

Established in 2001 the Florida Center for Nursing (FS. 464.0195) is charged to address issues of supply and demand for nursing in Florida. The Center’s goals are accomplished, in part, through maintenance of a nurse workforce database. Nurse education program data is integral to understanding the potential future supply of nurses and the demand for nurse faculty. As directed by Ch. 2009-168, *Laws of Florida*, this report provides remarks on the administration of the Board of Nursing’s (BON) new program approval and oversight process and includes reference to relevant information from the Center’s database. The effectiveness of changes to the law cannot be fully evaluated given its recent implementation. The Center will provide subsequent reports in 2011 and annually thereafter through 2015.

Parallel with the Center’s directive, the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall report its findings and make recommendations. Having had the opportunity to review their draft report *Since Implementing Statutory Changes, Board of Nursing Has Approved More Nursing Programs; Legislature Should Address Implementation Issues*, this report will not repeat areas of agreement. We accept the following information and findings presented by OPPAGA:

- Description of how the nursing program approval and regulation process changed;
- Inconsistency of the program application timeframe with that established in the Administrative Procedures Act;
- Failure to finalize the application form and process; and
- Delayed implementation of website required elements and interactivity.

FINDINGS

Submission and Processing of Program Applications

Prior to implementation of Ch. 2009-168, *Laws of Florida*, 165 nursing programs provided educational opportunities to Florida residents (1 is located in Indiana offering online courses). As shown in Figure 1, a greater number of programs provided education for licensed practical nursing (LPN) than the combined total for registered nursing represented by both associate degree and bachelor of science degree pre-licensure nursing programs. Though slight gain by RN programs was evident in the new applications received since July 1, 2009, it resided entirely in the ADN program group (see Figure 2).

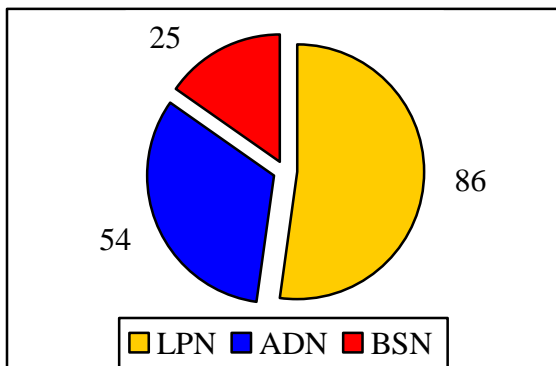


Figure 1. Education Programs as of 6-30-2009

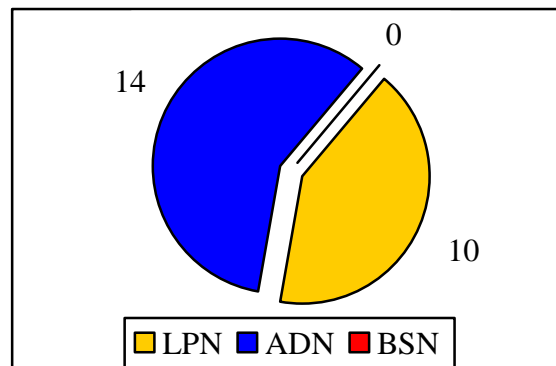


Figure 2. Applications Received since 7/1/2009

In addition to the 24 applications received after July 1, there were eight program applications pending review (5-LPN and 3-ADN) giving the BON a total of 32 applications under consideration.

By **December 31, 2009, the BON had completed review and approved 20 new nursing programs** representing all eight received prior to July 1 (see Appendix A) and 12 of the 24 received after July 1, 2009 (see Appendix B). The remaining 12 applications are scheduled to be reviewed at the February 2010 BON meeting. **As of December 31, 2009 no program application has been denied.** As such, there were no denials reviewed under Chapter 120.

Law allows for automatic approval should the BON fail to meet requirements of either 1) notice of incomplete application within 30 days or 2) completion of the approval process within 90 days. None of the applications were approved under this allowance. **Required response times were met by the BON.**

ISSUE: As discussed by OPPAGA, the point at which the 90 day review and approval period is begun needs clarification. Five of the pending program applicants chose to waive the required 90 day decision to afford them time to complete their application packet and avoid payment of a second application fee.

