

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14)(2012 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of the intent to adopt the following amendments to Chapter 56 (Nursing Schools and Programs) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).

In Sections 5600, 5601, 5602, 5603, 5605, 5606, 5607, and 5608, the proposed amendments clarify and update the requirements for the approval and maintenance of nursing education programs, and the procedures for withdrawal of approval of programs. Section 5610 addresses the new consensus model for advanced practice nursing education. Section 5611 is amended to address the issue of nursing program that provide distance education.

These amendments were published as Proposed Rulemaking in the *D.C. Register* on October 9, 2015 at 62 DCR 013285. No comments were received and no changes have been made.

The rules were adopted as final on November 24, 2015, and will become effective upon publication of this notice in the *D.C. Register*.

Chapter 56, NURSING SCHOOLS AND PROGRAMS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended to read as follows:

Amend the title for Section 5600, ACCREDITATION OF NURSING PROGRAMS, to read as follows:

5600 APPROVAL OF NURSING PROGRAMS

Subsections 5600.1 through 5600.3 are amended to read as follows:

5600.1 Pre-licensure or advanced practice nursing programs shall not operate in the District of Columbia without approval by the Board of Nursing (Board). This chapter sets forth the requirements and standards that a nursing education program in the District must meet to obtain approval by the Board, and the standards and procedures by which the Board shall approve, deny, or withdraw approval from a program.

5600.2 The approval status of a nursing education program in the District may be initial, full, or conditional. The nursing education program shall publicize the approval status of the program to its students and shall display its approval certificate conspicuously.

5600.3 Chapter 40 (Health Occupations: General Rules), Chapter 41 (Health Occupations: Administrative Procedures), Chapter 54 (Registered Nursing), Chapter 55 (Practical Nursing), Chapter 57 (Certified Registered Nurse-Anesthetists), Chapter 58 (Nurse-Midwives), Chapter 59 (Nurse-Practitioners), and Chapter 60 (Clinical Nurse Specialist) of this title supplement this chapter.

Amend the title for Section 5601, INITIAL ACCREDITATION, to read as follows:

5601 INITIAL APPROVAL

Subsections 5601.1 through 5601.4 are amended to read as follows:

5601.1 A person or entity seeking initial approval of a nursing education program shall submit to the Board the following information:

- (a) A statement of intent to establish a pre-licensure nursing education program or advanced practice nursing education program, including name of owners and organization;
- (b) A proposal which includes the following information:
 - (1) Documentation of the present and future need for the program and the need for entry-level nurses in the District, including identification of potential students and employment opportunities for graduates;
 - (2) The rationale for establishment of the program;
 - (3) The potential impact on other nursing education programs in the area (*e.g.* clinical placements, faculty, and students);
 - (4) The organizational structure of the educational institution documenting the relationship of the program within the institution;
 - (5) The licensure status of the controlling educational institution including accreditation status by regional or national accrediting organizations recognized by the U.S. Department of Education;
 - (6) The purpose, mission, and level of the program;
 - (7) The availability of qualified administrators and faculty pursuant to the qualifications established under this chapter;
 - (8) Hiring procedures for ensuring administrators and faculty will meet the requirements of this chapter;

- (9) Budgeted faculty positions;
 - (10) The source and description of adequate clinical resources for the anticipated student population and program level along with an attached Board of Nursing clinical verification form;
 - (11) Documentation of the campus lab space and equipment, and an indication of the maximum number of students permitted in the lab in one session;
 - (12) Documentation of adequate academic facility and staff to support the program;
 - (13) Evidence of financial resources adequate for the planning, implementation, and continuation of the program;
 - (14) The anticipated student population;
 - (15) The tentative time schedule for planning and initiating the program;
 - (16) Admission criteria and procedures;
 - (17) Graduation criteria and procedures;
 - (18) A curriculum plan including framework, program objectives, and list of all courses; and
 - (19) A systematic plan for evaluation of the program.
- (c) Submit a non-refundable application fee of ten thousand dollars (\$10,000).

5601.2 If the Board approves the proposal, the Board shall request the following information from the applicant:

- (a) A curriculum vita for the appointed nurse administrator and program coordinator for programs as applicable;
- (b) A curriculum vita for each faculty member who meets the regulatory requirements and the intent of the program;
- (c) A curriculum plan including conceptual framework, program objectives, list of courses, syllabus for each nursing course which includes a course description, course or clinical objectives, prerequisites, course outline, and grading criteria; and

- (d) A Student Handbook that includes nursing student policies for admission, progression, retention and graduation.

5601.3 The Board shall conduct a site visit or if applicable, a joint site visit conducted by the Board and the District of Columbia Higher Education Licensure Commission.

