

UNDERSTANDING AND NAVIGATING THE CT BOARD OF EXAMINERS OF NURSING (BOEN)

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Chair: Board of Nurse Examiners: CT

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Private Psychiatric Practice

DISCLOSURE

**The speaker
has no conflicts of
interest to disclose.**

LEARNING OBJECTIVES

1. I AM ABLE TO DEFINE AT LEAST 3 ROLES OF THE BOEN.
2. I AM ABLE TO DEFINE AT LEAST 3 LAWS/STATUTES RELATED TO THE SCOPE AND STANDARDS OF NURSING PRACTICE.
3. I AM ABLE TO DEFINE THE ROLE OF THE BOEN RELATED TO ACADEMIC INSTITUTIONS.

Board Members

- **Gina M. Reiners**, PhD, APRN, PMHNP-BC, PMHCNS-BC (RN Member, Chair)
Cynthia L. Arpin, EdD, MSN, RN (RN Member)
Salvatore Diaz, DNP, MSN, RN (RN Member)
Mary E. Dietmann, EdD, RN, ACNS-BC, CNE (RN Member)
Lisa S. Freeman, BA - (Public Member)
Camille A. Payne, MPH, MSN, APRN, DNP (ARPN Member)
Elizabeth Rivera- Rodriguez, DNP, MSN, MPH, RN (RN Member)
Dianthus Whittley, LPN (LPN Member)
- - 1 LPN Vacancy
 - 3 Public Member Vacancies

Roles of State Boards of Nursing

- National Council of State Boards of Nursing (NCSBN) is the vehicle through which the United States of America boards of nursing act and counsel together to provide regulatory excellence for public health, safety and welfare.

- Four areas of regulation are:

Education, Practice, Discipline, & Licensure

www.ncsbn.org

Education

“In concert with its mission, NCSBN develops cutting edge resources, initiatives and programs for boards of nursing in their roles of regulating nursing education programs. Further, NCSBN collaborates with nursing education organizations, nurse educators and other stakeholders and participates in national nursing education meetings and initiatives.”

www.ncsbn.org

Practice

“NCSBN produces innovative materials and initiatives to support boards of nursing (BON) in their roles of regulating nursing practice. “

www.ncsbn.org

Licensure

“Licensure is the process by which boards of nursing grant permission to an individual to engage in nursing practice after determining that the applicant has attained the competency necessary to perform a unique scope of practice. Licensure is necessary when the regulated activities are complex and require specialized knowledge and skill and independent decision making. The licensure process determines if the applicant has the necessary skills to safely perform a specified scope of practice by predetermining the criteria needed and evaluating licensure applicants to determine if they meet the criteria”.

www.ncsbn.org

Discipline

“The provision of nursing care gives rise to the risk of harm inherent to that care. States are given the responsibility to protect the public from that risk of harm in the form of reasonable laws to regulate nursing. The laws codified in the nurse practice act and its accompanying regulations establish a Board of Nursing (BON), as well as guide and govern nursing care. While the vast majority of nurses are competent and caring individuals who provide care according to the standard, violations of the nurse practice act do happen. When violations occur, the board of nursing takes formal action if it finds sufficient basis that the nurse violated the act or regulations. Currently, the rate of discipline on a license is less than one percent.”

www.ncsbn.org

Disciplinary Actions

- “The language used to describe the types of actions available to BONs varies according to state law. Although terminology may differ, board action affects the nurse's licensure status and ability to practice nursing in the state taking action. Board actions may include:”
- Fine or civil penalty”
- “Referral to an alternative to discipline program for practice monitoring and recovery support (drug or alcohol dependent nurses, or in some other mental or physical conditions)”
“Public reprimand or censure for minor violation of nurse practice act often with no restrictions on license.”

www.ncsbn.org

Disciplinary Actions

- “Imposition of requirements for monitoring, remediation, education or other provision tailored to the particular situation”
- “Limitation or restriction of one or more aspects of practice (e.g., probation with certain restrictions, limiting role, setting, activities, hours worked)”
- “Separation from practice for a period of time (suspension) or loss of license (revocation or voluntary surrender)”
- “Other state specific remedies”

