

ANNUAL REPORT

OHIO BOARD OF NURSING

July 1, 2003 through June 30, 2004



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

Prepared for The Honorable Bob Taft, Governor



Ohio Board of Nursing

www.nursing.ohio.gov

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

November 1, 2004

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

Dear Governor Taft:

On behalf of the Ohio Board of Nursing (Board) we are pleased to submit this annual report for fiscal year 2004 in accordance with Section 4723.06 of the Revised Code. This report highlights the work of the thirteen-member Board, supported by a staff of approximately fifty-six employees throughout State Fiscal Year 2004.

The 2004 fiscal year was one marked with growth, transition and improvement at the Board. In addition to the day-to-day activities of the Board, major focus areas during 2004 included:

- A survey of the current Ohio nursing workforce. Responses were received from over half (96,000) of Ohio's currently licensed nurses. Preliminary data has been reported in the Board's quarterly news magazine, *Momentum*. A final report of survey data, to be completed in the fall of 2004, will provide detailed information about current and expected employment patterns of nurses in Ohio.
- In November of 2003, the Board introduced a multi-media campaign to educate the public about nursing. This campaign, co-sponsored by several other state organizations, highlights ethnic minorities and men, two groups currently not well represented in the nursing profession. The campaign directs individuals to a website containing information about nursing education and careers in Ohio. Private sector partnerships are currently being sought to further develop the campaign.
- The Board began the process of promulgating rules to allow for certification of community health workers, who provide basic services to mostly inner city and rural communities, and for the Nursing Education Grant Program, intended to increase enrollment capacity in Ohio's nursing education programs.

The Board continued to meet the obligations of Chapter 4723. of the 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 fulfillment of 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 Revised Code.

Sincerely,

A handwritten signature in cursive script that reads "Yvonne M. Smith, RN, MSN, CNS".

Yvonne Smith, RN, MSN, CNS
President

A handwritten signature in cursive script that reads "John M. Brion, RN, MS".

John M. Brion, RN, MS
Executive Director

The mission of the Ohio Board of Nursing is to actively safeguard the health of the public through the effective regulation of nursing care. (Revised 5/04)

Board Members

Name/Position	City	Term Expires
Yvonne Smith , MSN, RN, CNS President	Canton	12/31/05
Mary Jean Flossie , LPN, LNHA Vice President	Massillon	12/31/05
Kathy Driscoll , JD, MS, RN Chair, Advisory Group on Nursing Practice & Education	West Chester	12/31/05
Lisa Klenke , RN, MBA Chair, Advisory Group on Continuing Education	Coldwater	12/31/05
T. Diann Caudill , LPN	Newark	12/31/05
Bertha Lovelace , RN, BA, CRNA Supervising Board Member for Disciplinary Matters	Shaker Heights	12/31/06
Anne Barnett , BSN, RNC Hospitality Liaison	Junction City	12/31/06
Judith Brachman , Consumer member	Columbus	12/31/07
Cynthia Krueger , RN, MSN	Napoleon	12/31/07
Teresa Williams , LPN	West Union	12/31/07
Debra Broadnax , MSN, RN, CNS Chair, Advisory Group on Dialysis	Columbus	12/31/04
Patricia Schlecht , RN, MSN	Loveland	12/31/04
Elizabeth Buschmann , LPN	Oregon	12/31/04

The Board met seven times during the year for a total of fifteen meeting days. All meetings were held at the Board offices, 17 South High Street, Suite 400, Columbus, Ohio, except for the September Board meeting which was held at Hocking College, Nelsonville, Ohio. Approximately 230 individuals attended the meetings with four individuals participating in the Open Forum opportunity provided during each meeting. Issues brought to the Board's attention through this public dialogue included:

- Media campaign update regarding recruitment focusing on males and minorities;
- Impaired practitioners, including issues regarding return to practice; and
- Interpretation of "immediate presence" terminology regarding the Registered Nurse First Assistant rules.

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:

- Continued 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.
- Convened a group of interested parties to draft new administrative rules establishing and preparing to implement a program to certify Community Health Workers as provided in H.B. 95, the biennial budget bill.
- Began internal preparations and formulated administrative rules to develop a Nurse Education Loan Program that will provide financial grants to partnerships between nurse education programs and health care facilities, community health agencies, and other education programs that are designed to increase the capacity of nurse education programs.
- Continued to actively promote the Nursing Rewards multi-media program to educate the public about the attractions of a career in nursing, and to recruit more men and minorities into the ranks of Ohio nurses.
- Worked with members of other nursing groups, health care organizations, and the Ohio General Assembly on defining advanced practice nurse, extending limited immunity programs for volunteer nursing services to indigent patients, and pursue Ohio membership in the national Nurse Licensure Compact.