5601.4 The Board shall grant initial approval to a newly established program upon receipt of evidence that the standards and requirements of this chapter are being met.

Subsections 5601.5 through 5601.8 are repealed.

Amend the title for Section 5602, DENIAL OF INITIAL ACCREDITATION, to read as follows:

5602 DENIAL OF INITIAL APPROVAL

Subsection 5602.1 is amended to read as follows:

- 5602.1 The Board may deny initial approval for any of the following reasons:
- (a) Failure to hire a nurse administrator who meets the qualifications of this chapter;
 - (b) Failure to hire faculty who meet the qualifications of this chapter;
 - (c) Facility's learning environment does not meet the educational needs of students or accommodate the specified number of students;
 - (d) Identified clinical facilities or simulation laboratory are inadequate to meet the requirements of this chapter or program's clinical objectives;
 - (e) Incongruence among program's framework, objectives, courses, and course objectives;
 - (f) Noncompliance with Nursing Education Standards of Practice; and
 - (g) Noncompliance with any of the regulations in this chapter.

Subsections 5602.2 and 5602.3 are repealed.

Amend the title for Section 5603, FULL ACCREDITATION OF BASIC PRELICENSURE PROGRAMS, to read as follows:

5603 FULL APPROVAL

Subsections 5603.1 through 5603.8 are amended to read as follows:

- 5603.1 The Board may grant full approval to a program after initial approval provided that the program has done the following:
- (a) Submitted proof that the percentage of the program's National Council Licensure Examination (NCLEX) pass rate is at least eighty percent (80%) for first time test takers. The percentage pass rate shall be based on the cumulative results of the first two (2) quarters following graduation of the first class;
 - (b) Submitted a self-evaluation report by the Nursing Administrator, following the graduation of the first classing, indicating compliance with the provisions of this chapter;
 - (c) Submitted proof that the program has received accreditation from a U.S. Department of Education recognized national nursing accrediting organization;
 - (d) Submitted proof that the controlling educational institution has regional or national U.S. Department of Education accreditation;
 - (e) Submitted proof that the program has demonstrated continued ability to meet the standards and requirements of this chapter; and
 - (f) Demonstrated compliance with the requirements of this chapter during the site visit.
- 5603.2 In order to maintain full approval a program shall demonstrate the following:
- (a) The annual pass rate for first time test takers on the licensure or certification examination is not less than eighty percent (80%);
 - (b) The annual program reports that meet requirements of this chapter; and
 - (c) The accreditation status that verifies the program meets requirements of this chapter.
- 5603.4 An announced or unannounced on-site visit shall be conducted to verify that the program meets requirements of this chapter.
- 5603.5 The first year that the licensure pass rate for first time test takers in a program is less than eighty percent (80%), but at least seventy five percent (75%), the Board shall send written notice to the program that the program has failed to meet the requirements and standards of this chapter.

- 5603.6 The Board or its designee may perform an announced or unannounced on-site visit to the facility and provide a report to the Board.
- 5603.7 The program's nurse administrator shall submit a corrective plan of action to the Board within sixty (60) calendar days from receipt of the Board's written notice.
- 5603.8 The Board shall maintain a list of approved programs. The list shall be maintained up to date on the Department's Internet website. The list shall also be compiled and published annually and available to the public upon request.

Subsections 5603.9 through 5603.12 are repealed.

Section 5604, FULL ACCREDITATION OF ADVANCED PRACTICE NURSING EDUCATION PROGRAMS, is repealed.

Amend the title for Section 5605, CONDITIONAL ACCREDITATION, to read as follows:

5605 CONDITIONAL APPROVAL

Subsections 5605.1 through 5605.8 are amended to read as follows:

- 5605.1 The Board may place a program with initial approval on conditional approval status for any of the following:
- (a) The percentage of the program's first time NCLEX test takers passing the examination is less than eighty percent (80%) as determined by the cumulative results of the first two (2) quarters following graduation of the first class.
 - (b) The program has not received accreditation from a U.S. Department of Education recognized national nursing accrediting organization;
 - (c) The controlling educational institution does not have regional or national U.S. Department of Education accreditation;
 - (d) The program failed to demonstrate continued ability to meet the standards and requirements of this chapter; or
 - (e) The program failed to demonstrate compliance with the requirements of this chapter during the site visit.
- 5605.2 The Board may place a nursing program on conditional approval status if it has failed to maintain the requirements and standards of this chapter.
- 5605.3 Conditional approval status denotes that certain conditions must be met within a designated time period for the program to be granted full approval.

