATIONS MANAGER**

**Eric Mays, BS**

Fiscal Administrative Lead Worker  
Network Administrator  
Account Clerk  
Finance/Payroll Support Clerk

Rosemary Booker  
Cary Dachtyl  
Katha Bloomer  
Ella Vinson

**LICENSURE UNIT**

**\*LICENSURE MANAGER**

**Sara Larson, BA, MPA**

Unit Administrative Assistant  
Licensure Supervisor  
Licensure Clerk  
Licensure Clerk  
Renewal Supervisor  
Licensure Clerk  
Licensure Clerk

Erica Davis  
Karen Scott  
Debbie Holloway  
Joe Kirk  
Brenda Murphy  
Jai Carrillo  
Cheryl Johnson

**NURSING PRACTICE AND EDUCATION UNIT**

**\*\* PRACTICE/EDUCATION MANAGER**

**Norma Selders, RN, MS**

Unit Administrative Assistant  
APN Program Consultant  
Practice/Dialysis Tech. Consultant  
Nursing Education Consultant  
Unit Secretary  
Unit Secretary

Toni Nottturniano  
Susan Milne, RN, MSN, JD  
Nancy Manns, RN, MS  
Jackie Loversidge, RNC, MS  
Ebony Turner  
Rose Ferguson

**COMPLIANCE UNIT**

**\*\*COMPLIANCE MANAGER**

**Lisa Ferguson-Ramos, RN, JD**

Administrative Assistant/Supervisor  
Unit Secretary  
Unit Secretary  
Compliance Clerk  
Adjudication Coordinator  
Adjudication Coordinator  
Adjudication Coordinator  
Adjudication Coordinator  
Enforcement Agent  
Compliance Agent  
Compliance Agent  
Compliance Agent  
Compliance Agent  
Compliance Agent  
Compliance Agent

Debbie Fulk  
Peggy Carrier  
Tiffany Swartz  
Vacant  
Emily Brown, JD  
Jodi Crowe, JD  
Betsy Houchen, RN, JD  
Phalyn Williams, Esq., MPA  
Timothy Fulk  
Dennis Corrigan, RN  
Diane Helferich, RN, MHSA  
Bette Horst, RN, MHSA  
Amy Sala, RN, BSN  
Melissa Schacht, BSN  
Brian Torrence, RN

**MONITORING UNIT**

**\*\*MONITORING MANAGER**

**Lisa Emrich, BSN, RN**

Unit Administrative Assistant  
Unit Secretary  
Monitoring Agent  
Monitoring Agent  
Monitoring Agent  
Monitoring Agent  
Monitoring Agent  
Monitoring Agent

Melissa Malone  
Senita Feagin  
Susan Daum, RN, MSN  
Diana Harris, BSN, CD  
Lee Knowles, BSN, MSA  
MJ Modica, RN, MSN  
Michele Iliev, RN, BSN, CCM  
Richard Young, RN,

(\* - Reports to E.D.    \*\* - Reports to Assoc. E.D.)