

Agenda Item #: 5.1.2  
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# **TEXAS BOARD OF NURSING**

**FISCAL YEAR 2009**

**Action Plan**

**Fourth Quarter Status Report**

TEXAS BOARD OF NURSING STRATEGIC PLAN

Fiscal Year 2009 Action Plan

Fourth Quarter Status Report

**GOAL 1:** To manage cost effective, quality programs of accreditation, examination, licensure and regulation that ensure legal standards for professional nursing education and practice and which effectively serve the market demand for qualified professional nurses.

**Objective 1-1:** To ensure timely and cost-effective application processing and licensure/credentialing systems for 100% of all qualified applicants for each fiscal year.

**Strategy 1-1-1:** Licensing/Credentialing/Processing.

	FY08	FY09	FY09: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<b>Outcome Measures</b>						
% in Compliance with CE Audit - RN	93.38%	94.72%	95.03%	95.87%	94.89%	93.18%
% in Compliance with CE Audit - LVN	90.17%	86.68%	82.35%	86.67%	93.43%	84.29%
% of RN Licensees with no recent violations	98.66%	98.72%	98.71%	98.71%	98.69%	98.76%
% of LVN Licensees with no recent violations	97.99%	97.97%	98.01%	97.96%	97.91%	97.99%
% of RN Licensees Who Renew Online	90.90%	92.20%	92.06%	91.42%	92.28%	92.98%
% of LVN Licensees Who Renew Online	83.91%	87.45%	86.65%	86.55%	88.23%	88.39%
% of New RN Individual Licenses Issued Online	68.23%	70.94%	65.84%	67.64%	69.99%	75.06%
% of New LVN Individual Licenses Issued Online	41.45%	52.93%	56.51%	56.35%	41.44%	53.09%
<b>Output Measures</b>						
# of Current RN Licensees	209,588	219,458	210,584	212,907	214,054	219,458
# of Current LVN Licensees	85,175	88,493	85,977	86,980	87,368	88,493
# of Individuals Taking the RN Examination	10,051	10,715	1,394	2,714	1,253	5,354
# of Individuals Taking the PN Examination	5,791	6,281	2,033	1,583	1,100	1,565
# of RN Licenses Renewed	97,702	102,666	26,844	24,059	25,489	26,274
# of LVN Licenses Renewed	39,424	41,287	10,868	9,975	10,036	10,408
# of RN Licenses Issued by Endorsement	5,387	5,510	1,366	1,208	1,497	1,439
# of LVN Licenses Issued by Endorsement	1,065	957	246	208	235	268
# of RN Licenses Issued by Examination	7,995	8,784	1,008	2,133	912	4,731
# of LVN Licenses Issued by Examination	4,711	5,102	1,775	1,256	834	1,237
# of RN Temporary Licenses Issued	5,920	7,066	1,572	1,653	1,802	2,039
# of LVN Temporary Permits Issued	1,204	1,130	251	275	282	322
# of RN Licenses Verified	794	919	200	212	211	296
# of LVN Licenses Verified	54	22	5	9	3	5
# of Current APNs	12,748	13,395	12,916	13,106	13,214	13,395
# of Authorizations Issued to New Graduate APNs	682	250	126	94	28	2
# of Authorizations Issued to Fully Qualified APNs	522	1,116	319	280	264	253
# of APN Authorizations Renewed	5,757	6,056	1,628	1,349	1,458	1,621
# of APNs Granted Prescriptive Authorization	880	778	278	164	142	194

