



Ohio Board of Nursing

www.nursing.ohio.gov

17 South High Street, Suite 400 • Columbus, Ohio 43215-7410 • (614) 466-3947

December 1, 2009

The Honorable Ted Strickland
Governor, State of Ohio
77 South High Street, 30th Floor
Columbus, Ohio 43215

Dear Governor Strickland:

On behalf of the Ohio Board of Nursing (Board), we are pleased to submit this annual report for state fiscal year 2009, in accordance with Section 4723.06 of the Revised Code. The report highlights the work of the thirteen-member Board, supported by a staff of fifty-eight employees.

The Board administered and enforced the provisions of Ohio Revised Code Chapter 4723. Licenses and certificates were issued and renewed to qualified individuals; education and training programs were surveyed and approved; and licensees and certificate holders were disciplined and their practice monitored if they violated the Nurse Practice Act or administrative rules regulating practice.

The Board is proud of being chosen for the national 2009 Regulatory Achievement Award from the National Council of State Boards of Nursing (NCSBN) and the Governor's Recognition of the Award. The Board appreciates your recognition of the contributions and dedication of the Board members and staff who work each day in furtherance of the Board's public protection mission. This national recognition reflects the Board's outstanding regulatory achievements and accountability to Ohio citizens. Nurses touch the lives of virtually all Ohioans and a strong regulatory Board helps assure safe patient care.

Thank you for your ongoing support as the Board continues its work for public protection and safe nursing care.

Respectfully yours,

Handwritten signature of Lisa R. Klenke in cursive.

Lisa Klenke, MBA, RN, CNAA
President

Handwritten signature of Betsy G. Houchen in cursive.

Betsy Houchen, RN, MS, JD
Executive Director

Mission

The mission of the Ohio Board of Nursing is to actively safeguard the health of the public through the effective regulation of nursing care.

National Recognition

The Board was nationally recognized for its regulatory excellence and public protection work by NCSBN in 2009 when the Board received the Regulatory Achievement Award and accepted the award in August of 2009. NCSBN presents the Regulatory Achievement Award to the nursing board that demonstrates significant contributions in promoting public policy related to the safe and effective practice of nursing in the interest of public welfare. The Board is the sixth largest nursing board in the United States.

The Board's work was also recognized when Lisa Emrich, Program Manager, received the NCSBN Exceptional Contribution Award in August 2008. This Award recognizes individual Board staff who have made significant contributions to nursing regulation.

Ohio continued its participation with NCSBN and this participation enabled Ohio to work with other nursing regulatory boards across the country to enhance the effectiveness and expertise of the Board. The Executive Director served on the NCSBN Board of Directors for a second year. Board members and staff continued to participate in national forums and meetings and represent Ohio on NCSBN committees.

Board staff authored an article published in *Nursing Administration Quarterly*, "Professional Boundaries Violations: Case Studies From a Regulatory Perspective" (December 2008).

Overview

The Board met seven times during the year for a total of fifteen meeting days. Meetings were held at the Board office, 17 South High Street, Suite 400, Columbus, Ohio. In the fall of 2008, the Board elected Lisa Klenke as Board President and re-appointed Betsy J. Houchen as Executive Director. For all or part of fiscal year 2009, the following individuals served as Board members: (See Appendix A for a detailed roster)

Lisa Klenke, RN, President
J. Jane McFee, LPN, Vice President
Anne Barnett, RN, Supervising Board Member
Janet L. Boeckman, RN, Education Liaison
Debra Broadnax, RN
Patricia Burns, LPN
Elizabeth Buschmann, LPN
Judith Church, RN

Kathleen Driscoll, RN
Delphenia W. Gilbert, RN
Bertha Lovelace, RN
Johnnie Maier, Consumer
Melissa Meyer, LPN
Kathleen O'Dell, RN
Patricia Protopapa, LPN
Eric Yoon, RN

In addition to carrying out its responsibilities pursuant to Chapter 4723. of the Revised Code, the Board conducted strategic planning. The Board adopted the following Strategic Initiatives to promote public safety and the safe practice of nursing:

1. Assure licensees and certificate holders meet statutory and regulatory requirements to be licensed or certified to practice in Ohio and are appropriately credentialed to practice, while maintaining an efficient and effective system to license or certify applicants as quickly as possible to enter or remain in the workforce.
2. Efficiently handle complaints, investigations, and adjudications to safeguard the health of the public and, in cases involving chemical dependency or practice issues, provide alternatives to discipline programs, if determined appropriate.
3. Approve pre-licensure education programs to assure the programs maintain academic and clinical standards for the preparation of entry-level nurses.
4. Assure licensees and certificate holders maintain competency based on continuing education standards set forth in the Nurse Practice Act and administrative rules.
5. Address pertinent regulatory issues and requirements for licensees and certificate holders and provide greater clarity about the requirements to those regulated by the Board.
6. Implement technological systems to increase organizational efficiency and the use of resources.

