

## NOTICE OF INTENT

### Department of Health

### Board of Nursing

#### Faculty and Faculty Organization of Undergraduate and Graduate Nursing Education Degree Programs (LAC 46:XLVII.3515(B)(9)(c))

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 proposing rule changes to Chapter 37, Section 3515, under Title 46, Professional and Occupational Standards, Part XLVII. The proposed change will quantify the percentage of exceptions to the academic qualifications for undergraduate nurse faculty allowable.

### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

### Part XLVII. Nurses: Practical Nurses and Registered Nurses

### Subpart 2. Registered Nurses

### Chapter 37. Nursing Practice

### §3515. Faculty and Faculty Organization of Undergraduate and Graduate Nursing Education Degree Programs

#### B. Qualifications

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9. Exceptions to the academic qualifications for undergraduate nurse faculty shall be justified and approved under board established guidelines. Exceptions, if granted by the board shall be:
  - a. baccalaureate in nursing-prepared individuals who are not enrolled in a graduate program in nursing are limited to a maximum two calendar years after which they must be enrolled in a graduate nursing program; and
  - b. baccalaureate in nursing-prepared individuals who are enrolled in a graduate program in nursing at the master's and/or doctoral level shall be initially approved for two years in accordance with current board guidelines. Exceptions may be granted to each individual for a maximum of four years.
  - c. limited to not more than forty percent of the FTE undergraduate nurse faculty.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Nursing, LR 3:186 (April 1977), amended LR 10:1025 (December 1984), LR 12:678 (October 1986), amended by the Department of Health and Hospitals, Board of Nursing, LR 19:1147 (September 1993), repromulgated LR 24:1293 (July 1998), amended LR 26:2789 (December 2000), repromulgated LR 27:851 (June 2001), amended LR 33:1123 (June 2007), LR 36:1245 (June 2010), LR 42:880 (June 2016), amended LR 49:874 (May 2023).

### **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

### **Small Business Analysis**

The impact of the proposed Rule on small businesses, as defined in the Regulatory Flexibility Act, has been considered. It is estimated that the proposed action is not expected to have any significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

### **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, Executive Director, 17373 Perkins Road, Baton Rouge, LA 70810 or by facsimile to (225)775-7585. All comments must be submitted by 5p.m. on before July 10, 2025.

Dr. Karen C. Lyon, PhD, MBA, APRN-CNS, NEA  
Executive Director/CEO

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES** **RULE TITLE: Faculty and Faculty Organization of Undergraduate and Graduate Nursing Education Degree Programs**

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change. The cost for the Louisiana State Board of Nursing is approximately \$250 for the notice and rule publication in the *Louisiana Register*.

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

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

#### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

There are no anticipated economic losses to nursing schools or undergraduate nurse faculty resulting from the proposed rule change. The proposed rule simply provides a guideline for schools to follow when ensuring that undergraduate faculty meets the requisite academic qualifications. The proposed rule change will provide a guideline for the percentage of full time equivalent (FTE) undergraduate nurse faculty excepted from the required academic qualifications.

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

The proposed rule change is not anticipated to have any effect on competition or employment.

Alicia Edmond Wheeler  
Executive Counsel  
Louisiana State Board of Nursing

Patricia Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office