Board members and staff were also actively involved with the National Council of State Boards of Nursing. Board staff participated in committees of the National Council of State Boards of Nursing. John Brion served on the Subcommittee on International Nurse Licensure and Lisa Emrich served on the Practice Breakdown Committee. This involvement enabled Ohio to work in conjunction with regulatory boards across the country to enhance our effectiveness and expertise. The result is safer nursing care and better public protection.

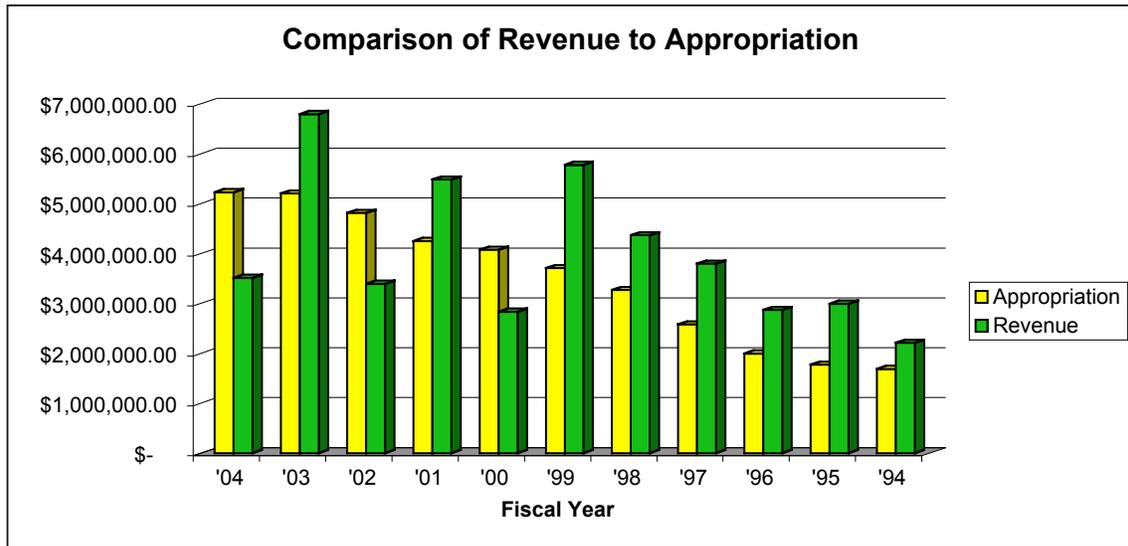
ADMINISTRATION

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

A staff of fifty-six individuals, many of whom are registered nurses, supports the work of the thirteen-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. Therefore, appropriations are based on two-year income projections. The Board’s budget continues to increase within its revenue capacity to support and achieve its mission. The Board expects continued increases in its operational costs due to addition of staff, and expansion of automated services and inflation.



**Ohio Board of Nursing
4K9 Fund SFY 2004**

Revenue

Endorsement	\$166,525.00
Examination	\$443,750.00
Certificates of Authority (all fees)*	\$328,690.00
Renewal (all other)	\$2,467,460.65
Dialysis Certification	\$15,210.00
CNE Approvers	\$2,250.00
Verification	\$9,280.00
Fines	\$13,550.00
Publications	\$4,924.50
Miscellaneous (all other fees)	\$1,224.03
Reimbursement	\$18,386.61
Donations to Special Issues Fund	\$41,100.00

Total **\$3,512,350.79**

**Includes some RN Renewals paid as one transaction*

Transferred to Nurse Education Assistance Fund: **\$687,375.00**

Operational Costs

Payroll Account	Actual
Payroll and Fringe Benefits	\$3,499,910.21
Training, Registrations, Etc.	\$2,501.00
Court Reporting Services	\$22,054.67
Hearing Officer Services	\$77,343.50
Computer Related Service	\$9,600.17
Nursing Ed. Consultants	\$12,556.21
Advisory Group Travel	\$7,091.28
Other Personal Services	\$132,689.70
Total Expended	\$3,763,746.74
Original Allotment +/- Adjustments	\$3,954,010.00

Maintenance Account	Actual
Attorney General Services	\$75,007.99
Equipment Maintenance, Rental & Repairs	\$16,864.31
Supplies & Small Equipment	\$32,210.89
Postage & Shipping	\$159,615.02
Printing	\$64,237.86
Telephone Charges	\$51,140.35
Travel Staff & Board	\$63,307.44
Computer Services, Charges & Maintenance	\$65,600.99
Office Space Rent, Repairs & Improvements	\$242,902.85
Bank Lockbox Service	\$29,945.39
All Other Cost	\$234.99
Total Expended	\$801,068.08
Original Allotment +/- Adjustments	\$1,163,766.00
Equipment Account	Actual
Computer Equipment	\$65,348.65
Fax / Telephone Equipment	\$3,929.00
Other Equipment	\$8,267.25
Total Expended	\$77,544.90
Original Allotment +/- Adjustments	\$110,000.00
Refund Account	Actual
Refunds	\$2,630.00
Total Expended	\$2,630.00
Original Allotment +/- Adjustments	\$5,000.00