	FY08	FY09	FY09: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Eligibility Orders:</u>						
#of Petitions/Applications Processed	2,899	3,584	858	714	926	1,086
# Approved Without Stipulations	2,522	3,214	760	620	846	988
# Individuals Proposed Ineligible by Staff	0	0	0	0	0	0
# Approved with Stipulations	349	366	98	94	80	94
# Individuals Denied By Board/E & D	18	4	0	0	0	4
# Petitions/Applications Pending	365	401	369	328	387	401
# Petitions/Applications Pending with ALJ	17	4	2	2	3	4
# Petitions/Applications Denied by ALJ	1	1	0	0	0	1
# Licenses placed on "Retired Status" - RN	228	197	48	43	43	63
# Licenses placed on "Retired Status" - LVN	100	88	25	29	17	17
<u>Efficiency Measures</u>						
Average Cost for Issuing LVN/RN License	\$1.90	\$1.59	\$1.64	\$1.34	\$1.77	\$1.59
Average Time for Issuing RN Initial License (Days)	86.43	109.34	90.50	119.60	114.82	112.42
Average Time for Issuing LVN Initial License (Days)	98.99	121.23	100.61	126.61	131.67	126.04
Average Time for RN/LVN License Renewals (Days)	2.857	3.26	3.600	3.352	2.936	3.14
<u>Explanatory Measures</u>						
# RN Licenses Placed Inactive	950	892	250	219	217	206
# LVN Licenses Placed Inactive	615	543	152	131	127	133
# APNs Placed Inactive	161	151	42	47	30	32
NCLEX - RN Pass Rate - Total	86.05%	87.02%	76.38%	87.01%	79.41%	90.74%
NCLEX - PN Pass Rate - Total	84.13%	82.76%	87.21%	82.46%	75.65%	82.25%
NCLEX - RN Pass Rate - 1 <sup>st</sup> Time	90.42%	91.00%	85.86%	90.65%	85.83%	92.64%
NCLEX - PN Pass Rate - 1 <sup>st</sup> Time	88.53%	87.84%	90.11%	86.79%	82.89%	88.90%

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Comment page on Action Plan  
for Strategy 1.1.1  
(Explain trends and issues; identify responses, actions and outcomes)

**Output Measures**

The number of licensees and number of applicants taking the exam has increased over 9%.

**Efficiency Measures**

The average time in days it takes to issue a license by endorsement as steadily increased since the implementation of the mandatory jurisprudence exam. Even though the instructions clearly state the requirement, many do not understand what jurisprudence means.

TEXAS BOARD OF NURSING STRATEGIC PLAN  
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 Fourth Quarter Status Report

GOAL 1: To manage cost effective, quality programs of accreditation, examination, licensure and regulation that ensure legal standards for professional nursing education and practice and which effectively serve the market demand for qualified professional nurses.

Objective 1-2: To ensure that 100% of professional nursing programs are in compliance with the Board of Nurse Examiners' rules.

Strategy 1-2-1: Accrediting of Nursing Programs.

	FY08	FY09	FY09:1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Outcome Measures</u>						
% in RN Nursing Programs in Compliance	97.90%	98.96%	97.90%	97.87%	98.95%	98.96%
% of LVN Nursing Programs in Compliance	98.90%	96.84%	98.92%	98.92%	100%	96.84%
<u>Output Measures</u>						
# of RN Nursing Programs Approved	95	97	95	94	95	97
# of LVN Nursing Programs Approved	91	95	93	93	94	95
# of RN Nursing Programs Sanctioned	2	2	2	2	1	1
# of LVN Nursing Programs with Sanctions	1	4	1	1	0	3
<u>Efficiency Measures</u>						
Average Cost of Program Survey	\$663.05	\$279.60	\$348.09	0	\$387.08	\$383.21
<u>Explanatory Measures</u>						
# of Programs Surveyed	14	19	8	0	5	6
Average Length of Survey Visit (in Days)	1.2	1.24	1.13	0	1.6	1

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**Output Measure**

- 2 new baccalaureate degree nursing educational program were approved at the July 2009 Board Meeting
- 1 new vocational nursing educational program was approved at the July 2009 Board Meeting
- 3 vocational nursing educational programs have sanctions

**Efficiency Measure**

There were 6 survey visits conducted during the Fourth quarter. (5 involved travel and 1 virtual visit)

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**GOAL 2:** To ensure swift, fair and effective enforcement of the NPA so that consumers are protected from unsafe, incompetent and unethical nursing practice by registered professional nurses.

**Objective 2-1:** To guarantee that 100% of written complaints received annually regarding practice or non-compliance with the Board of Nurse Examiners' rules are investigated and resolved in accordance with the NPA and APA or are appropriately referred to other regulatory agencies.