Standard of Practice

- “The level at which the average, prudent provider in a given community would practice.”
- “It is how similarly qualified practitioners would have managed the patient's care under the same or similar circumstances.”
- “The medical malpractice plaintiff must establish the appropriate standard of care and demonstrate that the standard of care has been breached.”

www.medicinenet.com

NURSING: Scope & Standards of Practice: 2014

1. Assessment	2. Diagnosis	3. Outcome Identification	4. Planning	5. Implementation A. Coordination B. Health Teaching and Promotion
5 C Consultation D: Prescriptive E: Pharm, BIO & Integrative	5. F Milieu G: Therapeutic H: Psychotherapy	6. Evaluation	7. Ethics	8. Education
9. Evidence Based Practice & Research	10. Quality of Practice	11. Communication	12. Leadership	13. Collaboration
14. Professional Practice Evaluation	15. Resource Utilization	16. Environmental Health		www.ana.org

Resources:

Scope and Standards of Nursing Practice

- Organizations: AACN, ANA, APNA, APA, NONPF
- Nursing: Scope and Standards of Practice 2014 Edition
- Competencies: AACN, ANA, APNA, NONPF, APA

Nsg Regs

- Revised and updated by DPH: with feedback and input from the Nursing Board and Stakeholders in the Community: regs last updated May 2004.
- Currently starting process to revise and update NSG Regs. Must go through the legislative process.

STRUCTURE OF CT BOEN

- **Sec. 20-88. State Board of Examiners for Nursing.** (a) The Connecticut State Board of Examiners for Nursing shall consist of twelve members who are residents of the state to be appointed by the Governor subject to the provisions of section [4-9a](#). The Governor shall appoint two members who shall be graduates of an approved school for licensed practical nursing; five members who shall be registered nurses, one of whom shall, at the time of appointment, be connected with an institution affording opportunities for the education of nurses, two of whom shall hold master's degrees in nursing from a recognized college or university and one of whom shall hold a degree of a doctor of nursing practice or doctor of nursing science from a recognized college or university; one member who shall be an advanced practice registered nurse; and four members who shall be public members. Members of said board shall be residents of this state, and professional members shall maintain good professional standing. No member of said board shall be an elected or appointed officer of any professional association of nurses or have been such an officer during the year immediately preceding his appointment. No member shall serve more than two full consecutive terms which commence after July 1, 1980. Any vacancy shall be filled by the Governor for the unexpired portion of the term.

CHAIR OF THE BOEN

- The Governor shall appoint a chairperson from among such members.
- Said board shall meet at least once during each calendar quarter and at such other times as the chairman deems necessary.
- Special meetings shall be held on the request of a majority of the board after notice in accordance with the provisions of section [1-225](#).
A majority of the members of the board shall constitute a quorum.
- Members shall not be compensated for their services.
- Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from office.
- Minutes of all meetings shall be recorded by the board. No member shall participate in the affairs of the board during the pendency of any disciplinary proceedings by the board against such member.

Department of Public Health (DPH)

- Official DPH Mission Statement
- To protect and improve the health and safety of the people of Connecticut by:
- Assuring the conditions in which people can be healthy;
- Preventing disease, injury, and disability, and
- Promoting the equal enjoyment of the highest attainable standard of health, which is a human right and a priority of the state.
- 17 Boards under the jurisdiction of DPH who are charged to:
- protect and improve the health and safety of the people of Connecticut by

CT NURSING BOARD WEBSITE

- Board meets **First Wednesday of the Month:**
Discipline and School Business: 8:30-12:30
- Board Meets **Third Wednesday of the Month:**
Summary Suspensions.
- Board meets **Electronically through Teams**
- **Agenda, Minutes and Videos are Posted**

Four Roles of the CT BOEN

- **Sec. 20-90. Duties of board.** (a) The Connecticut State Board of Examiners for Nursing shall have the following duties: (1) Hear and decide matters concerning suspension or revocation of licensure; (2) adjudicate complaints filed against practitioners licensed under this chapter and impose sanctions where appropriate; (3) approve schools of nursing in the state that prepare persons for examination under the provisions of this chapter; and (4) consult, where possible, with nationally recognized accrediting agencies when approving schools pursuant to subdivision (3) of this subsection. The board may adopt a seal.
- Learning Objective 1 and 3.