SUMMARY

	Actual
Encumbered Funds Pending	\$422,640.99
Expended Funds	\$4,644,989.72
Lapsed Funds FY04	\$165,145.29

Total Operational Expenses

SFY 2004 Appropriation	\$5,232,776.00
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Nursing Special Issues Fund

Donations (Brought Forward)	\$14,150.00
Donations (New)	\$41,100.00
Encumbrances & Expenditures	\$0.00

Ending Balance*	\$55,250.00
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**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 evolution and adaptation. The Board works diligently to keep pace with the changing needs presented, and advantages offered through technological innovation.

- The Board procured laptops for field investigators to maximize employee productivity and resource utilization. These staff members will now have the ability to minimize downtime while waiting for court appearances and documenting licensee interviews.
- The primary nurse licensure database was migrated from an aging mainframe to a web-enabled environment called CAVU. A great deal of planning and testing was invested in the overall design and implementation of the new system. The Board intends to continue to develop and enhance the internal utilization of this flexible database environment to further improve the licensure process.
- The transition to the new licensure system has enabled the Board to enhance the public licensure verification system available to the general public through the Internet. The initial implementation added the ability to search for licensees by name instead of just license number and provides more detailed license status information. Future additions planned for the coming year will include making available advanced

certificate holder data, dialysis technician certification information and online license/certificate renewal.

- During this year the Board brought the management and delivery of its e-mail list service in-house improving both the hardware and software used and eliminating the utilization of an external contractor.

HUMAN RESOURCES MATTERS

- The Nursing Practice and Education (NP & E) Unit has been merged with the Licensure Unit to form the **Education, Licensure and Nurse Practice Unit**. This merger will allow the Board to more efficiently manage the common issues that exist between these areas.
- A request to create a new state classification (Nursing Board Program Manager) and to eliminate four existing classifications was submitted to the Department of Administrative Services.
- An Early Retirement Incentive was offered to Board employees. One employee, the former manager of the Licensure Unit, opted to accept the two-year buyout.
- The following personnel actions were processed in accordance with applicable laws, rules, and collective bargaining agreements: nine separations/transfers, seven new hires, and nine internal promotions/reassignments.
- 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 2004. Topics included Board general information, standards of practice and delegation, laws & rules updates, advanced practice, impairment, compliance, mutual recognition, Alternative Program for Chemical Dependency, and the Practice Intervention & Improvement Program.

- The Board held its September 18-19, 2003 meeting at Hocking College in Nelsonville, Ohio. A one hour session of free continuing education covering the law and rules regulating nursing practice was offered on each day of the “on-the-road” Board meeting.

WRITTEN MATERIALS

All Board publications are available on the Board’s web site at www.nursing.ohio.gov.

- The Board issued *Momentum*, its official publication, on a quarterly basis. It was mailed to all holders of active licenses or certificates, as well as major employers, approximately 190,000 individuals.
- The following brochures or pamphlets were developed or updated and 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
 - The Alternative Program for Chemical Dependency
 - Booklets containing the law regulating the practice of nursing and the rules of the Board were published and distributed upon request.

ELECTRONIC COMMUNICATION

The Board continues to leverage its use of electronic communication mediums to keep the public informed of relevant issues. Public access to, and reliance on these alternative conduits of information continues to increase.

- The Board website is updated regularly and contains all written materials published by the Board. These updates include current electronic versions of informational and program brochures, recent disciplinary actions, Board Meeting materials, upcoming events, FAQs, downloadable forms and even proposed rule change drafts.
- Additionally, the board uses an email list-serve to send out breaking news and time sensitive announcements that relate to nurses and dialysis technicians. There are currently around 5,700 subscribers to this electronic mailing service.

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 help foster a spirit of cooperation and information sharing that allows the Board to more effectively fulfill its mission. Some of the entities with which the Board has worked 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 evaluates its regulatory processes on an ongoing basis to determine areas where regulatory effectiveness could be improved. During the past year, the Board adopted rules that modified standards of safe nursing practice, revised procedures for the Alternative Program for Chemical Dependency, made changes to the Practice Intervention and Improvement Program and updated provisions relating to the prevention of disease transmission. In addition to its review of existing rules, the Board also began to formulate administrative rules that will implement both the Nurse Education Grant Program and the board's responsibility for certification of Community Health Workers.

