

NOTICE OF INTENT

Department of Health and Hospitals Board of Nursing

Permission to Enroll or Progress in Undergraduate Clinical Nursing Courses (LAC 46:XLVII.3324)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:918, that the Louisiana State Board of Nursing (LSBN) is adding a new section to Chapter 33. The new section is 3324 and will focus on student enrollment in undergraduate clinical nursing courses. Section 3324 will outline the required expectations and consequences for nursing students' enrollment and/ or progression of enrollment. These procedures are currently implemented under Title 46, Professional and Occupational Standards, Part XLVII Chapter 35. Nursing Education Programs, Section 3517 Student Selection and Guidance.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLVII. Nurses: Practical Nurses and Registered Nurses

Subpart 2. Registered Nurses

Chapter 33. General Subchapter C. Registration and Registered Nurse Licensure

§3324. Permission to enroll or progress in undergraduate clinical nursing courses:

A. Approval by the Board is required prior to student enrollment in undergraduate clinical nursing courses.

B. Requirements to enroll/progress in clinical nursing courses include:

1. evidence of good moral character;
2. eligibility for admission to clinical nursing courses at a program approved by the board;
3. verification of eligibility for admission by the chief nurse administrator or designee of the administrative nursing unit;
4. a complete application form to include the permission to obtain criminal history record information as specified in LAC 46:XLVII.3330, fees and costs as may be incurred by the board in requesting and obtaining state and national criminal history record information on the applicant and remittance of the required fee as specified in LAC 46:XLVII 3341 prior to the deadline date established by the Board;
5. freedom from violations of R.S. 37:911 et seq., or of grounds for delay/denial of permission to enroll in clinical nursing courses as specified in LAC:46:XLVII. 3331 or other administrative rules;
6. freedom from acts or omissions which constitute grounds for disciplinary action as defined in R.S. 37:921 and LAC 46:XLVII 3403 and 3405; or if found guilty of committing such acts or omissions, the board finds, after investigation, that sufficient restitution, rehabilitation, and education has occurred.

C. Applicants who falsify the application or fail to disclose information that should have been reported to the board will be denied enrollment/progression in clinical

nursing courses and will not be eligible to resubmit an application until completion of the disciplinary process. Falsifying an application shall result in denial of permission to enroll in clinical nursing courses or application for licensure as a registered nurse in Louisiana for a minimum of five (5) years.

D. Approval to enroll/progress expires upon twelve (12) months if not enrolled in clinical nursing courses.

E. Evidence of violation of R.S. 37:911 et seq or of grounds for denial or delay of approval to enroll in clinical nursing courses as specified in LAC 46:XLVII.3331 or acts or omissions which constitute grounds for disciplinary action as defined in R.S. 37:921 and LAC 46:XLVII.3403 and 3405 shall result in immediate denial to progress in clinical nursing courses until completion of the disciplinary process.

F. Incidents which constitute grounds for disciplinary action that occur after initial approval is granted and which may affect progression in clinical nursing courses shall be immediately disclosed on the Clinical Nursing Student Disclosure Form.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 42:

Family Impact Statement

The proposed additions and/or changes to the rules of the board, Louisiana State Board of Nursing should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. a family's earnings and budget;
5. the behavior and personal responsibility of the children; or
6. the family's ability or that of the local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on child, individual, or family poverty in relation to individual or community asset development as described on R.S. 49:973.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments on the proposed Rule to Karen C. Lyon, 17373 Perkins Road, Baton Rouge, LA 70810, or by facsimile to (225) 755-7585. All comments must be submitted by 5:00 p.m. on or before March 10, 2016.

Karen C. Lyon
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Legislative Fiscal Office

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

RULE TITLE: Permission to Enroll or Progress in
Undergraduate Clinical Nursing Courses

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

Other than publication costs associated with the proposed rule changes, which are estimated to be \$320 in FY 16, it is not anticipated that state or local governmental units will incur any other costs or savings as a result of promulgation of the proposed rule. The proposed rule requires approval by the board prior to student enrollment in undergraduate clinical nursing courses. The proposed rule outlines required expectations and consequences for nursing students in the enrollment and/or progression in clinical nursing courses. These procedures are currently implemented under Title 46, Professional and Occupational Standards, Part XLVII Chapter 35. Nursing Education Programs, Section §3517 Student Selection and Guidance. The board seeks to clarify expectations related to student enrollment and progression by proposing rule 3324. The newly created section will consolidate information related to enrollment or progression in undergraduate clinical nursing courses. This rule does not require an increase or decrease in workload responsibilities to the Board.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE
OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change will not affect state or local governmental revenue collections.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO
DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL
GROUPS (Summary)**

The proposed rule change is not anticipated to result in costs and/ or economic benefits to any person or non-governmental groups.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)**

The proposed rule change does not affect competition and/ or employment.