**Strategy 2-1-1:** Administer an effective system of enforcement and adjudication.

<b>RN Enforcement Statistics</b>	FY08	FY09	FY09: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Outcome Measures</u>						
Ratio to Complaints filed per 100 Licensee Population	2.742	3.392	.790	.913	.845	.844
% of Complaints Resolved Resulting in Discipline	20.15%	19.12%	12.45%	19.58%	22.49%	21.95%
Recidivism Rate for Those Receiving Discipline	14.44%	11.50%	14.49%	7.83%	9.24%	14.42%
Recidivism Rate for RNs Enrolled in TPAPN	1.65%	4.7%	0%	.9%	3.7%	8.3%
% of Complaints Resolved in 6 months	65.40%	67.20%	63.68%	69.53%	65.85%	69.72%
<u>Output Measures</u>						
# Jurisdictional Complaints Received	5,634	7,307	1,664	1,943	1,848	1,852
# Non-Jurisdictional Complaints Received	109	104	25	34	26	19
# Investigations Conducted (Cases Open-Cumulative)	8,379	11,094	5,425	7,446	9,251	11,094
# of Complaints Resolved	4,851	7,091	1,870	1,736	1,672	1,813
# of Informal Conferences	150	165	29	34	56	46
# of ALJ Hearings	25	16	4	1	3	8
# of Licenses Sanctioned	860	1,117	207	281	303	326
Limited Licenses	7	10	0	2	3	5
Remedial Education	71	89	22	28	16	23
Reprimand	0	0	0	0	0	0
Reprimand with Stipulations	54	64	13	16	17	18
Reprimand with Remedial Education	0	0	0	0	0	0
Revocation	76	124	18	23	37	46
Stipulation Only	0	0	0	0	0	0
Suspension	36	29	4	10	4	11
Suspend/Probate	44	48	14	10	12	12

	FY08	FY09	FY09: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
Voluntary Surrender	78	87	11	28	27	21
Warning	0	0	0	0	0	0
Warning with Remedial Education	0	0	0	0	0	0
Warning with Stipulation	110	157	15	37	55	50
Warning with Fine	0	0	0	0	0	0
License Reinstated - clear	0	0	0	0	0	0
License Reinstated with Stipulation	31	30	8	6	6	10
Fine	0	0	0	0	0	0
Reinstatement Denied	14	17	5	3	4	5
Limited License with Fine	0	0	0	0	0	0
Probation	0	0	0	0	0	0
Reprimand with Fine	0	0	0	0	0	0
Suspension with Fine	0	0	0	0	0	0
Fine with Remedial Education-CE/Delinquent	102	158	24	37	50	47
Cease and Desist Order	1	0	0	0	0	0
Peer Assistance Order	1	0	0	0	0	0
Applicant/Petitioner with Stipulations	181	199	55	54	40	50
TPAPN Order	46	84	12	22	30	20
# of RNs Participating in TPAPN	593	592	578	569	588	592
Age of Cases:						
More than 12 Months	31%	38%	39%	40%	37%	37%
Between 6 and 12 Months	29%	25%	26%	24%	24%	26%
Less than 6 Months	40%	37%	35%	36%	39%	37%
<b>LVN Enforcement Statistics</b>	<b>FY08</b>	<b>FY09</b>	<b>FY09: 1<sup>st</sup> Q</b>	<b>2<sup>nd</sup> Q</b>	<b>3<sup>rd</sup> Q</b>	<b>4<sup>th</sup> Q</b>
Ratio of Complaints filed per 100 NURSE population	5.74	6.88	1.80	1.64	1.65	1.79
% of Complaints Resolved Resulting in Discipline	21.74%	22.07%	16.95%	20.91%	25.82%	24.61%
Recidivism Rate for LVNs Discipline	14.31%	9.50%	11.82%	8.70%	11.33%	6.13%
Recidivism Rate for LVNs Enrolled in TPAPN	0%	0%	0%	0%	0%	0%
% of Complaints Resolved in 6 Months	67.11%	64.52%	67.04	65.82	60.75	64.47%
Jurisdictional Complaints Received	4,851	6,058	1,553	1,465	1,452	1,588
Cumulative Investigations Conducted	7,440	9,252	4,713	6,202	7,655	9,252
Complaints Resolved	4,311	5,763	1,404	1,320	1,499	1,540