RULE REVIEW

- In accordance with section 119.032 of the Revised Code, the Board conducted its annual rule review throughout the course of the year. Four chapters of the Ohio Administrative Code, encompassing 33 rules, were subject to five-year review. In addition, another 35 rules were identified for possible changes.
- Input in rule amendments, additions, and rescissions was sought initially from the Board's advisory groups which include both Board members and representatives from various sectors of the nursing community. Recommendations from these groups are reviewed and discussed by the Board prior to formal filing with the Joint Committee on Agency Rule Review (JCARR). Subsequent to JCARR filing an additional public hearing is conducted and the Board makes its final decision with regard to the rules.
- During the five year review process, a variety of amendments and revisions were approved in Chapter 4723-4, Standards for Safe Nursing Practice for Registered Nurses and Licensed Practical Nurses; Chapter 4723-6, Alternative Program for Chemical Dependency; Chapter 4723-18, Practice Intervention and Improvement Program; and Chapter 4723-20, Prevention of Disease Transmission. Rules previously contained in Chapter 4723-19, Advanced Practice Nurses, were rescinded as these rules applied to pilot programs for which the statutory authority sunset in January 2004.
- In addition to the chapters that were due for five year review, the board also approved revisions to Chapter 4723-1, Board Organization, Personnel, and Records; Chapter 4723-3, Definitions; Chapter 4723-5, Prelicensure Nurse Education Programs; Chapter 4723-7, Licensure; Chapter 4723-8, Certified Nurse-Midwife; Certified Nurse Practitioner; Certified Registered Nurse Anesthetist; Clinical Nurse Specialist; Chapter 4723-10, Courses in Medication Administration for LPNs; Chapter 4723-13, Delegation by Licensed Nurses; Chapter 4723-14, Continuing Education; Chapter 4723-16, Adjudication; and Chapter 4723-23, Dialysis Technicians.
- Continuing with the required five-year review, the Board is currently engaged in reviewing Chapters 4723-16, Adjudication, and 4723-17, Role of Licensed Practical Nurse in Intravenous Therapy. The Board is also preparing to rescind rules in Chapter

4723-21, Delegation in MR/DD County Board Facilities, and Chapter 4723-22, Delegation of the Authority to Give Oral and/or Apply Topical Medications in ICFs/MR with Fifteen or Fewer Residents. These rules have been rendered unnecessary by legislation (Sub. Senate Bill 191, 124th General Assembly), and related rules adopted by the Ohio Department of MR/DD.

- In addition to its review of existing rules, the Board is currently circulating for comment two sets of draft rules that would implement two new initiatives created in Am. Sub. H.B. 95 of the 125th General Assembly. The first of these sets would establish the Nursing Education Grant Program, which is to be funded by \$10 of every nurse licensure renewal fee paid in 2004 and for nine years thereafter. The second set of draft rules would implement the Board's charge to issue certificates to Community Health Workers. Both sets are scheduled to be finalized and approved prior to the end of the 2004 calendar year.
- 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 the manner in which the rules affect nursing practice or dialysis care.

LEGISLATIVE ACTION

- The Board monitors all state legislation that has the potential to affect the licensure and regulation of nurses and dialysis technicians. For bills with a direct impact on the responsibilities of the Board, staff engages in a more active role by conveying to legislators and other interested parties any interests or concerns identified by the Board. On occasion, the Board also initiates legislation that it deems necessary to more effectively carry out the mission of the Board. The Board also responds to legislative requests for information when it is appropriate to do so.
- During the past year, the Board was actively involved in deliberations on the following measures:
 - House Bill 188 (Reidelbach)**- Makes changes in the regulatory authority of the Board of Dietetics and allows for the registration of a new category of practitioner called a "natural health educator."
 - Senate Bill 86 (Stivers)**- Extends existing immunity for health care volunteers to those practicing in different settings. This bill was used as a vehicle for an amendment to add a definition of "advanced practice nurse" to Revised Code chapter 4723., the Nurse Practice Act. The amendment became an issue of controversy because it referenced all four categories of advanced practice nurses in the definition, including certified registered nurse anesthetists. After extensive discussions, the amendment was removed from the bill.
 - Senate Bill 124 (Amstutz)**- Makes changes in the immunity granted to health care professionals who volunteer their services to provide medical and dental care to indigent patients in certain settings. A negotiated amendment adding a definition of "advanced practice nurse" to Chapter 4723. was added to this legislation. The definition references all four categories of advanced practice nurses, including certified registered nurse anesthetists. Language is also included in the bill stating that those nurses who fit within the definition of advanced practice nurse remain governed by existing statutory provisions relating to scope of practice and practice parameters.

The Board has initiated discussions with a Senate sponsor to pursue legislation allowing Ohio to enter into the multi-state nurse licensure compact. This would allow nurses who are licensed in other compact states to practice in Ohio without obtaining an Ohio license. Similarly nurses holding Ohio licenses could practice in other compact states without seeking a separate state license. It is anticipated that this legislation will be introduced in 2005.

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.