Placement of Programs on Probationary Status

Ch. 2009-168, *Laws of Florida* stipulates two mechanisms by which a program shall be placed on probation. One is failure to submit the required annual report and the other is in the event the program's graduate passage rates on the National Council of State Boards of Nursing Licensing Examination (NCLEX) falls 10 percent or more below the national average passage rate for first-time takers. During the period of July 1 through December 31, 2009 no nursing program was placed on probation. Though all programs met the requirement to submit an annual report, it was clear that requiring this of new programs that have nothing to report is a point of confusion.

Clarification is also needed for reporting and evaluation of NCLEX passage rates. All programs are required to include in the annual report their NCLEX passage rate for the previous "academic year". However, the BON is required to evaluate programs using NCLEX rates for the "calendar year". This inconsistency should be resolved. Seven programs (6-LPN and 1-ADN) continue in a probationary status as designated prior to July 1, 2009 for low NCLEX pass rates.

Termination of Programs

There has been no termination of nursing programs during the period July 1 to December 31, 2009. The BON was notified of two program closures (1-LPN and 1-BSN).

RESULTS

In compliance with the Center's mandate to establish and maintain a nurse workforce database, for three years we have partnered with the BON to collect relevant nurse workforce data in concert with required regulatory information through a single online survey. This accomplished several key objectives:

1. Transitioned the BON data collection from paper survey to online survey.
2. Maximized the collection of nurse workforce information through a voluntary approach to build the Center's required database.

3. Minimized the number of surveys from Florida state entities to be completed by nursing education programs.

With this valuable historical database we are able to establish a clear baseline from which the effectiveness of the law may, at least in part, be evaluated.

One of the desired outcomes is achieving quality nursing programs. An indicator of quality is attainment of national accreditation status. Table 1 provides information on the accreditation status of Florida’s nursing programs as of October 2009. Though the vast majority of BSN programs are accredited, less than 2/3 of the ADN are and a mere 8% of the LPN programs have attained accreditation.

Table 1. Accreditation Status in 2009 by Program Type

Accreditation Status	LPN # (%)	ADN # (%)	BSN # (%)
Not Accredited	90 (91.8%)	26 (44.8%)	3 (12.0%)
Accredited	8 (8.2%)	32 (55.2%)	22 (88.0%)
Accreditation Type			
National League for Nursing AC	7 (7.1%)	30 (51.7%)	4 (16.0%)
Commission on Collegiate Nursing Education	0 (0.0%)	1 (1.7%)	18 (72.0%)
Both NLNAC & CCNE	1 (1.0%)	1 (1.7%)	0 (0.0%)

A second indicator of effectiveness is a higher production of quality nursing graduates. The Center’s analysis of graduation trends is presented in Figure 3. Each of the last three years the number of LPN graduates has increased. Though the ADN programs demonstrated a significant increase in graduates, the vast majority of growth occurred during Academic Year 2007-2008. The number of BSN program graduates has remained relatively flat.