Nursing Education

The Board approves pre-licensure education programs to assure the programs maintain academic and clinical standards for the preparation of entry-level nurses.

The Board convened the Advisory Group on Nursing Education. The Group provided recommendations to the Board concerning issues related to nursing education and Administrative Code Chapter 4723-5, the education rules and the timely submission of education program annual reports. The Group also discussed practical nurse education program issues such as faculty credentials, the increasing number of programs and graduates and potential employment difficulties due to a competitive job market for LPNs in certain regions of the state, obtaining clinical sites, and the length of education programs.

- A Board staff member represented Ohio on a national committee convened by NCSBN, Innovations in Education Regulation.
- The Board established regulations for innovations in education to increase nursing faculty. The Board amended the administrative rules to allow foreign educated nurses to serve in an instructive capacity if the nurses met all of the other requirements and practiced nursing as a registered nurse in the state for at least two years. In this way, the Board removed a regulatory barrier, recognized that these individuals may be qualified to teach nursing, and positively impacted the multicultural learning needs of nursing students.
- The Board reviewed and maintained the approval status of 145 education programs (79 registered nurse programs and 66 practical nurse programs).
- Board staff conducted site visits to 40 approved education programs. The Board subsequently reviewed the programs for re-approval. Six programs were placed on provisional approval status due to the programs not meeting or maintaining the minimum standards.
- The Board re-approved 15 dialysis training programs, nine medication aide training programs, two community health worker training programs, and granted initial approval to two medication aide training programs and one dialysis technician training program.
- The Board again appointed a Board Education Liaison, Board member Janet Boeckman, to act on behalf of the Board to address questions concerning nursing education programs and determine whether issues warrant further review and consideration by the Board. Janet Boeckman also served as a member of the Nursing Education Study Committee, established by the 127th General Assembly to study the nursing faculty shortage. The Committee completed its work and issued a final report in December of 2008.
- The Board granted new program approval status to three programs:
 1. Felbry College Practical Nurse Program
 2. ETI Technical College Practical Nursing Program
 3. Ohio University School of Nursing
- The Board reviewed the performance of nursing education programs by tracking the performance of students taking the NCLEX licensure examination. Programs are required to have a passing rate at or above 95% of the national pass rate for first time test candidates. If programs do not meet the standard, they are required to report how the program will operate to improve the passing rate; consecutive failure to meet the standard will jeopardize a program's approval status.

NCLEX Passing Percentage for First Time Test Candidates in 2008

	RN NCLEX	PN NCLEX
Ohio	85.83%	89.27%
National	86.73%	85.62%
95% of Natl' Average	82.39%	81.339%

Licensure and Certification

The Board issues licenses and certificates to individuals who meet statutory and regulatory requirements and works toward having processes in place to license, certify, and renew applicants as quickly as possible so they may enter or remain in the workforce.

- The Board regulated approximately 230,000 licenses and certificates as compared to approximately 191,000 in 2002.
- The Board increased organization efficiency with the use of technology and dramatically increased the use of online renewal. For the 2009 registered nurse renewal, an online renewal rate of approximately 91% was achieved, as compared to 37% during the last registered nurse renewal period. The Board was successful despite the magnitude of the challenges presented by the degradation of the state's online system administered by the Department of Administrative Services (DAS). The system's degradation culminated in a near work stoppage of eLicense as the internal facing system became almost completely unresponsive. This resulted in unanticipated and alarming issues for applicants, licensees, and the Board. (See Appendix D for a detailed summary.)
- The Board worked to improve the quality of licensure data used by other state boards, employers, and the public. To assure other states have necessary and accurate data from Ohio when licensing, disciplining, hiring, or seeking information about licensees, the Board implemented the Nursys Data Integrity Project to submit revisions and omitted data.
- The Medication Aide Pilot Program ended March 26, 2009 and the Board provided a report to the Governor and the General Assembly leadership. The Board continues to issue medication aide certificates and approve Medication Aide Pilot Program Training Programs.
- The Board continued use of the Systematic Alien Verification for Entitlements (SAVE) Program, an inter-governmental information sharing initiative designed to aid agencies in determining immigration status and thereby ensuring that only entitled non-citizen applicants receive a state license.