NURSING EDUCATION

The Board of Nursing shall define the minimum curricula and standards for schools of professional nursing and schools of practical nursing and 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 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 program:

- ATS Institute of Technology, Highland Heights, November, 2003
- Sixteen proposed new nursing education programs are in application process.
- The Board regularly surveys prelicensure nursing education programs and approves those that comply with standards set forth in Chapter 4723-5 OAC. Sixty registered nursing programs, and fifty-one practical nursing education programs exist in Ohio. Of the 111 nursing education programs in Ohio, twenty-nine were visited in FY'03 by a Board representative with the results of the survey visit used by Board members to determine the programs' approval status.
- The Board reviewed the performance of students on the licensure examination, NCLEX®, by educational program. Fourteen programs reported a 100% pass rate for the calendar year 2003. 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. Seventy-nine percent of Ohio programs met or exceeded the national standard. Those programs that do not meet the standard must begin to address the low passing rate. 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. One program that was visited by the Board due to passing percentages below standard has shown consistent improvement.

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

National and State NCLEX® Passing Percentage for First Time Candidates 2003 and Ohio "95% of National Average" Benchmark

<i>Registered Nurses</i>		<i>Practical Nurses</i>	
Ohio:	90.00%	Ohio:	92.49%
National:	87.01%	National:	88.21%
95% of Nat Avg:	82.66%	95% of Nat. Avg:	83.80%

- The rules setting forth requirements for nursing education programs (Chapter 4723-5, Ohio Administrative Code) were revised. One important change involved the requirement that intravenous therapy education be included in the practical nursing education program curricula. Currently, only those who become licensed practical nurses may take the intravenous therapy course; this rule would allow the new graduate, when licensed, to also be authorized to practice intravenous therapy rather than wait until licensed to register and complete intravenous therapy education.
- Annual reports were received from all the nursing education programs regulated by the Board. In these reports programs documented continued compliance with Board standards and also reported enrollment statistics.

Statistics for Nursing Education Programs

Nursing Education Program Types	Nursing Education Program Enrollment	Nursing Education Graduates
Certificate in Professional Nursing Program (ND)** 2002 . . . 1 2003 . . . 1 2004 . . . 1	Certificate in Professional Nursing Program (ND) 1995 . . . 94 2002 . . . 48 2004 . . . data not provided	Certificate in Professional Nursing Program (ND) 2002. . . 27 2004 . . . data not provided
Direct Entry Master's Degree in Nursing Program (Medical College of Ohio School of Nursing) 2004 - 1	New program – will graduate first class in 2005	
Baccalaureate 2002 . . . 23 2004 . . . 23	Baccalaureate 1995 . . . 7201 2002 . . . 4681 2004 . . . 6,500	Baccalaureate 2002. . . 1411 2004 . . . 1688
Diploma 2002 . . . 8 2004 . . . 6	Diploma 1995 . . . 1691 2002 . . . 756 2004 . . . 1035	Diploma 2002. . . 174 2004 . . . 320
Associate Degree 2002 . . . 29 2004 . . . 29	Associate Degree 1995 . . . 5945 2002. . . 4445 2004 . . . 6184	Associate Degree 2002. . . 1752 2004 . . . 2216
Practical – High School 2002 . . . 4 2004 . . . 4	Practical – High School 1995 . . . 128 2002. . . 123 2004 . . . 339	Practical – High School 2002. . . 47 2004 . . . 147
Practical – Adult 2002 . . . 43 2004 . . . 47	Practical – Adult 1995 . . . 2186 2002. . . 3023 2004 . . . 3815	Practical – Adult 2002. . . 1751 2004 . . . 2406

- A list of all approved prelicensure nursing education programs is available on the Board's web site, www.nursing.ohio.gov

Additional Data Collected in Academic Year 2003. In the interest of serving a public need to collect data related to the supply-side of the nursing shortage in Ohio, additional data was collected for the 2002-2003 academic year regarding program capacity, intent to expand, and program expansions. In addition, data is being collected for the 2003-2004 school year. Challenges faced by programs increasing capacity primarily involve obtaining adequate numbers of qualified faculty, and placement of students in clinical facilities with many programs competing for placement space. The same data is being collected for the 2004 academic year. The following is the data collected for the 2002-2003 academic year:

Possible Expansion of Program Capacity with Existing Resources. Twenty-one RN programs, or 38%, indicated they would be able to increase the numbers of students in their programs with existing resources. Thirty-four programs, or 62%, indicated they would not be able to do so.

Nine of thirteen PN programs, or 28%, indicated they would be able to increase the numbers of students in their programs with existing resources. Thirty-four programs, 72%, indicated they would not be able to do so.

Intention to Expand. Forty-three RN programs, 75% of those surveyed, indicated an intention to increase the number in their program. The total number of additional seats projected for those programs totaled 994. The remaining fourteen programs, or 25%, indicated no intention to expand.

Twenty-one PN programs, 45% of those surveyed, indicated an intention to increase the number of seats in their program. The total number of additional seats projected for those programs totaled 477. The remaining twenty-six programs, or 55%, indicated no intention to expand.

