

**MINUTES**

**UTAH  
EDUCATION COMMITTEE  
BOARD OF NURSING  
MEETING**

**November 1, 2012**

**Room 474 – 4<sup>th</sup> Floor – 8:30 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 8:33 a.m.

**ADJOURNED:** 10:45 a.m.

**Bureau Manager:**  
**Board Secretary:**

Debra Hobbins, DNP, APRN  
Shirlene Kimball

**Conducting:**

Gigi Marshall

**Committee Members Present:**

Sheryl Steadman  
Gigi Marshall  
Jodi Groot

**Committee Members Excused:**

Debra Mills

**DOPL Staff Present:**

Ray Walker, Regulation/Compliance Officer

**Guests:**

Marlene Luna, Roseman University  
Sharon Dingman, USU  
Glenda Christiaens, Fortis College  
Julie Aiken, Ameritech College  
Vicky Dewsnup, Stevens Henager College  
Chris Bowcutt, Ameritech College  
Becky Richards, Stevens Henager College  
Chuck Enzion, Eagle Gate/Provo College  
Sally Russell, Eagle Gate College  
Lori Hines, Eagle Gate College  
Kendall Dean, Fortis College  
Connie Madden, University of Utah  
Ryan Sagers, UAPSCV  
Doug Foxley, UAPSCV

**TOPICS FOR DISCUSSION**

September 6, 2012 Minutes:

**DECISIONS AND RECOMMENDATIONS**

Dr. Steadman made a motion to approve the September 6, 2012 minutes as written. Dr.

Groot seconded the motion. All Board members voted in favor of the motion.

October 4, 2012 Minutes:

Dr. Steadman made the motion to approve the October 4, 2012 minutes with corrections. Dr. Groot seconded the motion. All Board members voted in favor of the motion.

Open and Public Meetings Act Training:

Mr. Walker provided training on the Open and Public Meetings Act. Mr. Walker reviewed with Committee members the background, public policy, definitions, general rule, notice requirements, minute requirements, closing a meeting and records of closed a meeting, electronic meetings, disruptive behavior and litigation and enforcement.

Mr. Walker explained the composition of the Board and the process of appointing Board members/Committee members. Mr. Walker indicated that the Division provides the Board secretary from Division staff. The Bureau Manager acts as the liaison between the Board and the Division. The Board conducts public business when there is a quorum of the Board. Mr. Ray reported there is an annual notice posted and agendas are posted on the web. No changes can be made to the agenda if it is less than 24 hours before the start of the meeting. However, if there is an emergency meeting, then the best notice possible is given. Mr. Walker stated minutes and recordings are public record. He indicated if a guest wanted to record or tape the meeting, they are welcome to do so as long as it does not disrupt or interfere with the meeting. Minutes are required to record the date, time and place of the meeting; the names of members present and absent, a summary of comments and record of individual votes. Mr. Walker stated a meeting can be closed if there is a two-thirds vote to close a meeting. A meeting can be closed only for a specific purpose as listed in the Open and Public Meeting Act. The meeting has to be re-

opened to record the motion. Mr. Walker reported if an electronic meeting is held, it has to meet the same requirements as for a regular meeting. However, there must be an anchor location established. If an item is not on the agenda, it can be discussed, but no action taken and it is placed on the next agenda for discussion.

Intermountain Health Care Simulation Center,  
University of Utah College of Nursing –  
Connie Madden, Director of programs:

Ms. Madden met with the Committee to provide an update on the integrated simulation/clinical/didactic pilot program. Ms. Madden reported simulation/clinical and didactic all work together as an integrated whole and build on the strengths of each component. She reported the first semester courses are heavy in simulation to make sure that the students have access to basic practice. The first semester has 60% simulation. The second semester has more clinical time and less simulation. The simulation in the second quarter is used more for evaluation. During the third semester the students look at population groups (such as pediatrics) and do even less simulation. The simulation is used to ensure that the student is competent in all areas. The fourth semester consists of more professional and managerial courses. Ms. Madden reported the program outcomes build on each other and the ATI is used as the testing standard and as a predictor for the NCLEX examination. There have been lots of changes with simulation and curriculum; however, Ms. Madden stated she feels it is for the better. She reported there is about 25% simulated practice across the whole program.

Continued discussion regarding regulation of  
Nursing Education Programs:

Mr. Steinagel reported most comments he received regarding the regulation of nursing education programs agree with eliminating ongoing monitoring. He indicated Division staff received several comments concerned with the gap between approval as a new program and waiting for candidacy or applicant status. Mr.

Steinagel submitted a draft of language for statute. This draft keeps the language in subsection (1) which states to qualify as an approved education program the program must be accredited by the CCNE, NLNAC or COA. Mr. Steinagel indicated he added subsection (2) the Division may establish rules to approve nursing education programs that are seeking accreditation under subsection (1) but have not yet achieved accreditation.

Ryan Sayers, guest, questioned whether or not a nursing education program from out-of-state can arrange for clinical hours for their students in Utah. Mr. Steinagel stated it appears that current programs within Utah are having trouble finding clinical sites; however he would like to separate the issues. The lack of clinical sites has existed for a long time. Mr. Steinagel stated he would like to address the issue of deregulation of nursing programs first and clinical placements later. Mr. Sayers stated he would also like assurance that any program coming into the state with national accreditation would be allowed. Glenda Christiaens, Fortis College, stated she likes the idea of simplifying the regulation and the oversight of a program only until the program receives accreditation. Mr. Walker stated if a school develops a reputation for not preparing their students, the students aren't chosen in the job market. Ms. Aiken stated accreditation reviews NCLEX pass rates yearly. She stated she feels looking at yearly averages would be a better indicator than looking at quarterly reports where there may only be two or three test takers. Mr. Walker stated he agrees that only looking at two or three test takers is not an accurate picture of the quality of the program. Ms. Marshall questioned what type of measurement would be used to determine whether it was a good idea to deregulate the nursing education programs? Mr. Steinagel stated the Committee and the Board would still be in place and there would

be additional feedback, such as from students. Adjustments could be made, or if this does not work, changes could be made. Dr. Dingman stated that the Annual Report for the NLNAC is very rigorous and if anything is wrong, the accreditation body lets you know.