Section 19a-17. (Formerly Sec. 19-4s). - Disciplinary action by department, boards and commissions.

(a) Each board or commission established under chapters 369 to 376, inclusive, 378 to 381, inclusive, and 383 to 388, inclusive, and the Department of Public Health with respect to professions under its jurisdiction that have no board or commission may take any of the following actions, singly or in combination, based on conduct that occurred prior or subsequent to the issuance of a permit or a license upon finding the existence of good cause:

- (1) Revoke a practitioner's license or permit;
- (2) Suspend a practitioner's license or permit;
- (3) Censure a practitioner or permittee;
- (4) Issue a letter of reprimand to a practitioner or permittee;

CT Sec. 20-99. Improper professional conduct. Hearing. Appeal. Prohibited conduct.

- (a) The Board of Examiners for Nursing shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. **After holding a hearing in accordance with chapter 54 and the regulations adopted by the Commissioner of Public Health, said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section [19a-17](#).** Witnesses and records may be summoned before such hearings by the issuance of subpoenas under the board's seal. **The chairperson or presiding member may administer oaths.** When any license is revoked or suspended, notification of such action shall be sent to the Department of Public Health. **Any person aggrieved by a final decision of the board may appeal as provided in chapter 54.** Such appeal shall have precedence over nonprivileged cases in respect to order of trial.

- ❖ Restrict or otherwise limit practice to those areas prescribed by the board, commission or department;
- ❖ Place a practitioner or permittee on probationary status and require the practitioner or permittee to:
 - ❖ (A) Report regularly to such board, commission or department upon the matters which are the basis of probation;
 - ❖ (B) Limit practice to those areas prescribed by such board, commission or department; and
 - ❖ (C) Continue or renew professional education until a satisfactory degree of skill has been attained in those areas which are the basis for the probation;
- ❖ Assess a civil penalty of up to ten thousand dollars;

MODs and Consents Orders

- Memorandum of Decision: after Hearing
- Consent Orders: legal agreements for discipline before hearings with DPH attorneys
- Reinstatement Requests and Hearings

Examples of Violations

CT Sec. 20-99b

1. Failure to conform to accepted standards of the profession
2. Fraud or deceit in procuring a license
3. Illegal conduct, incompetence or negligence
4. Physical illness
5. Emotional disorder or mental illness
6. Abuse or excessive use of drugs
7. Willful falsification of charts

www.ct.gov/dph

20-99(b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following:

- (1) (1) Fraud or material deception in procuring or attempting to procure a license to practice nursing;
- (2) (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions;
- (3) (3) physical illness or loss of motor skill, including, but not limited to deterioration through the aging process;
- (4) (4) emotional disorder or mental illness;
- (5) (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals;
- (6) (6) fraud or material deception in the course of professional services or activities;
- (7) (7) willful falsification of entries in any hospital, patient or other record pertaining to drugs, the results of which are detrimental to the health of a patient;
- (8) (8) conviction of the violation of any of the provisions of this chapter by any court of criminal jurisdiction; and
- (9) (9) failure to provide information to the Department of Public Health required to complete a health care provider profile, as set forth in section [20-13j](#).

- The Commissioner of Public Health may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section [19a-17](#).

Nursing Education Programs and Licensure Requirements General

General 20-90-45.

