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HOUSE BILL NO. 332

Offered January 11, 2006

Prefiled January 5, 2006

A BILL to amend and reenact §§ 54.1-3005 and 54.1-3013 of the Code of Virginia, relating to nursing education programs.

Patrons—Toscano; Senator: Deeds

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3005 and 54.1-3013 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-3005. Specific powers and duties of Board.

In addition to the general powers and duties conferred in this title, the Board shall have the following specific powers and duties:

1. To prescribe minimum standards and approve curricula for educational programs preparing persons for licensure or certification under this chapter;

2. To approve programs that meet the requirements of this chapter and of the Board;

3. To provide consultation service for educational programs as requested;

4. To provide for periodic surveys of educational programs;

5. To deny or withdraw approval from educational programs for failure to meet prescribed standards;

6. To provide consultation regarding nursing practice for institutions and agencies as requested and investigate illegal nursing practices;

7. To keep a record of all its proceedings;

8. To certify and maintain a registry of all certified nurse aides and to promulgate regulations consistent with federal law and regulation. The Board shall require all schools to demonstrate their compliance with § 54.1-3006.2 upon application for approval or reapproval, during an on-site visit, or in response to a complaint or a report of noncompliance. The Board may impose a fee pursuant to § 54.1-2401 for any violation thereof. Such regulations may include standards for the authority of licensed practical nurses to teach nurse aides;

9. To approve programs that entitle professional nurses to be registered as clinical nurse specialists and to prescribe minimum standards for such programs;

10. To maintain a registry of clinical nurse specialists and to promulgate regulations governing clinical nurse specialists;

11. To certify and maintain a registry of all certified massage therapists and to promulgate regulations governing the criteria for certification as a massage therapist and the standards of professional conduct for certified massage therapists;

12. To promulgate regulations for the delegation of certain nursing tasks and procedures not involving assessment, evaluation or nursing judgment to an appropriately trained unlicensed person by and under the supervision of a registered nurse, who retains responsibility and accountability for such delegation;

13. To develop and revise as may be necessary, in coordination with the Boards of Medicine and Education, guidelines for the training of employees of a school board in the administration of insulin and glucagon for the purpose of assisting with routine insulin injections and providing emergency treatment for life-threatening hypoglycemia. The first set of such guidelines shall be finalized by September 1, 1999, and shall be made available to local school boards for a fee not to exceed the costs of publication;

14. To enter into the Nurse Licensure Compact as set forth in this chapter and to promulgate regulations for its implementation;

15. To collect, store and make available nursing workforce information regarding the various categories of nurses certified, licensed or registered pursuant to § 54.1-3012.1;

16. To expedite application processing, to the extent possible, for an applicant for licensure or certification by the Board upon submission of evidence that the applicant, who is licensed or certified in another state, is relocating to the Commonwealth pursuant to a spouse's official military orders;

17. To register medication aides and promulgate regulations governing the criteria for such registration and standards of conduct for medication aides; and

18. To approve training programs for medication aides to include requirements for instructional personnel, curriculum, continuing education, and a competency evaluation.

19. To set guidelines for the collection of data by nursing education programs pursuant to

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59 § 54.1-3013, and to compile this data in an annual report.

60 § 54.1-3013. Approval of nursing education program.

61 A. An institution desiring to conduct a nursing education program to prepare professional or practical
62 nurses or clinical nurse specialists shall apply to the Board and submit evidence that:

63 1. It is prepared to meet the minimum standards prescribed by the Board for either a professional
64 nursing curriculum, a clinical nurse specialist curriculum or a practical nursing curriculum; and

65 2. It is prepared to meet such other standards as may be established by law or by the Board.

66 B. A survey of the institution and its entire nursing education program shall be made by the
67 administrative officer or other authorized employee of the Board, who shall submit a written report of
68 the survey to the Board. If, in the opinion of the Board, the requirements necessary for approval are
69 met, it shall be approved as a nursing education program for professional or practical nurses or clinical
70 nurse specialists.

71 C. New nursing education programs shall not be established or conducted unless approved by the
72 Board.

73 D. All approved nursing education programs shall report to the Board annually their enrollment,
74 graduation rate, attrition rate, and number of qualified applicants that are denied admission, according
75 to the Board's guidelines.