- The Board took steps to reduce licensure fraud by eliminating paper wallet cards, effective February 1, 2009. Employers now use online licensure verification as primary source verification. The Board eliminated the possibility of the wallet card being altered, forged, or misappropriated, thus mitigating identity theft and fraud.

**Licenses and Certificates
(As of June 30, 2009)**

Type	Number
Registered Nurses (RNs)	166,479
Licensed Practical Nurses (LPNs)	51,764
Advanced Practice Nurses Certificates of Authority	8,579
Advanced Practice Nurses Certificates To Prescribe	4,228
Dialysis Technician Ohio Certified	1,293
Dialysis Technician Temporary Certificate 1	244
Dialysis Technician Temporary Certificate 2	50
Dialysis Technician Temporary Certificate 3	0
Community Health Worker	50
Medication Aide Certificates	66

Nurses Licensed by Examination or Endorsement

RNs licensed by examination	6,507
LPNs licensed by examination	4,132
RNs licensed by endorsement	2,468
LPNs licensed by endorsement	349

Continuing Education

The Board assures that licensees and certificate holders maintain competency based on continuing education requirements set forth in the Nurse Practice Act and the administrative rules.

- The Advisory Group for Continuing Education, composed of continuing education approvers and providers, provided recommendations to the Board regarding the administrative rules governing continuing education and discussed other relevant continuing education issues.
- The Board conducted a continuing education audit of 2,912 registered nurses for the 2005-2007 audit period. Verification of completion of the continuing education requirements was conducted for a randomly selected group of licensees.
- Eleven Ohio Board of Nursing (OBN) Approvers of Continuing Education continued to assure that providers of continuing education met the requirements set forth in the administrative rules.

Compliance, Discipline, and Monitoring

The Board efficiently handles complaints, investigations, and adjudications to safeguard the health of the public and, in cases involving chemical dependency or practice issues, provides alternatives to discipline programs, as determined appropriate.

- In the Compliance Unit a staff of eight enforcement agents investigated complaints; five adjudication coordinators and three supervising attorneys were responsible for complaint intake review, review of investigations, and disciplinary actions; and six monitoring agents monitored compliance with Board actions and alternative program agreements for chemical dependency.
- During fiscal year 2009, the Board received 5,501 complaints. Based on the evidence obtained during the investigation, the Board pursued disciplinary action or closed the complaint.
- To increase states' access to discipline information, all Board actions were reported to national disciplinary data banks: NURSYS; Division of Practitioner Data Banks, Health Resources and Services Administration, Department of Health and Human Services; and Sanctions & Exclusions, Office of Inspector General, Department of Health and Human Services.

- The Board took additional steps to assure the safety of the public by developing a mechanism to allow the Board to run comparative searches between the Board's licensure database and data from the state's sexual offender eSORN system (Electronic Sexual Offender Registration and Notification).
- The Board conducted complaint investigations and took Board action for public protection. The Board decreased the processing time for discipline by providing complaint forms and Board actions by email; streamlining the case review process; revising the disciplinary, applicant, and monitoring protocols; and appointing a Board Hearing Committee to hear disciplinary cases.
- The Board incorporated the Just Culture model into the investigation process.
- The Board created a new complaint form to include the collection of TERCAP data that the Board reports to Nursys, a national nursing database.
- Compliance staff represented Ohio on two national committees convened by NCSBN, the Disciplinary Resources Committee and the Chemical Dependency Program Review Committee.

Complaints

Type of Complaint	Number
Action Taken in Another State/Jurisdiction	245
APN Practice Issues	37
APN lapses	17
Boundaries	20
Community Health Worker Applicant	4
Confidentiality	14
Criminal	285
Default / Child Support	9
Dialysis Applicant	33
Drugs/Alcohol	841
Endorsement Applicant	267
Fraud (Medicare/Medicaid)	14
Imposter/Never Licensed	23
Invalid License (lapsed/inactive)	211
Medication Aide Applicant	4
Miscellaneous	764
NCLEX Test Applicant	1,216
Non-compliance	136
Nursing Student	7
Patient Abuse	90
Practice	764
Physical Impairment	1
Psychiatric Impairment	12
Renewal Applicant	388

Applicants

Licensed by examination	10,639	11.4% referred to compliance (1,216)
Licensed by endorsement	2,817	9.5% referred to compliance (267)