- 20-90-46. **Types of programs** College or university: A program conducted by an educational unit in nursing within the structure of a college or university approved pursuant to Section 10a34 of the Connecticut General Statutes leading to an associate, baccalaureate or higher degree in nursing. (2) Hospital: a program conducted by a hospital licensed pursuant to Chapter 368V of the Connecticut General Statutes leading to a diploma in nursing. (3) External Degree Program in Nursing: A curriculum based on theory and clinical practice or assessment conducted by an educational unit in nursing leading to an associate, baccalaureate, or higher degree in nursing. (b) All programs that prepare the graduate for licensure by examination as a Licensed
- **Vocational-Technical:** A program conducted by the State Department of Education pursuant to Section 10-95 of the Connecticut General Statutes, in cooperation with affiliating health agencies, which prepares individuals for eligibility for licensure as practical nurses. (2) Private school: A program conducted and operated by a person, board, organization, association or other entity, which prepares individuals for eligibility for licensure as practical nurses

- 20-90-47. **Program approval:** Full approval: (1) Full approval is granted by the board with the consent of the commissioner after the initial period of approval based on evidence that the program is meeting its educational outcomes as demonstrated by an acceptable level of graduates' performance, as defined in subdivision (2) of this subsection. (2) An acceptable level of a program's graduates' performance shall be defined as: demonstrated mastery of nursing principles as evidenced by an average passing rate of at least 80% of students taking the licensing examination prescribed pursuant to Section 20-92 of the Connecticut General Statutes, upon their first attempt after graduation, as reported from May 1 to April 30; and (B) demonstrated mastery of nursing practice as evidenced by an evaluation of graduates' achievement of the educational outcomes required by Section 20-90-53 or 20-90-56, as applicable, of the Regulations of Connecticut State Agencies, in a manner approved by the board.
- **Learning Objective 2**

Conditional approval:

- (1) Conditional approval may be granted for one year to a program previously having initial or full approval if: (A) the graduates of the program fail to achieve the standards prescribed in subsection (B) of this section; or (B) the program has initiated a major curriculum change pursuant to subsection (D) of this section; or (C) conditions previously identified in violation of these regulations or the board's recommendations continue to be unresolved. Major curriculum changes: (1) When a program proposes major curriculum changes, the administrator shall present a comprehensive plan to the board for approval with the consent of the commissioner prior to implementation. Plans shall include: (A) rationale for the change; (B) comparison of current versus proposed curriculum; (C) explanation of the effects of the change on: (i) currently enrolled students; (ii) functions and role of graduates of the proposed program; (D) timetable for implementation of the change; and (E) plan for evaluation of the change. (2) The previously approved curriculum must remain in effect until the proposed program is approved by the board. (e) Periodically, the board shall review each nursing education program and shall conduct
- **Learning Objective 2**

Program removal

The board, after a hearing, may remove a program from the list of approved programs, and the program must suspend the enrollment of students, when: (1) The program has been on conditional approval for at least two years and has failed to correct the identified deficiencies which caused them to be placed on conditional approval; (2) The board provides written notice of such hearing to the administrator of the

- program setting forth the particular reasons for the proposed action and fixing a date, not less than thirty days from the date of such written notice, at which time representatives of the program shall have an opportunity for a prompt and fair hearing; (3) Upon completion of the hearing the board shall make a recommendation to the commissioner regarding what action should be taken regarding the program; and (4) The commissioner approves the recommended action.
- **Learning Objective 2**

Program closure.

- When a decision is made to **close a nursing education** program, the program shall notify the board and submit a written plan and timetable for termination. All requirements and standards for students shall be maintained until the last student is transferred or graduated from the program. The parent institution shall develop and implement a policy providing for the safe storage of vital program records, including transcripts of all graduates and of students who fail to graduate. The program shall notify the board of the person, by title, name and address, responsible for providing transcripts and references for students.
- **Learning Objective 2**

- Education Standards – All Programs 20-90-48.
Administration
- 20-90-49. Records
- 20-90-50. Facilities
- **Learning Objective 2**

Registered Nursing Education

- 20-90-51. Nursing faculty
- 20-90-52. Curriculum
- 20-90-53. Educational outcomes
- **Learning Objective 2**

Practical Nursing Education Program

- ❖ 20-90-55. Curriculum
- ❖ 20-90-56. Educational outcomes
- ❖ **Learning Objective 2**

QUESTIONS

THANK YOU

References

- www.ana.org
- [www.ct.gov.dph](http://www.ct.gov/dph)
- www.ncsbn.org