- 5605.4 A Bachelor of Science in Nursing (BSN) or Advanced Practice that has been granted conditional approval shall be allotted a maximum of four (4) years to correct deficiencies for the purpose of being granted full approval.
- 5605.5 An Associate Degree (AD) program that has been granted conditional approval shall be allotted a maximum of three (3) years to correct deficiencies for the purpose of being granted full approval.
- 5605.6 A Practical Nurse (PN) program that has been granted conditional approval shall be allotted a maximum of two (2) years to correct deficiencies for the purpose of being granted full approval.
- 5605.7 Under conditional approval status, the program may continue to operate while correcting the identified deficiencies and working toward meeting the conditions for full approval.
- 5605.8 The first year that the annual licensure or certification pass rate for first time test takers is less than seventy five percent (75%):
- (a) The Board will send written notice to the program of the following:
 - (1) The program has failed to meet the requirements and standards of this chapter;
 - (2) The program will be placed on conditional approval status for an allotted time pursuant to § 5605.3; and
 - (3) The Board or its designee may perform an announced or unannounced on-site visit to the facility and provide a report to the Board.
 - (b) The program's nurse administrator shall submit to the Board, within sixty (60) calendar days from receipt of the Board's written notice, the following:
 - (1) A report analyzing aspects of the education program, identifying areas believed to be contributing to the unacceptable performance; and
 - (2) An action plan to correct the deficiencies, to be approved by the Board.

Subsections 5605.9 through 5605.13 are added to read as follows:

- 5605.9 The second successive year that the pass rate for a program's first time licensure or certification test takers is less than eighty percent (80%) the Board shall send written notice to the program of the following:
- (a) The program has failed to meet the requirements and standards of this chapter;
 - (1) The program will continue on conditional approval status for an allotted time pursuant to § 5605.3;
 - (2) The Board or its designee will perform an announced or unannounced on-site visit to the facility and provide a report to the Board; and
 - (b) Limitations may be placed on admittance of students.
- 5605.10 The program's nurse administrator shall submit to the Board, within ninety (90) calendar days or the time period specified by the board from receipt of the Board's written notice, the following:
- (a) Proof that the program has obtained the services of an external consultant, to be approved by the Board;
 - (b) A report that is based on the findings of the consultant, which analyzes all aspects of the education program and identifies areas that contributed to the unacceptable performance; and
 - (c) An action plan to correct the deficiencies, to be approved by the Board.
- 5605.11 After the Board determines that a program is out of compliance with the requirements and standards of this chapter, the Board may, in its discretion, prohibit a program that has conditional approval status from admitting new students until the program has been restored to full approval status. The program shall be given ninety (90) days' notice.
- 5605.12 Students who graduate from conditionally accredited programs shall be eligible to take the NCLEX in the District of Columbia and upon passing the examination licensed in the District of Columbia.
- 5605.13 If the program fails to meet the specified conditions within the designated time period, the Board may withdraw approval and the program shall be removed from the Board's list of approved programs.

Amend the title for Section 5606, WITHDRAWAL OF ACCREDITATION OR REDUCTION TO CONDITIONAL STATUS, to read as follows:

5606 WITHDRAWAL OF APPROVAL FOLLOWING CONDITIONAL APPROVAL STATUS

Subsections 5606.1 through 5606.15 are amended to read as follows:

- 5606.1 The Board may withdraw approval of the program at its discretion, for any of the following reasons:
- (a) The Board has determined that a program has been unable to meet or maintain the requirements and standards of this chapter;
 - (b) The nursing education program has failed to correct the deficiencies identified by the Board within the allotted time period;
 - (c) Failure to hire a nurse administrator who meets the qualifications of this chapter;
 - (d) Failure to hire faculty who meet the qualifications of this chapter;
 - (e) Noncompliance with the program's stated philosophy, program design, objectives, outcomes, or policies;
 - (f) Failure to implement the approved curriculum;
 - (g) Failure to maintain the required licensure or certification pass rate for first-time test takers;
 - (h) Failure to obtain and maintain accreditation by a Board recognized nursing accrediting organization;
 - (i) Failure to submit records and reports to the Board in a timely manner;
 - (j) Noncompliance with any of the regulations in this chapter; or
 - (k) Other activities or situations, as determined by the Board, that indicate a program is not meeting the legal requirements and standards of this chapter.
- 5606.2 Before the Board withdraws approval of a program, the Board shall Issue a Notice of Intended Action to the program notifying the program that the Board intends to withdraw approval of the program and the reasons for the action.
- 5606.3 Before the Board withdraws approval of a program, the program has a right to a hearing.