Expansion Accomplished. Forty-four RN programs, or 80%, indicated they had already expanded their programs, while the remaining 11, or 20%, had not done so. Of the forty-four programs that had already expanded, the following needs and challenges were faced:

- 41% required additional space and/or equipment;
- 82% required additional faculty;
- 66% required additional preceptors; and
- 71% faced challenges identifying the additional clinical placements for students.

Twenty-eight PN programs, or 61%, indicated they had already expanded their programs, while the remaining eighteen, or 39%, had not done so. Of the twenty-eight programs that had already expanded, the following needs and challenges were faced:

- 55% required additional space and/or equipment;
- 69% required additional faculty;
- 45% required additional preceptors; and
- 52% faced challenges identifying the additional clinical placements for students.

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, 2004

Type of certificate issued	Number of certificate holders
Ohio certified dialysis technicians	1087
Temporary certificate 1	333
Temporary certificate 2	161
Temporary certificate 3	4

- The Board has a total of twenty-six approved dialysis technician training programs. Programs are approved and re-approved for a two-year period. A list of all approved programs is available on the Board's web site at www.nursing.ohio.gov.
- The Board re-approved two national testing organizations that provide certification for dialysis technicians.

The Advisory Group on Dialysis consists 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 has been engaged in the process of reviewing Chapter 4723-23 OAC to make recommendations for revisions as part of the required five-year rule review in 2005.

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 is a method 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 to be eligible to renew a license to practice nursing or certificate to practice as a dialysis technician. Effective this renewal all registered nurses, licensed practical nurses and dialysis technicians must 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.

- To assure compliance with the continuing education requirements, all licensed practical nurses (approx 45,000) were expected to provide verification of completion of these requirements. Over 3,100 licensed practical nurses were audited for the licensing period of September 1, 2000 through August 31, 2002, prior to the renewal of their license. At the end of the auditing period, 328 licensed practical nurses had not completed their audit and were ineligible to renew their license. Because of a shortage of health care workers, every effort was made to contact these nurses.

- 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. Four OBN Approvers were re-approved and no new Approver was added and approved by the Board. A list of the Approvers is available on the Board's website.

The Advisory Group on Continuing Competency made a final recommendation to the Board last July to require any nurse who had a lapsed or inactive license to practice nursing in the State of Ohio for more than five years to take a refresher course to reactivate that license. This would be waived if the nurse could show evidence of current licensure in another state. After considerable thought and work, the Board accepted the recommendation of the Advisory Groups that the requirement for re-licensure be mandated content and a set number of contact hours to assure familiarity with current laws/rules, scopes of practice and patient safety. Efforts continue with the Advisory Groups to finalize the requirements.

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, to nurses licensed in another state seeking endorsement to practice in Ohio and to nurses reactivating an inactive or lapsed Ohio license.

This graph provides a “snapshot” of actual licenses that were active on the specific date indicated. Numbers on this graph will not necessarily match revenue as renewal spans both fiscal years.

LICENSURE STATISTICS July 1, 2003 through June 30, 2004

Category of licensee or certificate holder	Number as of July 1, 2003	Number as of June 30, 2004
Registered nurses	147,166*	141,462
Licensed practical nurses	40,877	45,129
Advanced practice nurses (under pilot program)	55 active (renewed 301 pilot APNs and issued new approval to 5 APNs)	No further pilot programs
Certificate of authority holders	6,208	6,567
Certificate to prescribe**	1,950	2,380
RNs licensed by examination		3,541
LPNs licensed by examination		2,300
RNs licensed by endorsement		1,800
LPNs licensed by endorsement		399

* This number may have been a miscalculation; number of Registered Nurses as of July 1, 2002 was 141,844.

** In order to have a certificate to prescribe, the nurse must hold a certificate of authority. All Certificate to Prescribe holders also have a COA.

- The Board staff provides verification of licensure either by on-line verification or phone service.
- 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 staff now use CAVU for its basic database for RNs and LPNs as well as RNs with COA. It is anticipated that within the year, the dialysis technicians will be included.
- The Board implemented Criminal Record Checks for applicants who enter a pre-licensure nursing education program on or after June 1, 2003. The first graduates were impacted this year with Spring graduations of 2004.

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 2,300 certificates to prescribe. All nurses with prescriptive authority can be verified on the Board's website.
- 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.nursing.ohio.gov.
- 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 website.
- Responses were provided to numerous questions concerning all aspects of prescriptive authority for advanced practice nurses. Education and consultation was provided to Advanced Practice Nurses (APNs), physicians, pharmacists, government entities including the State Medical Board and State Board of Pharmacy, employers, consumers, and others through a variety of methods.
- Board staff worked collaboratively with the Ohio State Medical Board and the Ohio Board of Pharmacy regarding advanced practice and prescribing issues, and with the Department of Jobs and Family Services and Department of Mental Health regarding advanced practice nursing and reimbursement issues.
- The liaison role with the statewide advanced practice association was continued with Board staff serving as a resource regarding law, rules, practice requirements, and other relevant advanced practice information.