Board Actions

Type of Action Taken	Number
Board Order	172
Permanent Surrender	29
Default Order	4
Consent Agreement	539
Notice of Opportunity	170
Immediate Suspension	77
Temporary Suspension	5
Summary Suspension	0
Automatic Suspension	63
Suspension Without Stay	231
Stayed Suspension (Probation)	335
Revocation	2
Permanent Revocation	83
Permanent Restrictions	4
Reprimand	54
Permanent Withdrawal of Application	1
Non-Permanent Withdrawal of Application	11
Voluntary Retirement	3

Monitoring

Cases	Number
Active cases	932
Inactive cases ¹	1,078
Monitoring ceased due to the issuance of an Automatic Suspension and Notice of Opportunity for Hearing	62
Monitoring ceased due to Board release of the licensee/certificate holder from the terms and conditions of their Board Order/Consent Agreements	135
Removed from monitoring due to permanent licensure surrenders	5

¹ Cases on inactive monitoring status generally involve suspended licenses or certificates. The case is assigned to “active” monitoring status upon an individual’s request for reinstatement and/or entry into a post-suspension consent agreement.

Alternative To Discipline Programs

The Board monitors individuals' compliance with the requirements of confidential alternative to discipline programs and their ability to return to safe practice.

Alternative Program For Chemical Dependency

Monitoring Agents monitored participants' compliance with their Alternative Program Agreements that set minimum requirements necessary for the Board to determine the ability of actively recovering individuals to practice nursing in accordance with the Nurse Practice Act.

Case Description	Number
Applications mailed	112
Applications returned	92
Cases active	105
Admissions	43
Successful completions	28
Ineligible for admission	43
Terminations	22

Practice Intervention & Improvement Program (PIIP)

Practice Consultants monitored participants' compliance with their Participatory Agreements that set minimum requirements for practice remediation, including education and worksite monitoring.

Case Description	Number
Referrals	14
Cases admitted	5
Cases active as of 6-30-09	5
Successful completions	2
Refused admission/ineligible	1
Failed to complete terms of program agreement	3

Nursing Practice

The Board addresses pertinent nursing regulatory issues and requirements for licensees and certificate holders and provides greater clarity about the requirements to those regulated by the Board.

- Board staff responded to inquiries regarding the application of the Nurse Practice Act and administrative rules to specific practice situations pertaining to nursing, advanced practice, dialysis care, medication aides, and community health workers.
- The Board convened Committees on Practice to collect and review information concerning practice questions and when necessary, and recommend Interpretive Guidelines for Board approval. One such Committee examined the LPN Intravenous Therapy law and rule provisions and made recommendations to the Board. Interested parties attended the meetings and provided comments.
- The Board convened the Advisory Group on Dialysis, comprised of four dialysis technicians, a registered nurse who regularly performs dialysis and care for dialysis patients, a nephrologist, an administrator of a dialysis center, a dialysis patient, a representative of the Ohio Hospital Association, and a representative from the end-stage renal disease network. The Advisory Group advised the Board regarding the qualifications, standards for training and competence of dialysis technicians, and related matters.
- The Board convened the Committee on Prescriptive Governance comprised of a clinical nurse specialist, a certified nurse midwife, a certified nurse practitioner, a registered nurse member of the Board, four physicians who meet the statutory requirements of committee membership, a pharmacist who is actively engaged in clinical pharmacy, and a pharmacist member of the Board of Pharmacy. The Committee developed recommendations regarding the prescribing authority of APNs who hold a certificate to prescribe.
- The Board maintained and updated the Formulary that establishes the parameters for drugs prescribed by advanced practice nurses who hold a certificate to prescribe.
- The Board is working toward creating a national patient safety database. The Board is submitting TERCAP cases to NCSBN. Using TERCAP data, NCSBN will track disciplinary cases involving practice breakdown, develop a national database on patient care, and identify patterns of error, risk factors, and system issues that contribute to practice breakdown. This will assist in the development of new approaches for patient safety. A Board

staff member served on the NCSBN TERCAP Committee during the development of the TERCAP tool and now serves as Chair of this national committee.

- A Board staff member represented Ohio on a national committee convened by NCSBN, the Advanced Nursing Practice Committee.

Administration

Administration includes operational support such as legal, fiscal, personnel, legislative and regulatory matters, information technology, and communications.