- 5606.4 The Board shall send notice to the Higher Education Licensing Commission of the Board's intention to withdraw approval.
- 5606.5 The program shall provide its current student population and applicants with immediate notice of the Board's intended action, which shall include mailings and public postings on the premises and on their website.
- 5606.6 If requested by the Board or by students, the program shall provide its current student population with information and assistance for transferring to another nursing education program.
- 5606.7 After the Board has withdrawn approval of a program, the Board shall provide notice of the withdrawal to the District of Columbia Higher Education Licensure Commission.
- 5606.8 The effective date of the withdrawal of approval shall be the date the Board publishes on its website the final decision which shall notify the public of the withdrawal of approval. The Board may, at its discretion, postpone the effective date of the withdrawal of approval until the end of a current semester, when it determines such to be in the best interests of the program's graduating class or students.
- 5606.9 If the program appeals the Board's decision to the District of Columbia Court of Appeals, the effective date of the withdrawal of approval shall not be stayed pending appeal, but may be changed pursuant to an order of the Court of Appeals.
- 5606.10 The Board may designate persons to conduct an unannounced visit to the facility to ensure that the educational institution has not continued to operate the nursing education program or admit students after the effective date of the approved withdrawal.
- 5606.11 Within thirty (30) days after receipt of notice that approval has been withdrawn, the nurse administrator or school administrator shall submit to the Board a written plan for termination of the program. The plan shall include:
- (a) A plan for the current students that include completion of the program and transfer of students to other approved programs within a time frame established by the Board; and
 - (b) A plan outlining the arrangements made for storage and retrieval of the permanent records of the students, graduates, and faculty.
- 5606.12 Students enrolled in a program and graduating from the program prior to, or up to, the effective date of the withdrawal of approval shall be permitted to take the licensure examination in the District of Columbia; and upon passing and

completion of other licensure requirements shall be licensed in the District of Columbia.

5606.13 The educational institution of a nursing program whose approval was withdrawn may apply to the Board for initial approval of a new program pursuant to § 5601 and shall disclose the name of the program under which it previously operated.

5606.14 A program aggrieved by a final decision of the Board may appeal the decision to the District of Columbia Court of Appeals in accordance with the District of Columbia Administrative Procedure Act, D.C. Official Code §§ 2-501 *et seq.*

Subsections 5606.16 through 5606.19 are repealed.

Amend the title for Section 5607, PRACTICAL NURSING EDUCATION PROGRAMS, to read as follows:

5607 EDUCATION ADMINISTRATION

Subsections 5607.1 through 5607.10 are amended to read as follows:

5607.1 Program approval status shall be reviewed annually.

(a) Each program shall apply for renewal of approval not less than sixty (60) days prior to the date of expiration by submitting the following to the Board:

(1) A written annual report on forms provided by the Board; and

(2) The required renewal fee.

(b) The Board shall determine the approval status annually for each nursing program.

(c) The notice of Board approval status shall be posted and visible to students.

5607.2 A program shall notify the Board within sixty (60) days of making any of the following:

(a) A change in the approved nurse administrator or program coordinator. The program shall submit proof that the new nurse administrator or coordinator meets the requirements of this chapter;

(b) A change in the length of the program;

(c) A change in the program's national accreditation status; or

- (d) A change in the accreditation status of the controlling institution.
- 5607.3 Programs shall notify the Board of scheduled accreditation site visits and arrange for joint site visit with nursing accrediting organization upon the Board's request.
- 5607.4 Programs shall submit copies to the Board within thirty (30) days of receipt or submission of the following:
- (a) Evidence of current accreditation status;
 - (b) Accreditation reports; and
 - (c) Notifications and reports sent to and from the accreditation organization.
- 5607.5 Programs shall provide students access to policies and services.
- 5607.6 Programs shall make the following available to students:
- (a) A written statement of students' rights and responsibilities including admission, progression, graduation, and licensing requirements;
 - (b) A written policy on grievance procedures and a mechanism for resolution;
 - (c) Guidance and advisement counseling services; and
 - (d) Academic counseling for students who are failing.
- 5607.7 An educational institution shall determine whether a student possesses spoken and written competency in English, prior to a student beginning the nursing program. If a student is unable to successfully demonstrate spoken and written competency in English, or is later identified by an instructor as deficient in English, the program shall:
- (a) Offer, or assist the student in entering, an English as a Second Language program; and
 - (b) Require the student to complete the English as a Second Language program either simultaneously, with the nursing program, or prior to entering the nursing program, as appropriate, based on the level of the student's competency in English.
- 5607.8 Programs shall have admission standards to ensure that students possess the educational skills and competency to successfully complete the nursing education program at that level, prior to a student beginning the nursing program.

