

Amended Agenda Item: 7.3
Meeting Date: January 18 & 19, 2007
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**Proposed Amendments to 22 Texas Administrative Code §§ 214.10 and 215.10,
Relating to Management of Clinical Learning Experiences and Resources
(Faculty-to-Student Ratio in Clinical Settings in Education Programs)**

In a recent Sunset Committee hearing, a committee member expressed concern that the clinical ratio of faculty-to-student of 1:10 was too burdensome to teaching programs as required by Board rule. It became evident to Staff and members of the Board that misunderstanding exists in the options available to nursing education programs in the utilization of preceptors in the clinical setting. By using preceptors, nursing education programs can increase the faculty-to-student ratio to a maximum of 1:24. In professional nursing programs, a teaching assistant with a faculty member in the clinical setting can increase the ratio to 1:15.

To allay any confusion, the Staff proposes amendments to the professional and vocational nursing education rules by reorganizing the rules applicable to this issue in a more easily comprehensible format. The Advisory Committee on Education met on February 2, 2007, and made additional recommendations, as follows:

- subsections 214.10(k) and 215.10(e) be revised to clarify that the existing ratios only apply to clinical learning experiences involving direct patient care;
- subsection 215.10(d)(2)(A)-(B) in the current rule be deleted to clarify that ratios in the non-direct care patient settings are at a program's discretion; and
- subsection 215.10(h)(8), as proposed, be modified to allow non-BSN prepared nurses to be paired with a Master's Degree (MSN) prepared faculty member as a clinical teaching assistant.

These changes should allow greater latitude for nursing programs to implement innovative clinical supervision strategies. The proposed amendments to the rules for the vocational nursing education programs (§ 214.10 - attachment #1) and the professional nursing education programs (§ 215.10 - attachment #2) are attached.

Staff recommends that the Board move to propose amendments to 22 Texas Administrative Code sections 214.10 and 215.10, as attached, and have them published in the *Texas Register* for a 30-day comment period. If no negative comments are received, adopt the rules as proposed.

CHAPTER 214. VOCATIONAL NURSING EDUCATION

RULE §214.10. Management of Clinical Learning Experiences and Resources

(a) Faculty shall be responsible for student clinical practice evaluations. Clinical practice evaluations shall be correlated with level and/or course objectives including formative and summative evaluation. Students shall receive a minimum of three clinical evaluations during the program year.

(b) Clinical practice shall include actual hours of practice in clinical areas, clinical conferences, and/or simulated lab experiences.

(c) Clinical experiences shall include the administration of medications, health promotion and preventive aspects, nursing care of persons throughout the life span with acute and chronic illnesses, and rehabilitative care. Students shall participate in instructor supervised patient teaching. Students shall also be provided opportunities for participation in clinical conferences. The focus of clinical conferences shall be student experiences in the clinical setting. Simulated laboratory experiences may also be utilized as a teaching strategy in classroom and clinical settings to meet objectives.

(d) Scheduling of student time and clinical rotations shall be made by the program faculty. Selected clinical learning experiences will remain unchanged unless a client's condition demands reassignment. Reassignment must be approved with prior consent of faculty.

(e) The student's daily client assignment shall be made in accordance with clinical objectives/outcomes and learning needs of the students. The total number of daily assignments shall not exceed five clients.

(f) Consideration of selection of a clinical site shall include:

(1) client census in sufficient numbers to meet the clinical objectives/outcomes of the program; and

(2) evidence of collaborative arrangements in those facilities, which support multiple nursing programs.

(g) There shall be a written affiliation agreement between the controlling agency and the affiliating agency before the affiliation begins. The agreement shall outline the responsibilities of each agency entering the agreement. The agreement shall contain a withdrawal of participation clause indicating a minimum period of time to be given for notice of such withdrawal.

(h) Affiliation agreements are optional for those clinical experiences which are observation only.

(i) The affiliating agency shall:

(1) provide clinical facilities for student experiences;

(2) provide space for conducting clinical conferences for use by the school if classrooms are located elsewhere;

(3) provide assistance with clinical supervision of students, including preceptorships, by mutual agreement between the affiliating agency and controlling agency; and

(4) have no authority to dismiss faculty or students. Should the affiliating agency wish to recommend dismissal of faculty or students, such recommendation(s) shall be in writing.

(j) The faculty member shall be responsible for the supervision of students in clinical learning experiences.

(k) The following ratios only apply to clinical learning experiences involving direct patient care:

(1) When a faculty member is the only person officially responsible for a clinical group, then the group shall total no more than ten (10) students. Patient safety shall be a priority and may mandate lower ratios, as appropriate. The faculty member shall supervise that group in only one facility at a time, unless some portion or all of the clinical group are assigned to observational experiences in additional settings.