Informal Conferences	80	88	13	25	33	17
Total LVN Licenses Sanctioned	820	1,052	203	230	309	310
# of LVNs Participating in TPAPN	198	187	174	182	187	187
Breakdown of Discipline:						
Reprimand	0	1	0	1	0	0
Fine	0	0	0	0	0	0
Fine and Remedial Education	80	187	33	53	54	47
Voluntary Surrender	99	86	25	21	19	21
Probation	0	0	0	0	0	0
Suspension	36	18	3	3	7	5
Revocation	95	159	29	29	44	57
Warning W/Stipulation	110	150	20	23	52	55
Average Days for Complaint Resolution	127.38	136.86	130.39	130.35	192.43	94.26
Average Days for Final Disposition	164.50	193.36	154.27	174.62	245.36	199.18
Age of Cases: More than 12 Month	31%	37%	37%	39%	36%	36%
6 to 12 Months	27%	26%	28%	24%	25%	27%
Less than 6 Months	42%	37%	35%	37%	39%	37%

<b>LVN and RN Enforcement Statistics</b>	FY08	FY09	FY09: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Efficiency Measures</u>						
Average Cost per Investigation	\$427.45	\$769.43	\$453.47	\$1,559	\$583.83	\$481.38
Average Cost of Informal Conference	\$151.98	\$135.56	\$132.85	\$135.21	\$141.21	\$132.96
Average Cost of Complaint Resolution	\$477.35	\$199.91	\$167.83	\$225.86	\$170.17	\$235.79
Average Time for Final Disposition (open to ratification)	173.25	187.73	186.06	151.90	223.27	189.68
Average Time from Completion of Investigation to Hearing with ALJ (in Days)	324.01	383.10	377.00	470.00	0	302.29
Average Time from Hearing Date to PFD (in Days)	48.14	60.13	46.71	46.67	0	87.00
Average Time from PFD to Ratification (in Days)	57.81	71.60	67.86	69.22	0	77.71
Average Time for Disciplinary Action (ALJ Only)	646.31	821.03	807.86	780.67	0	877.57
<u>Explanatory Measures</u>						
Average Case Load per Investigator	279	340	222	326	373	439
Average Attorney - Investigator Ratio	3:20	4:31	3:20	3:26	4:31	4:31

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for Strategy 2.1.1

(Explain trends and issues; identify responses, actions and outcomes)

**Efficiency Measure**

The BON did not have a proposal for decision in the Third quarter.

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GOAL 3: To manage agency resources that enable the BON to respond efficiently and effectively to internal and external customers.

Objective 3-1: To streamline internal operations for enhanced functioning of the Board, the agency and staff.

Strategy 3-1-1: Streamline internal operations.

	FY08	FY09	FY09:1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Outcome Measures</u>						
Staff Turnover	14.2%	12.7%	2.4%	3.5%	2.3%	4.6%
<u>Output Measures</u>						
# of Board Training Sessions	4	4	1	1	1	1
# of Telephone Calls Received	267,401	318,418	69,988	80,344	78,487	89,599
# of New Hires	19	19	4	4	3	8
# of Resignations	12	11	2	3	2	4
# of Terminations	0	0	0	0	0	0
Workforce Composition:						
African-American	10.1%	11.6%	13.4%	13.3%	13.4%	11.6%
Anglo	60.8%	58.1%	58.5%	60.2%	59.7%	58.1%
Hispanic	27.8%	28%	26.8%	25.3%	25.6%	28%
Other	1.3%	2.3%	1.3%	1.2%	1.3%	2.3%
# of Workshops Conducted	2	4	1	1	1	1
# of Nurses Attending Workshops	442	1,456	158	341	572	385
# Attending Workshop for First Time	179	537	68	97	203	169
# of Attendees at Open Forums	4	5	1	1	0	3
<u>Efficiency Measures</u>						
Average # of Days for New Hire Orientation	1.5	1.75	1.5	2.0	1.5	2.0
Average Cost of Conducting Workshop per Registrant	\$197.31	\$131.87	\$87.55	\$143.89	\$80.87	\$235.79

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for Strategy 3.1.1  
(Explain trends and issues; identify responses, actions and outcomes)

**Output Measures**

In the Fourth quarter, we had three resignations: one customer staff member, one FBI administrative assistant and one investigator. We had one nursing consultant retire.