Communications

Throughout the year, the Board informed the public, licensees, certificate holders, and other interested parties about the Nurse Practice Act and administrative rules governing practice, proposed statutory and regulatory changes, and other issues relating to regulation. The Board provided information and sought public participation through the following:

- The Board issued Momentum, a magazine published and distributed quarterly to holders of active licenses and certificates.
- The Board updated its website regularly to include electronic versions of brochures, disciplinary actions, nursing education program information, Board meeting materials, upcoming events, FAQs, downloadable forms, and proposed rule changes.
- The Board used an electronic mailing service to send out news and time sensitive e-mail announcements.
- The Board maintained an ongoing liaison and working relationship with multiple state agencies, nursing groups, and other health care stakeholders to foster information sharing.
- The Board scheduled an Open Forum at each Board meeting to provide an opportunity for interested parties to address the Board.

Information Technology

Numerous changes were made to improve internal and external services with the use of technology.

- The Board continued to expand its use of the eLicensing system by providing more detailed discipline information to the general public. Additional disciplinary documents were linked to the license credential or certificate record and became accessible to the general public.

- The Ohio Center for Nursing website was coordinated by the Board and maintained independent of the Board's primary website. Established to promote nursing as a career and provide information about the nursing workforce in Ohio, this website also functioned as the Ohio Network for Nursing Workforce (ONNW) site for Ohio's membership in the National Forum for State Nursing Workforce Centers.
- Board IT and discipline staff completed work with the NCSBN workgroup to develop FITS, a web-based tool designed to allow for the voluntary sharing of information about imposter and/or fraudulent nurses and questionable nursing education programs, with other Member Boards.
- The Board received NCSBN funding for the Data Integrity Project, a project designed to improve the quality of the data in the national nursing database maintained through the Nursys system at NCSBN.

Nurse Education Grant Program

The Board provided grant funding to nursing education programs for the purpose of increasing their nursing student enrollments. Ten dollars of each nurse license renewal fee is used to fund the Nurse Education Grant Program (NEGP), established by Sub. House Bill 95 (2003). For the 2007-2009 grant cycle, the Board awarded eleven grants totaling \$1,305,491. The third grant cycle began September 1, 2009.

Nurse Education Assistance Loan Program

To assist the State of Ohio in meeting nursing shortages and to encourage students to remain in Ohio as they enter the nursing profession, the Board assists the Ohio Board of Regents in administering the Nurse Education Assistance Loan Program (NEALP). Five dollars of each nurse license renewal fee is used to fund NEALP. This program provides financial assistance to Ohio students as an incentive to serve as nurses, or nursing faculty in Ohio nursing education programs, after graduation. For the application period ending June 1, 2009, \$529,000 was awarded to applicants. Under NEALP, loan recipients are potentially eligible for 100% loan forgiveness based upon their commitment to engage in Ohio nursing employment.

Administrative Rules and Legislation

The Board completed the five-year review of applicable administrative rules, as required by Revised Code Section 119.032. The Board also amended additional administrative rules that were not scheduled for the five-year review, primarily to clarify rule requirements and language. The new or amended administrative rules were effective on February 1, 2009.

The Board monitored proposed legislation that could impact the practice of nursing or Board operations, provided Board members legislative reports, and worked with other regulatory boards and interested parties on issues of mutual interest.

APPENDIX A
Board Members
(Members for All or Part of Fiscal Year 2009)

Name/Position	City	End of Term
Lisa Klenke, RN, MBA, CNA, President	Coldwater	12/31/09
J. Jane McFee, LPN, Vice President	Toledo	12/31/09
Debra Broadnax, MSN, RN, CNS	Columbus	12/31/08
Elizabeth Buschmann, LPN	Oregon	12/31/08
Kathleen O'Dell, RN, MEd, NCSN	Greenville	12/31/08
Janet L. Boeckman, RN, DNP, CNP, CPNP Nursing Education Liaison	Mansfield	12/31/09
Patricia Burns, LPN	Mentor	12/31/09
Kathleen Driscoll, JD, MS, RN Chair, Advisory Group on Nursing Education	West Chester	12/31/09
Anne Barnett, BSN, RNC, CWS Supervising Board Member for Disciplinary Matters	Junction City	12/31/10
Eric Yoon, MSN, ACNP, CCNS Chair, Committee on Prescriptive Governance	Springboro	12/31/10
Delphenia W. Gilbert, BA, RN, MEd, LSN Chair, Advisory Group on Continuing Education	Akron	12/31/11
Patricia Protopapa, LPN Chair, Advisory Group on Dialysis	Canfield	12/31/11
Judith A. Church, RN, CNP	Miamisburg	12/31/12
Bertha M. Lovelace, RN, CRNA	Shaker Heights	12/31/12
Johnnie Maier, Consumer Member	Massillon	12/31/12
Melissa G. Meyer, LPN	Amelia	12/31/12

APPENDIX B FISCAL OPERATIONS FY2009

Revenue	
Income from Fees	\$11,253,961
Transfer to Nursing Ed. Fund*	\$387,180
Transfer to NEGP Fund*	\$774,360
Adjusted Revenue Total	\$10,092,421

*Note: NEALP & NEGP transfers are a quarter behind, as we must complete the QTR before completing the transfer.