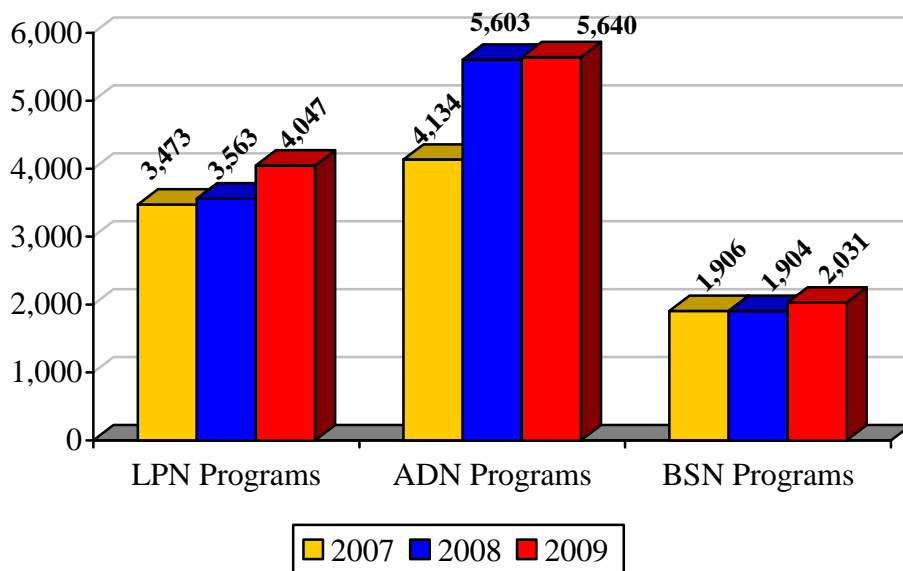


Figure 3. New Graduate Nurses, 2007-2009

Capacity of nursing education programs is often measured by the number of seats available for student admission. This can be a false indicator as unfilled seats do not ultimately add to an increase in supply of nurses. A baseline measure of statewide nurse education capacity, available from the Center’s data, is combined with the applicants’ projected capacity in Table 2 below. Our preference is to report number of new enrollees as a capacity measure as shown in our 2010 report: *Florida Nursing Education Capacity and Nurse Faculty Supply/Demand – 2007-2009 Trends* (Figure 4).

Table 2. Statewide Nurse Education Capacity

	LPN	ADN	BSN
As of June 30, 2009	6,293	7,798	2,532
Projected Increase as of December 31, 2009	428	720	0
TOTAL	6,721	8,518	2,532

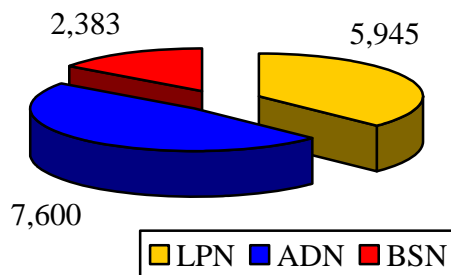


Figure 4. Program Enrollment – 2009

As can be seen, the enrollment in each type of program is less than the capacity. For additional information on why this occurs please see the Center’s report.

RECOMMENDATIONS

1. The 90 day review and approval period should not begin until an application is deemed complete.
2. The requirement to submit an annual report by November 1 should be modified to exclude those new programs that have neither been assigned an NCLEX code nor admitted students.
3. Modify language related to reporting and evaluating NCLEX passage rates to be consistent. It is further recommended that “calendar year” results be used as this is the time frame published by the National Council of State Boards of Nursing.
4. Exchange the Florida Center for Nursing and Office of Program Policy Analysis and Government Accountability roles and responsibilities such that Center takes responsibility for the collection and analysis of program-specific data. And OPPAGA takes responsibility to evaluate the board’s implementation of the program application approval process and the probation and termination processes. This is consistent with OPPAGA’s services in support of the Legislature, specifically the “performance evaluations and policy reviews of state agencies and programs” (OPPAGA Business Plan 2009-2010, page 3). And it is consistent with the Center’s mandate to “establish and maintain a database on nursing supply and demand in the state” (FS. 464.0195).

Appendix A
Nursing Program Applications Submitted Prior to July 1, 2009
Approved Between July 1 and December 31, 2009

Program Name	Address	Type	Projected		
			Start Date	Student Class Size	Number of Classes/Year
Green Cross School of Nursing	15383 NW 7 th Avenue Miami, FL 33169	LPN	2/09	24	4
Hope Health Careers, Inc.	150 East Sample Road, Suite 100 Pompano Beach, FL 33064	LPN	9/1/09	12-clinical 24-didactic	2
Carleen Home Health School	1868 North University Drive, Suite 203 Plantation, FL 33322	LPN	6/09	12	4
Caregiver Education	5009 Tamiami Trail East Naples, FL 34113	LPN	1/10	12	3
Techni-Pro Institute, Inc.	2206 West Atlantic Avenue Delray Beach, FL 33445	LPN	2010	24	1
Keiser University –Tampa	5225 Memorial Highway Tampa, FL 33634	ADN	8/31/09	24	2
ITT Technical Institute	4809 Memorial Highway Tampa, FL 33634	ADN	12/09	30	4
Concorde Career Institute	10933 Marks Way Miramar, FL 33325	ADN	10/09	30	2