5607.9 Pre-licensure programs that require passing an exit examination as a requirement for completion of final course in program or for graduation shall:

- (a) Select exit examinations that have established reliability and validity, or have been normed;
- (b) Inform students in writing upon admission to the program of the requirement and the required passing score;
- (c) Have administered standardized examination throughout the program;
- (d) Provide remediation for students who are unable to pass standardized examinations that prevent progression;
- (e) Perform analysis and correlations of students' performance on course standardized examination with students' performance in courses; and
- (f) Develop a remediation program for the student who has satisfactorily progressed in the program but is unable to pass the standardized exit examination and unable to complete the final course or graduate from the program. The plan shall be in writing and placed in student's file.

5607.10 If a program decides to close, ninety (90) days before closing the nurse administrator or coordinator shall:

- (a) Notify the Board of its intent;
- (b) Provide the date and reason for closing;
- (c) Submit to the Board its plan for the disposition of the records of the students and graduates;
- (d) Provide to the Board the name and position title of the individual to be responsible for the records, and the name and address of the agency in which the records will be located; and
- (e) Provide evidence to the Board that the program's current students have been given timely notice of the program's intent, and provided assistance for transferring to another nursing program.

Subsections 5607.11 through 5607.25 are repealed.

Amend the title for Section 5608, ASSOCIATE DEGREE NURSING EDUCATION PROGRAMS, to read as follows:

5608 PRELICENSURE NURSING EDUCATION STANDARDS

Subsections 5608.1 through 5608.24 are amended to read as follows:

- 5608.1 Administration and organization of the nursing education program shall be consistent with the laws governing the practice of nursing.
- 5608.2 The nursing education program shall be a part of an educational institution that has accreditation by a regional accrediting agency recognized by the U.S. Department of Education by 2020.
- 5608.3 Upon eligibility for accreditation, the nursing education program shall pursue accreditation and shall provide evidence of current accreditation from a national nursing accrediting agency recognized by the U.S. Department of Education within twenty four (24) months of eligibility.
- 5608.4 The nursing educational program shall be within a credit bearing educational institution.
- 5608.5 All nursing education programs shall meet the following standards:
- (a) The purpose and outcomes of the nursing program shall be consistent with accepted standards of nursing practice appropriate for graduates of the type of nursing program offered;
 - (b) The input of stakeholders shall be considered in developing, revising, and evaluating the purpose and outcomes of the program;
 - (c) The nursing program shall implement a comprehensive, systematic plan for ongoing evaluation that is based on program outcomes and incorporates continuous improvement;
 - (d) The curriculum shall provide diverse didactic and clinical learning experiences consistent with program outcomes;
 - (e) Faculty and students shall participate in program planning, implementation, evaluation and continuous improvement;
 - (f) The nursing program administrator shall be a professionally and academically qualified registered nurse with institutional authority and administrative responsibility for the program;
 - (g) Professionally, academically, and clinically qualified nurse faculty shall be sufficient in number and expertise to accomplish program outcomes and quality improvement;

- (h) The fiscal, human, physical, clinical, and technical learning resources shall be adequate to support program processes, security and outcomes;
- (i) Program information communicated by the nursing program shall be accurate, complete, consistent and readily available; and
- (j) There shall be sufficient number of qualified faculty to meet the outcomes and purposes of the nursing education program.

5608.6 Administrator qualifications for programs leading to the Licensed Practical Nurse (LPN) shall include:

- (a) A current, active District of Columbia Registered Nurse (RN) license that is not encumbered;
- (b) Minimum of a graduate degree in nursing;
- (c) Minimum of five (5) years of progressive experience in teaching and knowledge of learning principles for adult education, including nursing curriculum development, program administration and evaluation; and
- (d) A current knowledge of nursing practice at the practical nurse or associate degree registered nurse level.

5608.7 Administrator qualifications for programs leading to the RN include:

- (a) An active, unencumbered District of Columbia RN license;
- (b) A doctoral degree in nursing, or a graduate degree in nursing and a doctoral degree;
- (c) Minimum of five (5) years of progressive experience in nursing education, teaching and knowledge of learning principles for adult education, including nursing curriculum development, administration, and evaluation; and
- (d) A current knowledge of nursing practice at the registered nursing level.

5608.8 Faculty qualifications for programs leading to the Licensed Practical Nurse shall include:

- (a) An active, unencumbered District of Columbia RN license;
- (b) Being academically and experientially qualified with a minimum of a graduate degree in nursing, or a bachelor's degree in nursing with a graduate degree.