(2) Direct faculty supervision is not required for an observational experience. Observational experiences may be used to supplement, but not replace patient care experiences, and must serve the purpose of student attainment of clinical objectives.

(1) Clinical preceptors may be used to enhance clinical learning experiences after a student has received clinical and didactic instruction in all basic areas of nursing or within a course after a student has received clinical and didactic instruction in the basic areas of nursing for that course or specific learning experience.

(1) In courses which use clinical preceptors for a portion of clinical learning experiences, faculty shall have no more than twelve (12) students in a clinical group.

(2) In a course which uses clinical preceptors as the sole method of student instruction and supervision in clinical settings, faculty shall coordinate the preceptorship for no more than twenty-four (24) students.

(3) The preceptor may supervise student clinical learning experiences without the physical presence of the faculty member in the affiliating agency or clinical practice setting.

(4) The preceptor shall be responsible for the clinical learning experiences of no more than two students (2) at a time per clinical group.

~~(k)~~ (m) ~~When faculty~~ Faculty may use clinical preceptors to enhance clinical learning experiences and to assist faculty in the clinical supervision of students the following applies:

(1) Faculty shall develop written criteria for the selection of clinical preceptors.

(2) When clinical preceptors are used, written agreements between the vocational nursing education program, clinical preceptor, and the affiliating agency, when applicable, shall delineate the functions and responsibilities of the parties involved.

(3) Faculty shall be readily available to students and clinical preceptors during clinical learning experiences.

(4) The designated faculty member shall meet periodically with the clinical preceptors and student(s) for the purpose of monitoring and evaluating learning experiences.

(5) Written clinical objectives, evaluation criteria, and written description of expectations shall be shared with the clinical preceptors prior to or concurrent with the experience.

~~(1) Clinical preceptors may be used to enhance clinical learning experiences after a student has received clinical and didactic instruction in all basic areas of nursing or within a course after a student has received clinical and didactic instruction in the basic areas of nursing for that course or specific learning experience.~~

~~(1) In courses which use clinical preceptors for a portion of clinical learning experiences, faculty shall have no more than 12 students in a clinical group.~~

~~(2) In a course which uses clinical preceptors as the sole method of student instruction and supervision in clinical settings, faculty shall coordinate the preceptorship for no more than 24 students.~~

~~(3) The preceptor may supervise student clinical learning experiences without the physical presence of the faculty member in the affiliating agency or clinical practice setting.~~

~~(4) The preceptor shall be responsible for the clinical learning experiences of no more than two students per clinical day.~~

~~(5)~~ (6) The preceptor shall be accountable for evaluating the student using clinical objectives developed by vocational nursing faculty.

~~(6)~~ (7) Clinical preceptors shall have the following qualifications:

(A) competence in designated areas of practice;

(B) philosophy of health care congruent with that of the nursing program; and

(C) current licensure or privilege to practice nursing in the State of Texas.

(n) ~~(m)~~ The total weekly schedule throughout the length of the program shall not exceed 40 hours per week

including both class and clinical practice hours. Class and clinical practice hours shall be continuous. Students shall be assigned two consecutive non-class days off each week.

(o)~~(n)~~ Programs shall not permit utilization of students for health care facility staffing.

CHAPTER 215. PROFESSIONAL NURSING EDUCATION

§ 215.10. Management of Clinical Learning Experiences and Resources

(a) In all cases faculty shall be responsible and accountable for managing clinical learning experiences and observational experiences of students.

(b) Faculty shall develop criteria for the selection of affiliating agencies/clinical facilities or clinical practice settings which address safety and the need for students to achieve the program outcomes (goals) through the practice of nursing care or observational experiences.

(c) Faculty shall select and evaluate affiliating agencies/clinical facilities or clinical practice settings which provide students with opportunities to achieve the goals of the program.

(1) Written agreements between the program and the affiliating agencies shall specify the responsibilities of the program to the agency and the responsibilities of the agency to the program.

(2) Agreements shall be reviewed periodically and include provisions for adequate notice of termination.

(d) The faculty member shall be responsible for the supervision of students in clinical learning experiences.

(e) The following ratios only apply to clinical learning experiences involving direct patient care:

(1) When a faculty member is the only person officially responsible for a clinical group, the group shall total no more than ten (10) students. Patient safety shall be a priority and may mandate lower ratios, as appropriate. The faculty member shall supervise that group in only one facility at a time, unless some portion or all of the clinical group are assigned to observational experiences in additional settings.