Ms. Marshall stated she is getting more comfortable with the direction; however, wonders in what capacity the Committee remains. Mr. Steinagel stated the Committee will remain in place and will need to develop standards. There will also be discussions regarding clinical placements; however, Committee members acknowledged that we don't have jurisdiction over clinical sites.

Mr. Sayers questioned if an accredited nursing education program with multiple campuses, for example a program in Colorado would like to add a campus in Utah, could they come in without Board approval? Mr. Steinagel stated he does not believe the accreditation body would allow a new campus without going through the accreditation process. It would be a substantive change, and feels the program would have to submit and have approval before it could modify or change a program. Mr. Sayers stated that it is an expansion, a satellite campus and the way accreditation is written, they could come in without any oversight. Mr. Steinagel stated that if that is the case, he could modify the statute. However; we will need to find out before the Legislative session begins that this is allowed by the accreditation body. Dr. Dingman stated she thinks it depends on the structure of the organization, but does not think it would be allowed without additional accreditation. Mr. Steinagel stated to subsection (2) add (a) that the Division may establish rule for those programs not yet accredited and (b) for new programs that are accredited in another State and wish to expand into Utah. Dr. Groot made a motion to support

the statute changes as recommended. Ms. Steadman seconded the motion. All Committee members voted in favor of the motion.

Discussion regarding MACE Examination:

Dr. Hobbins reported the Division has been in conference calls with NCSBN regarding MACE Examination contracts. NCSBN indicated the Division needs to develop a contract with Pearson Vue. The Division's Assistant Attorney General indicated the Division's contract is with NCSBN. Dr. Hobbins stated once this is worked out and a contract has been signed, it will take NCSBN three to six months to set up the examination. She indicated she will keep the Committee informed of the progress.

Review letter from Globe University regarding substantive change in the leadership of the AAS nursing program at Broadview University:

Dr. Hobbins provided an update regarding Broadview University. She indicated NLNAC is requiring a full time administrator for the remaining seven students. NLNAC will not accept Delos Jones as the administrator of the program. Faye Uppman has obtained a Utah license and will act as the nursing program administrator until the end of December.

NCLEX Test Rates:

Committee members reviewed the NCLEX pass rates. The Nurse Practice Act Rule, R156-31b-603(10) indicates that programs with full approval status would receive a letter of warning after two consecutive low NCLEX pass rates or within two years. If there are three low NCLEX pass rates, the program submits a remediation plan and would be changed to probationary status. Dr. Hobbins indicated we are looking at the fourth quarter 2010 to the third quarter of 2012 results. If the program has provisional status, a letter of warning is send after one low NCLEX pass rate. If there are two low NCLEX pass rates or over a two-year period, the program would be placed on probationary status, and if there are three low NCLEX pass rates, the program would cease

accepting students.

Review of the NCLEX pass rates:

**-Dixie State College** has full approval status. They have had three quarters with low pass rates. Dr. Steadman made a motion, according to Rule, place Dixie State College on probation and invite the director to attend the next meeting. Dr. Groot seconded the motion. All Committee members voted in favor of the motion.

**-Eagle Gate College** is on provisional approval and now has two quarters with low NCLEX pass rates. Dr. Groot made a motion, according to Rule, to place the program on probation and invite the nursing director to the next Committee meeting. Dr. Steadman seconded the motion. All Committee members voted in favor of the motion.

**-Fortis College** is on provisional approval. This is the first low NCLEX pass rate and Dr. Groot made a motion according to Rule, send a letter of warning and have the director of nursing submit a remediation plan. Dr. Steadman seconded the motion. All Committee members voted in favor of the motion.

**-Nightingale College** is on provisional approval and now has two quarters with low NCLEX pass rates. Dr. Steadman made a motion, according to Rule, place the program on probation and invite the nursing director to the next Committee meeting. Dr. Groot seconded the motion. All Committee members voted in favor of the motion.

**-Provo College** has full approval and has two quarters with low NCLEX pass rates. Dr. Steadman made a motion, according to Rule, to send a warning letter to Provo College. Dr. Groot seconded the motion. All Committee members voted in favor of the motion.

**-Stevens Henager's College** has full approval and has had three low NCLEX pass rates in the last two years. Dr. Steadman made a motion, according to the Rule, to place Stevens Henager's College on probation and invite the director to attend the next meeting. Dr. Groot seconded the motion. All Committee members voted in favor of the motion.

Eagle Gate College,  
Written report:

Report was reviewed and accepted.

Everest College,  
Written report:

Report was reviewed and accepted.

Fortis College,  
Written report:

Report was reviewed and accepted.

Nightingale College of Nursing,  
Written report:

The report was reviewed and accepted.

Western Governors University,  
Written report:

The report reviewed and accepted.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

January 3, 2013  
Date Approved

(ss) Gigi Marshall  
Gigi Marshall, Chair  
Education Committee

January 3, 2013  
Date Approved

(ss) Debra Hobbins  
Debra Hobbins, Bureau Manager,  
Division of Occupational & Professional Licensing