- (c) Knowledge of teaching and learning principles for adult education, including nursing curriculum development and course evaluation; and
 - (d) A minimum of two (2) years of patient care experience.
- 5608.9 Pursuant to § 5608.8, fifty percent (50%) of full-time and part-time faculty shall have a graduate degree in nursing.
- 5608.10 Faculty qualifications for programs leading to the RN degree shall include:
- (a) An active, unencumbered District of Columbia RN license; and
 - (b) Academic qualifications which include a minimum of a graduate degree in nursing;
 - (c) Knowledge of teaching and learning principles for adult education, including nursing curriculum development and course evaluation; and
 - (d) A minimum of two (2) years of patient care experience.
- 5608.11 Clinical competency shall be verified by the educational institution's faculty prior to the use of clinical preceptors.
- 5608.12 The criteria for selecting a preceptor shall be in writing and shall include the following:
- (a) The method of selecting clinical preceptors;
 - (b) The orientation of clinical preceptors;
 - (c) The objectives or outcomes of the preceptorship; and
 - (d) A system for monitoring and evaluating the student's learning experiences.
- 5608.13 Clinical preceptors shall have education at or above the level of the program.
- 5608.14 Clinical preceptors in District of Columbia health facilities shall have an unencumbered, active District of Columbia nursing licenses.
- 5608.15 Curriculum of the nursing education program shall enable the student to develop the nursing knowledge, skills and abilities necessary for the level, scope and standards of competent nursing practice expected at the level of licensure.

- 5608.16 Curriculum shall be revised as necessary to maintain a program that reflects advances in health care and its delivery.
- 5608.17 The curriculum, as defined by the nursing education unit, professional and practice standards, shall include:
- (a) Experiences that promote the development and subsequent demonstration of evidence-based clinical judgment, skill in clinical management, and the professional commitment to collaborate in continuously improving the quality and safety of the healthcare system for patients;
 - (b) Evidence-based learning experiences and methods of instruction, including distance education methods, consistent with the written curriculum plan;
 - (c) Coursework including, but not limited to:
 - (1) Content in the biological, physical, social and behavioral sciences to provide a foundation for safe and effective nursing practice;
 - (2) Content regarding professional responsibilities, legal and ethical issues, history and trends in nursing and health care; and
 - (3) Content in the prevention of illness and the promotion, restoration and maintenance of health, and end of life care in patients across the lifespan and from diverse cultural, ethnic, social and economic backgrounds.
- 5608.18 Patient care experiences occur in a variety of clinical settings and shall include:
- (a) Integrating patient safety principles throughout the didactic and clinical experiences;
 - (b) Implementing evidence-based practice and patient values, including skills to identify and apply best practices to nursing care;
 - (c) Collaborating with inter-professional teams through open communication, mutual respect, and shared decision-making;
 - (d) Participation in quality improvement processes and monitoring patient care outcomes; and
 - (e) Using information technology to communicate, mitigate error, and support decision making.
- 5608.19 Faculty supervised clinical practice shall include:

- (a) Development of skills in direct patient care;
- (b) Making clinical judgments;
- (c) Care and management of individuals and groups across the lifespan;
- (d) Measurement of students' competencies that focus on demonstration of care management and decision making skills when providing care;
- (e) When appropriate to the level of education, the delegation and supervision of other health care providers;
- (f) All student clinical experiences including those with preceptors;
- (g) A minimum of six hundred fifty (650) clinical hours for programs leading to the registered nurse degree; and
- (h) A minimum of six hundred (600) clinical hours for programs leading to the practical nurse degree.

5608.20 Programs leading to the practical nurse degree shall include clinical experiences in the following areas:

- (a) Medical nursing;
- (b) Psychiatric and mental health nursing;
- (c) Pediatric nursing;
- (d) Community or home care; and
- (e) Long-term care.

5608.21 Programs leading to the registered nurse degree shall include clinical experiences in the following areas:

- (a) Foundations;
- (b) Medical nursing;
- (c) Surgical nursing;
- (d) Maternal and newborn health;
- (e) Pediatric nursing;

- (f) Psychiatric and mental health nursing;
- (g) Community health;
- (h) Acute care; and
- (i) Long-term services.

5608.22 Campus laboratory experiences shall provide attainment of psychomotor skills and clinical decision making in the care of patients.

5608.23 The ratio of credit hours to laboratory hours shall not exceed one to three (1:3).

5608.24 Clinical simulations may replace a maximum of thirty percent (30%) of actual clinical experiences with the following requirements:

- (a) The use of high fidelity computerized mannequins;
- (b) Debriefing, using education theory;
- (c) Conducted by faculty with training in clinical simulations; and
- (d) The use of clinical simulations in the areas of maternal-newborn, medical-surgical, critical care, and pediatrics, and psychiatric mental health.

Subsection 5608.25 is repealed.

Section 5609, BACCALAUREATE DEGREE NURSING EDUCATION PROGRAMS, is repealed.