Appendix B
Nursing Program Applications Submitted and Approved Between July 1 and December 31, 2009

Program Name	Address	Type	Projected		
			Start Date	Student Class Size	Number of Classes/Year
Faith Medical Institute	2040 NE 163 rd Street, Suite 101 North Miami Beach, FL 33612	LPN	1/1/10	16	2
Casel Healthcare Training Center	4880 Stack Blvd, Suite E-2 Melbourne, FL 32901	LPN	2/1/10	24	2
Dade Medical College-Homestead	380 N. Krome Avenue Homestead, FL 33030	LPN	4/1/10	24	2
Dade Medical College-Miami	3721-1 N.W. 7 th Street Miami, FL 33126	LPN	4/1/10	24	2
Center for Allied Health & Nursing Education	10126 Windhorst Road Tampa, FL 33619	ADN	3/1/10	24	4
Dade Medical College-Hialeah	2750 West 68 th Street, Suite 202 Hialeah, FL 33016	ADN	4/20/10	24	2
Dade Medical College-Miami	3721-1 NW 7 th Street Miami, FL 33126	ADN	1/1/10	24	2
Virginia College-Jax	5940 Beach Blvd Jacksonville, FL 32207	ADN	4/20/10	24	2
Fortis Institute	4081 East Olive Road, Suite B Pensacola, FL 32514	ADN	7/20/10	24	4
Concorde Career Institute-Tpa	4202 W. Spruce Drive Tampa, FL 33607	ADN	3/20/10	30	2
Florida National College-Hialeah	4425 West 20 th Avenue Hialeah, FL 33012	ADN	Upon receipt of approval	24	2
Florida National College-Miami	11865 S.W. 26 th Street Miami, FL 33175	ADN	Upon receipt of approval	24	2

Appendix C

Nursing Education Program Location in Florida

Pre- and Post- July 2009 Implementation of HB 1209

Northwest	LPN	ADN	BSN
Pre – July 2009	8	4	2
Post – July 2009	0	1	0
Total	8	5	2

↑ in Annual Capacity = 96 RNs

North Central	LPN	ADN	BSN
Pre – July 2009	10	9	3
Post – July 2009	0	0	0
Total	10	9	3

↑ in Annual Capacity = 0

Northeast	LPN	ADN	BSN
Pre – July 2009	4	5	3
Post – July 2009	0	1	0
Total	4	6	3

↑ in Annual Capacity = 48 RNs

East Central	LPN	ADN	BSN
Pre – July 2009	9	10	3
Post – July 2009	1	0	0
Total	10	10	3

↑ in Annual Capacity = 48 LPNs

West Central	LPN	ADN	BSN
Pre – July 2009	20	12	4
Post – July 2009	0	4	0
Total	20	16	4

↑ in Annual Capacity = 324 RNs

Southwest	LPN	ADN	BSN
Pre – July 2009	5	1	2
Post – July 2009	1	0	0
Total	6	1	2

↑ in Annual Capacity = 36 LPNs

Southeast	LPN	ADN	BSN
Pre – July 2009	11	5	3
Post – July 2009	1	0	0
Total	12	5	3

↑ in Annual Capacity = 24 LPNs

South	LPN	ADN	BSN
Pre – July 2009	19	8	4
Post – July 2009	6	5	0
Total	25	13	4

↑ in Annual Capacity = 320 LPNs
252 RNs



New Programs Approved

	LPN	ADN – RN	BSN – RN	TOTAL
New Program Applications Submitted Prior to July 1, 2009 and Approved since July 1, 2009	5	3	0	8
New Program Applications Submitted and Approved since July 1, 2009	4	8	0	12
Total New Programs Approved between July 1 & December 31, 2009	9	11	0	20