Payroll and Personal Services Account	
All Staff	\$4,813,116
Training and Registrations	\$3,200
Court Reporting	\$8,303
Hearing Officers	\$44,365
Expert Witnesses	\$600
Subpoena Fees	\$374
Advisory Group Travel	\$4,439
Bank Lock Box & Bank Fees	\$0
Purchased Services (other)	\$9,652
Actual Spent	\$70,934
Allotment	\$76,729
Remaining	\$5,796
Maintenance Account	
Rent (+space repairs, improve)	\$236,360
Maintenance & Repairs	\$31,419
Office Supplies	\$16,828
Staff Travel	\$37,192
Telephone	\$34,783
Telephone (DAS)	\$34,747
Attorney General	\$48,146
Printing (via DAS)	\$16,204
Printing (Other)	\$11,456
Bank Lock Box & Bank Fees	\$89,682
Computer Services (DAS)	\$27,248
Computer Maintenance (other)	\$5,519
Computer Services	\$0
Other (Postage, Etc.)	\$99,569
Actual Spent	\$689,151
Allotment	\$715,468
Remaining	\$26,317
Equipment Account	
Computer / IT	\$21,848
All other	\$1,366
Actual Spent	\$23,214
Allotment	\$23,214
Remaining	\$0

Refund Account	
Actual Spent	\$937
Allotment	\$1,022
Remaining	\$85

Board Member	
Payroll	\$78,557
Other Expenses	\$0
Actual Spent	\$78,557
Allotment	\$80,000
Remaining	\$1,443

Board Travel & Maintenance	
Travel	\$30,071
Other Expenses	\$6,270
Actual Spent	\$36,341
Allotment	\$38,000
Remaining	\$1,659
OPERATIONAL COSTS TOTALS	\$5,712,250

Special Issues Fund	
Beginning Balance**	\$19,580
New Donations / CE	\$0
Actual Spent	\$0
Fund Balance	\$19,580
FY 09 Allotment	\$5,000

**Cash balance from FY08

NEGP FUND	
Actual Disbursed	\$1,013,838
Administrative Expenses	\$50,617
FY 08 Allotment	\$1,450,000
Remaining	\$436,163
SFY 2009 Appropriation	
Operational Budget 4K90	\$5,699,080
**Special Issues 5P80	\$5,000
Nurse Education Grant 5AC0	\$1,450,000

APPENDIX C
Board Staff
(As of June 30, 2009)

Administrative

Executive Director	Betsy Houchen, RN, MS, JD
General Counsel	Holly Fischer, JD
Executive Assistant	Joseph Kirk
Legislative/Regulatory Specialist	Tom Dilling, JD
Operations/IT Manager	Eric Mays
Network Administrator	Cary Dachtyl

Compliance

Unit Manager	Lisa Ferguson-Ramos, RN, JD
Administrative Assistant/Supervisor	Debbie Fulk
Administrative Assistant	Peggy Carrier
Administrative Assistant	Rose Ferguson
Administrative Assistant	Melissa Malone
Administrative Assistant	Autumn McKenzie
Supervising Attorney	Tara Bowman, JD
Supervising Attorney	Emily Brown, JD
Supervising Attorney	Jodi Crowe, JD
Adjudication Coordinator	Tom Dilling, JD
Adjudication Coordinator	Carol Ellensohn, JD
Adjudication Coordinator	Julia Hilty, JD
Adjudication Coordinator	Phalyn Williams, JD, MPA
Enforcement Agent	Timothy Fulk
Compliance Agent	Dennis Corrigan, RN
Compliance Agent	Diane Helferich, RN, MHSA
Compliance Agent	Bette Horst, RN, MHSA
Compliance Agent	Melissa Knauss, BSN, RN
Compliance Agent	T. Lee Knowles, RN BSN, MSA
Compliance Agent	Amy Sala, RN, BSN
Compliance Agent	Brian Torrence, RN
Monitoring Agent	Janelle Freeman, RN
Monitoring Agent	Diana Harris, RN, BSN
Monitoring Agent	Monique Holokai-Kane, BSN, RN
Monitoring Agent	Susan Mann Orahood, RN
Monitoring Agent	Marion Wilson, RN
Monitoring Agent	Richard Young, RN, MBA