Amend the title for Section 5610, ADVANCED PRACTICE NURSING EDUCATION PROGRAMS, to read as follows:

5610 ADVANCED PRACTICE REGISTERED NURSING EDUCATION STANDARDS

Subsections 5610.1 through 5610.10 are amended to read as follows:

5610.1 This section shall apply to advanced practice nursing education programs that prepare students for practice as nurse-anesthetists, nurse-midwives, nurse-practitioners, or clinical nurse specialists.

5610.2 An advanced practice registered nursing education program shall operate within, or be affiliated with an accredited college or university that is authorized to award graduate degrees or post-graduate certificates.

5610.3 To be eligible for approval, the advanced practice program shall be at the graduate or post-graduate level and have pre-accreditation or accreditation status.

5610.4 A college or university desiring initial approval of an advanced practice nursing education program shall submit a proposal to the Board as set forth in § 5601.1(b) to establish an advanced practice nursing education program that prepares students for practice as nurse-anesthetists, nurse-midwives, nurse-practitioners, or clinical nurse specialists.

5610.5 The nursing education program coordinator shall:

- (a) Be academically and experientially qualified in the role of the program offered;
- (b) Have a minimum of two (2) years of clinical experience as an advanced practice nurse;
- (c) Have a District of Columbia advanced practice registered nurse license in good standing;
- (d) Have a minimum of a doctoral degree in nursing and a current certification in the role and a population of the program; and
- (e) Have educational preparation and experience, in teaching and curriculum development or program administration at the graduate level.

5610.6 The faculty shall:

- (a) Be registered nurses licensed and in good standing in the District of Columbia;
- (b) Have a minimum of a master's degree in nursing; and
- (c) Meet the following additional qualification when teaching courses with associated clinical:
 - (1) Be academically and experientially qualified in the role and population of the program offered;
 - (2) Have a minimum of two (2) years of clinical experience as an advanced practice nurse; and
 - (3) Have a District of Columbia advanced practice registered nurse (APRN) license in good standing.

5610.7 Preceptors, when used for clinical in the District of Columbia, shall:

- (a) Hold an active license to practice as an APRN or physician that is not encumbered and practices in a comparable practice focus; and
- (b) Function as a supervisor and teacher and evaluates the individual's performance in the clinical setting.

5610.8 The program of study shall:

- (a) Be comprehensive and prepare the graduate with the core competencies for one (1) of the four (4) APRN roles and at least one of the six (6) foci;
- (b) Prepare the graduate to assume responsibility and accountability for health promotion and maintenance, as well as the assessment, diagnosis, and management of patient problems, including the use and prescription of pharmacologic and non-pharmacologic interventions;
- (c) Include a minimum of three (3) separate core graduate-level courses in the following:
 - (1) Advanced physiology/pathophysiology, including general principles that apply across the lifespan;
 - (2) Advanced health assessment, which includes assessment of all human systems, advanced assessment techniques, concepts and approaches; and
 - (3) Advanced pharmacology, which includes pharmacodynamics, pharmacokinetics, and pharmacotherapeutics of all broad categories of agents.
- (d) Include a minimum of five hundred (500) hours of supervised direct care clinical, with a minimum of fifty (50) minutes constituting one (1) hour.

5610.9 A certification program preparing an APRN specialty practice shall:

- (a) Build upon and in addition to, the education and practice of the APRN role and population focus;
- (b) Not prepare beyond the scope of practice of the role or population;
- (c) Address a subset of the population-focus; and
- (d) Be accredited by the nursing education accreditation organization.

5610.10 APRN students shall be currently licensed to practice as a registered nurse in the District of Columbia prior to participation in clinical practice as a student.

Subsections 5610.11 through 5610.26 are repealed.

Amend the title for Section 5611, PROGRAM CHANGES REQUIRING BOARD NOTIFICATION, to read as follows:

5611 DISTANCE NURSING EDUCATION

Subsection 5611.1 is amended to read as follows:

5611.1 Distance learning pre-licensure or advanced practice programs offered by approved District of Columbia nursing programs must be approved by the Board of Nursing.

Add new Subsections 5611.2 through 5611.8 to read as follows:

5611.2 The distance learning program shall meet the same standards as the campus program.

5611.3 The campus nursing programs shall have full approval by the Board.

5611.4 Faculty supervising clinical experiences in other locations shall obtain licenses in those states, if required.

5611.5 Faculty teaching didactic classes online in the distance learning program shall obtain licensure in the District of Columbia.

5611.6 Programs desiring to seek approval for student nurse clinical placement in the District of Columbia shall meet the following standards:

- (a) Provide evidence of full approval by the Board of Nursing in the state in which the institution is located; and
- (b) Provide evidence of current accreditation by a national nursing accrediting agency recognized by the U.S. Department of Education.