(2) Direct faculty supervision is not required for an observational experience.

~~(A) Observational experiences may be used to supplement, but not replace patient care experiences, and must serve the purpose of student attainment of clinical objectives.~~

~~(B) Observational experiences shall comprise no more than 20% of the clinical contact hours for a course and no more than 10% of the clinical contact hours for the program of study.~~

(f) Clinical preceptors may be used to enhance clinical learning experiences after a student has received clinical and didactic instruction in all basic areas of nursing or within a course after a student has received clinical and didactic instruction in the basic areas of nursing for that course or specific learning experience.

(1) In courses which use clinical preceptors for a portion of clinical learning experiences, faculty shall have no more than twelve (12) students in a clinical group.

(2) In a course which uses clinical preceptors as the sole method of student instruction and supervision in clinical settings, faculty shall coordinate the preceptorship for no more than twenty-four (24) students.

(3) The preceptor may supervise student clinical learning experiences without the physical presence of the faculty member in the affiliating agency or clinical practice setting.

(4) The preceptor shall be responsible for the clinical learning experiences of no more than two (2) students at a time per clinical group.

(g) Clinical teaching assistants may assist qualified, experienced faculty with clinical learning experiences.

(1) In clinical learning experiences where a faculty member is supported by a clinical teaching assistant, the

ratio of faculty to students shall not exceed two (2) to fifteen (15) (one faculty plus one clinical teaching assistant to fifteen students).

(2) Clinical teaching assistants shall supervise student clinical learning experiences only when the qualified and experienced faculty member is physically present in the affiliating agency or alternative practice setting.

(e) (h) When faculty ~~Faculty may~~ use clinical preceptors or clinical teaching assistants to enhance clinical learning experiences and to assist faculty in the clinical supervision of students the following applies:

(1) Faculty shall develop written criteria for the selection of clinical preceptors and clinical teaching assistants.

(2) When clinical preceptors or clinical teaching assistants are used, written agreements between the professional nursing education program, clinical preceptor or clinical teaching assistant, and the affiliating agency, when applicable, shall delineate the functions and responsibilities of the parties involved.

(3) Faculty shall be readily available to students and clinical preceptors or clinical teaching assistants during clinical learning experiences.

(4) The designated faculty member shall meet periodically with the clinical preceptors or clinical teaching assistants and student(s) for the purpose of monitoring and evaluating learning experiences.

(5) Written clinical objectives shall be shared with the clinical preceptors or clinical teaching assistants prior to or concurrent with the experience.

~~(f) Clinical preceptors may be used to enhance clinical learning experiences after a student has received clinical and didactic instruction in all basic areas of nursing or within a course after a student has received clinical and didactic instruction in the basic areas of nursing for that course or specific learning experience.~~

~~(1) In courses which use clinical preceptors for a portion of clinical learning experiences, faculty shall have no more than 12 students in a clinical group.~~

~~(2) In a course which uses clinical preceptors as the sole method of student instruction and supervision in clinical settings, faculty shall coordinate the preceptorship for no more than 24 students.~~

~~(3) The preceptor may supervise student clinical learning experiences without the physical presence of the faculty member in the affiliating agency or clinical practice setting.~~

~~(4) The preceptor shall be responsible for the clinical learning experiences of no more than two students per clinical day.~~

~~(5) (6) Clinical preceptors shall have the following qualifications:~~

(A) competence in designated areas of practice;

(B) philosophy of health care congruent with that of the nursing program; and

(C) current licensure or privilege as a registered nurse in the State of Texas; or

(D) if not a registered nurse, a current license in Texas as a health care professional with a minimum of a bachelor's degree in that field.

~~(g) Clinical teaching assistants may assist qualified, experienced faculty with clinical learning experiences.~~

~~(1) In clinical learning experiences where a faculty member is supported by a clinical teaching assistant, the~~

~~ratio of faculty to students shall not exceed 2:15 (faculty plus clinical teaching assistant:student).~~

~~(2) Clinical teaching assistants shall supervise student clinical learning experiences only when the qualified and experienced faculty member is physically present in the affiliating agency or alternative practice setting.~~

~~(3) (7) When acting as a clinical teaching assistant, the RN shall not be responsible for other staff duties, such as supervising other personnel and/or patient care.~~

~~(4) (8) Clinical teaching assistants shall meet the following criteria:~~

~~(A) hold a current license or privilege to practice as a registered nurse in the State of Texas; and~~

~~(B) hold a bachelor's degree in nursing from an accredited baccalaureate program in nursing; and~~

~~(B)(C) have the clinical expertise to function effectively and safely in the designated area of teaching.~~