The number of phone calls to the agency increased over 19% in fiscal year 2009.

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GOAL 4: To establish and carry out policies governing purchasing and contracting in accordance with State law that foster meaningful and substantive inclusion of historically underutilized businesses (HUBs).

Objective 4-1: To include historically underutilized businesses in at least 20 percent of the total value of contracts and subcontracts awarded annually by the agency in purchasing and public works contracting by fiscal year 2004.

Strategy 4-1-1: Develop and implement a policy for increasing the use of historically underutilized businesses through purchasing and public work contracts.

	FY08	FY09	FY09:1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Outcome Measures:</u>						
% of Total Dollar Value of Purchasing and Contracts Awarded to HUBs	5.74%	9.13%	5%	6.5%	11%	14%
<u>Output Measures:</u>						
# of Contracts Awarded to HUBs	1	0	0	0	0	0
# of HUBs from which Agency Made Purchases	64	37	8	11	8	10
Dollar Value of Purchases and Contracts to HUBs	\$59,308	\$90,087	\$17,979	\$20,365	\$13,668	\$38,075

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for Strategy 4.1.1  
(Explain trends and issues; identify responses, actions and outcomes)

No comments.

**2008/2009 General Appropriations Act**

**Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Board of Nursing. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Board of Nursing. In order to achieve the objectives and service standards established by this Act, the Texas Board of Nursing shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	<u><b>2009</b></u>	<u><b>Actual</b></u>
<b>A. Goal: LICENSING</b>		
<b>Outcome (Results/Impact):</b>		
Percentage of Licensees with No Recent Violations (RN)	97.5%	98.72%
Percent of Licensees Who Renew Online (RN)	91.5%	92.20%
Percent of New Individual Licenses Issued Online (RN)	50%	70.94%
Percentage of Licensees with No Recent Violations (LVN)	96%	97.97%
Percent of Licensees Who Renew Online (LVN)	80%	87.45%
Percent of New Individual Licenses Issued Online (LVN)	35%	52.93%
<b>A.1.1. Strategy: LICENSING</b>		
<b>Output (Volume):</b>		
Number of New Licenses Issued to Individuals (RN)	12,419	14,294
Number of Individual Licenses Renewed (RN)	89,115	102,666
Number of New Licenses Issued to Individuals (LVN)	6,016	6,059
Number of Individual Licenses Renewed (LVN)	36,690	41,287
<b>Efficiencies:</b>		
Average Licensing Cost Per Individual License Issued (RN)	\$2	\$1.59
<b>A.2.1. Strategy: ACCREDITATION</b>		
<b>Output (Volume):</b>		
Total Number of Programs Licensed (LVN)	95	95
<b>B. Goal: PROTECT PUBLIC</b>		
<b>Outcome (Results/Impact):</b>		
Percent of Complaints Resulting in Disciplinary Action (RN)	38%	19.12%
Percent of Complaints Resulting in Disciplinary Action (LVN)	42%	22.07%
<b>B.1.1. Strategy: ADJUDICATE VIOLATIONS</b>		
<b>Output (Volume):</b>		
Number of Complaints Resolved (RN)	3,625	7,091
Number of Complaints Resolved (LVN)	2,404	5,763
<b>Efficiencies:</b>		
Average Time for Complaint Resolution (Days) (RN)	215	188
<b>Explanatory:</b>		
Number of Jurisdictional Complaints Received (RN)	4,500	7,307
Number of Jurisdictional Complaints Received (LVN)	2,500	6,058
<b>B.1.2. Strategy: PEER ASSISTANCE</b>		
<b>Output (Volume):</b>		
Number of Licensed Individuals Participating in a Peer Assistance Program (RN)	550	592
Number of Licensed Individuals Participating in a Peer Assistance Program (LVN)	225	187