Licensure, Certification, and Continuing Education

Unit Manager	Lesleigh Robinson, RN, MS
Initial Licensure Supervisor	Karen Scott
Renewal Supervisor	Brenda Murphy
Certification/Licensure Specialist	Tami Earles
Certification/Licensure Specialist	Amanda Eisert
Certification/Licensure Specialist	Cynthia Gossard
Certification/Licensure Specialist	Melody Gullion
Certification/Licensure Specialist	Cheryl Johnson
Certification/Licensure Specialist	Jamie Newsome
Certification/Licensure Specialist	Carol Polanski
Certification/Licensure Specialist	Alison Riemenschneider
Certification/Licensure Specialist	Tamera Stripsky
Certification/Licensure Specialist	Karen Wheeler
Certification/Licensure Specialist	Angela White
Administrative Assistant	Toni Notturniano

Education, Practice, and Administration

Unit Manager	Lisa Emrich, RN, MSN
Administrative Assistant	Ebony Turner
Fiscal Officer	Kathy King
Fiscal Specialist	Katha Bloomer
Fiscal Administrative Assistant	Sue Baer
Human Resources Officer	Beth Lewis, JD
Nursing Education Consultant	Michelle Hubbard, MSN, BSN, RN
Nursing Education Consultant	Emeline Kelly, BSN, RN
Nursing Education Consultant	Joyce Zurmehly, RN, PhD

APPENDIX D

Excerpt From the July 2009 Executive Director Report

2009 Licensure and Renewal

Since June 15th, the state eLicensing system has experienced serious systems issues causing very substantial problems for applicants, licensees and certificate holders, and the work of Board staff. The eLicensing system controls our licensure and renewal process and is administered by the Department of Administrative Services (DAS). The following details the issues involved for both initial licensure and for RN, COA, and CTP renewal.

Initial Licensure: For individuals applying for initial licensure, the eLicensing system all but came to a grinding halt. For example, initial application processing that should have taken 3-5 minutes per applicant, now took almost an hour, creating a large backlog and delaying licensing nurses for Ohio's workforce. We changed the timeline for processing applications from 30 business days to 45 business days. A timeline that is not acceptable became a reality.

Another result of the eLicensing slowdown, was that it took staff 10-15 minutes to respond to each caller who had lost their username and password needed to renew online; the usual time to respond to such a call was 30 seconds. At that time our in-house IT staff was able to determine a short-term solution. They constructed a data base application internally and loaded it with limited licensee data to allow staff to better handle the influx of calls from licensees requesting usernames and passwords as the June 30 renewal deadline to avoid late fees approached. A second database application was created internally to assist fiscal staff with the reconciliation of renewal payments between the licensing system and the credit card vendor.

Renewal: The continued degradation in the performance of the eLicensing system culminated in a near work stoppage as the internal facing system became almost completely unresponsive. This facilitated the resolution by DAS of several outstanding software issues that had previously delayed the hardware upgrade planned for earlier this year. An emergency server upgrade was performed the evening of Friday June 26th. This dramatically improved the performance of the portion of the licensing system used by staff.

The server upgrade described above contributed to an unforeseen failure of the outward (public facing) Online Renewal and Verification system. By Monday morning June 29th, the Online Renewal System's performance had degraded, preventing most who attempted to renew online from completing their transaction. By the afternoon of the 29th, DAS was still unable to determine the cause of the online renewal system's failure and requested that Online Renewal be suspended for the Nursing Board for an undetermined amount of time. It was their intention to relieve as much "stress" on the system as possible by dropping the largest group attempting to renew in hopes that smaller licensee groups from several boards would be able to complete their transactions by their own June 30th deadlines. An email from the Director of DAS, Hugh Quill, acknowledging the

magnitude of the problem and thanking the Board for reluctantly removing its licensees from the system is attached.

