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HOUSE BILL NO. 711

Offered January 11, 2012

Prefiled January 11, 2012

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

Patron—Kilgore

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:**1. That § 54.1-3013 of the Code of Virginia is amended and reenacted as follows:**

§ 54.1-3013. Approval of nursing education program; due process procedures.

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

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

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

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

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

D. The Board shall promulgate regulations detailing notice requirements, hearing requirements, and investigation procedures that must be complied with before restricting enrollment in a nursing education program. Such regulations shall require:

1. Written notice, provided at least 30 days in advance of any action restricting enrollment, which shall include the factual basis for the proposed restriction, any law or regulation alleged to have been violated, a description of the program's right to a formal hearing, and a statement explaining how the program may cure the alleged violation to avoid the proposed restriction;

2. A limitation of one year on any enrollment restriction, unless the Board takes affirmative steps to renew the restriction;

3. A requirement for a formal hearing, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.); and

4. A procedure for allowing nursing education programs to designate one contact person with whom the Board may communicate.

INTRODUCED

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