5611.7 Faculty supervising preceptor guided clinical experiences in pre-licensure nursing programs shall meet the qualifications stated in §§ 5608.8 and 5608.10 of this chapter.

5611.8 On-site supervision of preceptors used in clinical experiences with pre-licensure students shall occur a minimum of two (2) times within a semester.

5611.9 Registered nurse students completing clinical experiences in the District of Columbia for advanced practice registered nursing programs must possess an active unencumbered license in the District of Columbia.

Section 5612, STUDENTS, is repealed.

Section 5613, VOLUNTARY CLOSURE OF A PROGRAM, is repealed.

Section 5699, DEFINITIONS, is amended as follows:

Subsection 5699.1 is amended to read as follows:

5699.1 As used in this chapter, the following terms have the meanings ascribed:

Accreditation: recognition by national organizations or by a federal education agency that the nursing program has attained a standard of performance.

Act: Health Occupation Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201.01 *et seq.*).

Advanced practice program: a post-baccalaureate nursing education program at the master’s degree or doctoral degree level, whose purpose is to prepare students for practice as nurse-anesthetists, nurse-midwives, nurse-practitioners, or clinical nurse specialists.

Advanced practice registered nurse: a registered nurse who has completed an advanced practice nursing education program and has been licensed by the Board to practice as a nurse-anesthetist, nurse-midwife, nurse-practitioner, or clinical nurse specialist.

Annual Pass Rate: NCLEX pass rates for first-time test takers are calculated using the NCSBN, Pearson VUE reports from October 1 to September 30 for a one year period.

Approval: Board approval to operate a basic nursing program or advanced practice nursing education program in the District of Columbia that is granted only after specified requirements, standards, and conditions have been met.

Board: the Board of Nursing, established by § 204 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14)).

Clinical: faculty planned and guided learning activities designed to assist students in meeting course objectives and to apply nursing knowledge and skills in

the direct care of patients, including clinical conferences and planned learning activities in acute care facilities, and other community resources.

Clinical agency: an agency which provides the facilities for clinical learning experiences in nursing, with the faculty or the clinical instructor of the program responsible for the planning, implementing, and evaluating of the experiences.

Clinical preceptor: an individual meeting the requirements of this chapter that is an employee of a clinical agency who works with a nursing student in a clinical setting to facilitate student learning in a manner specified in a signed written agreement between the agency and the educational institution.

Clinical preceptorship: an organized system of clinical experiences which allows a nursing student to be paired with a clinical preceptor for the purpose of attaining specific learning objectives.

Clinical simulations: advanced laboratory experiences for students that mimic actual clinical experiences. They include the use of medium or high fidelity mannequins, and scenarios or case studies and reflection to enhance learning.

Conditional approval: the approval status that is granted, for a time period specified by the Board, to a nursing program to correct deficiencies when the nursing program has failed to meet or maintain the requirements and standards of this chapter.

Controlling institution: a college, university, public agency, or institution is responsible for the administration and operation of a nursing program in the District.

District of Columbia Education Licensure Commission: the District of Columbia Government agency that licenses postsecondary educational institutions and their agents for the purpose of ensuring authenticity and legitimacy of educational institutions, serving as the state approving agency for veterans educational benefits, providing standards and criteria, and administering rules and regulation, including rules of procedure for the Education Licensure Commission, for the purpose of ensuring adequate public notice of each meeting of the Education Licensure Commission.

Exit Examination: a standardized test taken by a student to determine proficiency in nursing knowledge prior to graduation.

Full approval: the approval status that is granted to a program after the graduation of its first class and after the Board has determined that the requirements and standards of this chapter have been met.

Initial approval: the approval status that is granted to a newly established nursing program that has not graduated its first class.

NCLEX: National Council of State Boards of Nursing Licensure Examination.

Nurse Administrator: the person with the responsibility and authority for the administration and instructional activities of nursing education program (*e.g.* Dean, Chairperson, Director)

Nursing process: the problem solving techniques of assessment, planning, implementing, and evaluating a plan of care that requires technical and scientific knowledge, judgment, and decision-making skills.

Nursing Program: any education program leading to a certificate, associate degree, or baccalaureate degree in nursing.

Practical nurse: a person licensed to practice practical nursing pursuant to Chapter 55 of this title.

Prelicensure program: a nursing education program at the certificate, associate degree, or baccalaureate degree level, whose purpose is to prepare students for practice as practical or registered nurses.

Program Coordinator: Faculty member responsible for planning, implementing and evaluating advanced practice nursing program.

Registered nurse: a person licensed to practice registered nursing pursuant to Chapter 54 of this title.

Withdrawal of Approval: Board revocation of the approval to operate a nursing education program or advanced practice nursing education program within the District.