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 eight enforcement agents and four adjudication coordinators maintained responsibility for investigations and disciplinary actions.

During the time frame covered by this report, the Board received over 2,500 complaints. This is a significant increase from the 1,817 complaints received in 2003.

The number of cases assigned to the investigators increased, and in the past two years, the investigators completed more than 500 additional investigations (718 completed in 2001; 1,271 completed in 2003). Further, the hours of investigator overtime decreased from 843 hours in 2001 to 468 hours in 2003.

An increase in disciplinary actions can be attributed to restructuring of the Compliance Unit that began in fiscal year 2003. During fiscal year 2003, the Board issued 161 Notices of Opportunity for Hearing, entered into 237 Consent Agreements, and held 65 Adjudications. During fiscal year 2004, the Board issued 243 Notices of Opportunity for Hearing, entered into 270 Consent Agreements, and held 98 Adjudications. Further, a review of Board disciplinary statistics reveals that in March 2004, the Board took more disciplinary actions in one meeting than were taken in an entire year in 2001.

Program changes include relocating a field office Adjudication Coordinator position that was responsible for supervising the investigators to the Board office and modifying the job responsibilities to handle disciplinary actions. A Monitoring Coordinator position (attorney) was changed to an Adjudication Coordinator and transferred to the compliance unit to handle disciplinary actions. An Alternative Program Case Manager position was changed to an Enforcement Agent position and transferred to the Compliance Unit to handle investigations. The Board also revised the complaint protocol system to streamline the investigatory process and continued review of all complaints on intake by an Adjudication Coordinator. This eliminated investigator time spent reviewing complaints that are without merit and the Board staff to identify complaints that required immediate licensure suspension such as a criminal conviction for a violent felony. The Board also continued to use template Consent Agreements for certain cases to provide for consistency in discipline and to decrease the amount of time the Adjudication Coordinators spend drafting agreements.

During the fiscal year, the Compliance Unit developed a letter explaining automatic bars to licensure, grounds for denial of licensure, and an explanation of Senate Bill 160, the Criminal Records Check law. These letters are provided to individuals with criminal backgrounds who contact the Board and are interested in attending nursing school.

All Board actions were reported to two national disciplinary databanks and a federal agency.

The public can now access disciplinary information on the Board's website by searching on an individual licensee's name. In addition, all prior Board actions are now available on the website.

Disciplinary Actions 7/1/2003 - 6/30/2004

Type of Action	Total
Adjudications	098
Adjudications / Permanent Voluntary Surrender	056
Consent Agreement	270
Notice of Opportunity for Hearing	125
Notice of Immediate Suspension & Opportunity for Hearing	075
Notice of Automatic Suspension & Opportunity for Hearing	043
Order of Summary Suspension	004
Permanent Withdrawal of Endorsement Application	012
Permanent Withdrawal of NCLEX Application	004
Permanent Withdrawal of Dialysis Tech Certificate	002
Non-Permanent Withdrawal of Endorsement Application	007
Non-Permanent Withdrawal of NCLEX Application	004
Non-Permanent Withdrawal of Dialysis Tech Certificate	001
Default Child Support	002
<hr/>	
Permanently Revoked	121
Non-permanent Revocation	002
Voluntary Surrender	056
Indefinite Suspensions	100
Stayed Suspensions	127
Reprimand	007
Reprimand w/fine	036
Reprimand w/CE	002
<hr/>	
Total of All Actions	594

Disciplinary Complaints
7/1/2003 - 6/30/2004

Type of Complaint	Total Complaints	Open	Closed
Action taken in another state/jurisdiction.....	117	043	074
APN Practice Issues	001	000	001
Criminal	148	090	058
Default / Child Support	008	003	005
Dialysis Applicant.....	016	002	014
Drugs/Alcohol.....	661	470	191
Endorsement Applicant	165	019	146
Fraud (Medicare / Medicaid)	023	020	003
Imposter / Never Licensed.....	025	011	014
Invalid License (Inactive / Lapsed).....	076	020	056
Miscellaneous	191	067	124
NCLEX Applicant.....	173	012	161
Noncompliance	163	075	088
Practice	600	428	172
Patient Abuse	083	055	028
Renewal Applicant	106	036	070

Total of All Complaints -----2556

Total Open ----- 1351

Total Closed----- 1205

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

POST-DISCIPLINARY MONITORING

Monitors individuals' compliance with their respective Board Adjudication Order or Consent Agreement, and reports to the Board evidence of individuals' completion or noncompliance with their disciplinary requirements.