With that understanding, the Board placed a message on the website and phone lines, and issued an eNews listserv message stating that the Online Renewal System was unavailable and that the Board would be preparing a paper application mailing. Given the overwhelming number of calls, at least 20,000 emails and faxes requesting paper applications, constant lines of licensees at the Board office, and no timeline for online service restoration, the decision was made to waive the July late fee for this renewal period. Late in the afternoon on June 30th a “fix” was applied to the system by DAS that improved performance to the point where DAS decided not to remove our licensees from the renewal system. The next morning, July 1st, when it was apparent that about 900 licensees had managed to renew overnight, Board staff discovered that nurses were never actually closed out of the system.

After a web-server replacement, several “patches” and coding changes, online renewal is once again considered available to our licensees and is being closely monitored by Board IT staff and DAS. As of July 10th, DAS is still tentative about the system’s ability to be overwhelmed, and has begun load testing (stress testing) its capacity to better prepare for the conclusion of our renewal period at the end of August. According to DAS, the near failure of this system has elevated its importance to be recognized as a critical application to the state’s IT system.

Telecommunications: Due to the extremely high volume of licensee calls related to the Online Renewal System, the Auto Attendant phone system used by the Board and several other agencies became overloaded. Early during the morning of June 29th, DAS Telecom Services informed the Board that our connection to this automated call routing system was severed to prevent a system failure. All incoming calls to the Board were funneled into two front desk lines where the receptionist was required to manually transfer and route all incoming calls to the proper areas. This action further limited applicant and licensee access to the Board. On July 9th, DAS began tentative restoration of Auto Attendant/Call Routing services.

Status: As of July 9th, 120,141 RNs renewed their licenses (112,923 online and 7,218 via a paper application). In addition, 1,514 nurses placed their licenses on inactive status. Paper applications are scheduled to be mailed on July 17th for nurses who have not renewed or placed their licenses/certificates on inactive status.

The volume of applications for licensure by examination is extremely high this year. The Board is processing approximately 760 applications per month. In previous years, the Board offered overtime and/or used temporary staffing to handle the applicant workload during peak licensure months. However, due to the state budget issues, we can no longer offer overtime or hire additional staffing at a time when there are more nursing education programs, more graduates, more applicants, and additionally, serious flaws in the eLicensing

system. To address the problem, we have expedited the process between licensure and fiscal and shifted work of other staff and trained them to assist with licensure. Some staff have also volunteered to work overtime and elected to be compensated by receiving compensatory time.

The issues in the state system have many ramifications for the Board: loss of state revenue due to waiving late fees, increased costs associated with printing, mailing, and bank costs, increased staff time in processing paper applications, and a lack of trust in the online system for future renewal periods.

Throughout these stressful weeks, we must commend staff for their hard work and commitment to get applicants licensed and nurses renewed as quickly as possible. Recently, IT personnel from DAS have begun communicating with us; the initial lack of communication impacted our operations, communications with our customers, and the business decisions we made. We thank ONA and OAAPN for helping us provide information to nurses and their understanding of the dilemma we faced.

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From: "Quill, Hugh" <Hugh.Quill@das.state.oh.us>
Date: June 30, 2009 4:40:40 PM EDT
Subject: e-Licensing System Update from DAS

Directors,
Please accept our apologies for any inconvenience either you or your customers have experienced over the past two days due to e-Licensing system performance. Due to a significant spike in e-Licensing traffic which began this weekend, the application has struggled to meet demand. Some of your customers have experienced slow response times when renewing their professional licenses, or, in some cases, have not been able to complete their online transaction.

Due to the time of year and the number of boards requiring license renewals at this time, our options for a temporary fix are rather limited. We are well on our way to understanding the capacity problem and will be able to avoid this circumstance in the future. Most ideas for a temporary fix to the problem would involve some system downtime. Due to the number of boards affected and the time of year, taking the system down for any length of time is a last resort option.

The largest current cohort of license renewals is Ohio's nurses. Executive Director Betsy Houchen of the State of Ohio Board of Nursing has graciously agreed to temporarily pull her agency's renewal demand from e-Licensing. What this should do is free enough system resources to effectively process online the license renewals of all other Boards. My thanks go out to Director Houchen. We all owe her a debt of gratitude.

Moving forward, State CIO Sam Orth is working with his team at the Office of Information Technology to permanently remedy the situation. In two days they have narrowed the root cause of the system performance problems. They are now working on a solution that will scale the e-Licensing system to work under a heavier traffic load. In the short term, Sam and his team will be monitoring the system to ensure that the removal of Nursing's activity frees up the resources needed by the other boards. OIT will be working with your board to ensure the e-Licensing system meets your expectations in the future.

Best Regards,
Hugh