The Monitoring Unit continued to experience a significant increase in its number of post discipline cases during fiscal year 2004. This increase, which is expected to continue through fiscal year 2005, is a direct result of the numbers and types of disciplinary actions taken by the Board.

Description	Numbers
Active Monitoring Cases as of 6/30/04	404
Cases added in FY 2004 resulting from consent agreements	222
Cases added in FY 2004 resulting from Board Adjudication Orders	22
Cases in which monitoring ceased in FY 2004, resulting from the issuance of a Notice of Opportunity for Hearing	19
Cases in which monitoring ceased in FY 2004, resulting from the issuance of an Automatic Suspension and Notice of Opportunity for Hearing	31
Cases in which monitoring ceased in FY 2004, resulting from the Board's release of the licensee/certificate holder from the terms and conditions of their Board adjudication order/consent agreement	84
Cases in which monitoring ceased in FY 2004, resulting from individual permanent licensure surrenders	16
Modifications in adjudication order or consent agreement authorized by the Board	21

ALTERNATIVE PROGRAM FOR CHEMICAL DEPENDENCY

Monitors participants' compliance with their respective Alternative Program Agreements. The Alternative Program for Chemical Dependency is an alternative to disciplinary action for chemically dependent licensees/certificate holders. Through the Program, the Board collects information that evidences Participants' ongoing recovery from chemical dependency and their abilities to practice in accordance with the prevailing standards of safe and effective nursing care.

Description	Number
Program applications requested	145
Cases active as of 6/30/04	155
Admissions	40

Successful completions	53
Ineligible for admission	38
Terminations	34 (3 temporary suspensions)

PRACTICE INTERVENTION AND IMPROVEMENT PROGRAM

Monitors individuals' compliance with their Practice Intervention and Improvement Program Agreement. The Practice Intervention and Improvement Program is an alternative to disciplinary action for licensees/certificate holders who demonstrate practice deficiencies that may be corrected through remedial education and workplace monitoring. Through the Program, the Board collects information evidencing correction of the individual's practice deficiency.

Description	Number
Referrals	10
Cases admitted	12
Cases active as of 6/30/04	12
Successful Completions	12
Refused admission/ineligible	0
Failed to complete terms of Program agreement	3

BOARD of NURSING STAFF (as of June 30, 2004)

ADMINISTRATION UNIT

EXECUTIVE DIRECTOR

John Brion, RN, MS

*Executive Assistant/Supervisor
Customer Service/Program Asst.
Customer Service/Program Asst.
Administrative Unit Secretary
*Human Resources Manager
*Legislative/Regulatory Specialist
*Operations/IT Manager
Network Administrator
*Fiscal Manager
Fiscal Lead Worker
Account Clerk
Account Clerk

Diana Hisle
Alta Mowbray
VACANT
Angela White
Stacy Thacker
Cynthia Snyder, JD
Eric Mays
Cary Dachtyl
Rosemary Booker
VACANT
Katha Bloomer
Ella Vinson

*ASSOCIATE EXECUTIVE DIRECTOR

Betsy Houchen, RN, JD

**Unit Administrative Assistant

Rosa Smith

EDUCATION, LICENSURE AND NURSING PRACTICE UNIT

**E, L, & NP MANAGER

Norma Selders, RN, MS

APN Program Consultant
Practice/Dialysis Tech. Consultant
Nursing Education Consultant
Unit Secretary
Unit Secretary
Unit Administrative Assistant
Unit Administrative Assistant
Exam Supervisor
Licensure Clerk
Licensure Clerk
Renewal Supervisor
Licensure Clerk
Licensure Clerk

Susan Milne, RN, MSN, JD
Nancy Manns, RN, MS
Jackie Loversidge, RNC, MS
Ebony Turner
Rose Ferguson
Toni Nottturniano
Erica Davis
Karen Scott
Renata Harris
VACANT
Brenda Murphy
Jai Carrillo
Cheryl Johnson

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

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
Adjudication Coordinator
Enforcement Agent
Compliance Agent

Debbie Fulk
Peggy Carrier
Tiffany Swartz
Cindi Stine
Emily Brown, JD
Jodi Crowe, JD
Phalyn Williams, JD, MPA
VACANT
VACANT
Timothy Fulk
Dennis Corrigan, RN
Diane Helferich, RN, MHSA
Bette Horst, RN, MHSA
Melissa Knauss, BSN
Lee Knowles, BSN, MSA
Amy Sala, BSN
Brian Torrence, RN

MONITORING UNIT

****MONITORING MANAGER**

Lisa Emrich, RN, MSN

Unit Secretary
Unit Administrative Assistant
Alternative Program Case Manager
Alternative Program Case Manager
Alternative Program Case Manager
Monitoring Agent
Monitoring Agent

Senita Feagin
Melissa Malone
Susan Daum, RN, MSN
Diana Harris, BSN, CD
MJ Modica, RN, MSN
Janet Akers, RN
Richard Young, RN, MBA

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