

**Consideration of Proposed Repeal of 22 Tex. Admin. Code Chapter 227, Pertaining to *Pilot Programs for Innovative Applications to Professional Nursing Education* and Proposed New 22 Tex. Admin. Code Chapter 227, Pertaining to *Pilot Programs for Innovative Applications to Vocational and Professional Nursing Education***

**Background:** During the Board's October 2013 meeting, two members of the public representing the Texas Association of Vocational Nurse Educators (TAVNE) addressed the Board during open forum and requested that a task force be formed to address issues relating to vocational nursing education and the role of licensed vocational nurses. During a follow up meeting between Board Staff and members of the TAVNE Executive Board, the individuals indicated that amendments to existing Chapter 227 to include vocational nursing education would be helpful in addressing some of their concerns related to vocational nursing education curricula and Chapter 214, pertaining to *Vocational Nursing Education*.

Currently, Chapter 227 only applies to professional nursing education. Staff re-evaluated Chapter 227, made editorial changes designed to simplify the rule, and include application to vocational nursing education. A copy of the proposed new rule text is attached hereto as Attachment "A".

**Board Action:** Move to approve the proposed repeal of 22 Tex. Admin. Code Chapter 227, pertaining to *Pilot Programs for Innovative Applications to Professional Nursing Education*, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt the proposed repeal of 22 Tex. Admin. Code Chapter 227, pertaining to *Pilot Programs for Innovative Applications to Professional Nursing Education*, as proposed.

Further, move to approve proposed new 22 Tex. Admin. Code Chapter 227, **Pertaining to *Pilot Programs for Innovative Applications to Vocational and Professional Nursing Education***, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt proposed new 22 Tex. Admin. Code Chapter 227, pertaining to **Pertaining to *Pilot Programs for Innovative Applications to Vocational and Professional Nursing Education***, as proposed.

**CHAPTER 227. PILOT PROGRAMS FOR INNOVATIVE APPLICATIONS TO VOCATIONAL AND PROFESSIONAL NURSING EDUCATION**

**§227.1. Purpose.** The purpose of this rule is to establish the procedures that apply to pilot programs for innovative applications to nursing education under Tex. Occ. Code §301.1605 for both vocational and professional nursing programs. Pilot programs approved under this chapter must be conducted in a manner consistent with the Board's role of protection of the public and must be structured appropriately to evaluate the efficacy and effect on vocational and professional nursing students.

**§227.2. Application and Approval.**

(a) Eligibility. In order to be eligible for approval under this chapter, an applicant must be requesting an exception to a requirement in Chapter 214 (relating to Vocational Nursing Education) or 215 (relating to Professional Nursing Education) of this title or an educational requirement of Tex. Occ. Code Chapter 301. If an applicant is requesting an exception to an educational requirement of Chapter 301, the applicant's pilot program must include an alternate, but substantially equivalent requirement.

(b) Approval Required. An applicant seeking approval from the Board under this chapter must submit a completed application to the Board. The applicant must verify the application by attesting to the truth and accuracy of the information in the application. An applicant must submit a completed application to the Board at least four months prior to the applicant's planned implementation date of the pilot program.

(c) Applications will be reviewed and evaluated to determine if they meet the requirements of this chapter. Qualified applications will be forwarded to the Board for deliberation and vote.

(d) The Board may approve the application; defer action on the application, pending receipt of further information; approve the application with conditions and/or restrictions; or deny approval of the application. As a condition of approving an application, the Board may request that changes be made in how a pilot program is designed.

(e) If the application is approved, the applicant must submit a written report of outcomes resulting from the pilot program to the Board within 90 days of completion of the program. The Board reserves the right to request additional and/or more frequent written reports of program outcomes during the duration of the pilot program.

(f) If an application is denied approval by the Board, an applicant must wait at least one calendar year from the date of the Board's denial before submitting a new application for Board consideration.

(g) An applicant seeking approval must meet the requirements outlined in the Board's Guidelines related to Innovation in Nursing Education and this chapter.

### **§227.3. General Selection Criteria.**

(a) Applications will be evaluated on the following criteria:

(1) Quality of the pilot program;

(2) Description of the pilot program, including the rationale for the pilot program and the financial support for the program;

(3) Methodological design of the pilot program;

(4) Pilot program outcomes, including how the success of the program will improve nursing education and enhance nursing practice and how it will be measured;

(5) Pilot program innovation;

(6) Timeline for pilot program;

(7) Controls to maintain quality education and ensure delivery of safe and competent nursing care:

(A) Methods shall be incorporated into the pilot program to ensure that students in the pilot program receive an equivalent, quality education as students in standard program(s) (comparative group);

(B) Ongoing evaluation shall be implemented to determine the students' progress in the pilot program; and

(C) If evidence indicates that students in pilot program are not meeting objectives, a plan for corrective measures to re-mediate must be in place; and

(8) Other relevant factors, including financial ability to implement the pilot program; state and regional needs and priorities; applicant's ability to continue the pilot program on a long-term basis; and the past performance of the applicant, if applicable.

(b) Pilot programs must have a defined length, not to exceed two years. The length of an approved pilot program may be extended upon applicant request and approval by the Board.

#### **§227.4. Monitoring and Evaluation.**

(a) All pilot programs shall be subject to intermittent monitoring and evaluation by the Board to ensure compliance with the criteria of this chapter and to obtain evidence that program goals are being met. Board monitoring may include the review and analysis of program reports; communication with program directors; and survey visits. The Board may also require the submission of quarterly reports of students' performance in courses and

clinical learning experiences; remediation strategies and attrition rates; and any other information necessary to evaluate the status of the pilot program.. Survey visits by a Board representative may be conducted at appropriate intervals to evaluate the status of the pilot program. The Board may alter a monitoring plan as necessary to address the specific needs of a particular program.

(b) The Board may require an applicant to reimburse the Board for the cost of monitoring and evaluating a pilot program.

(c) The Board may contract with a third party to perform the monitoring and evaluation of pilot programs.

(d) The Board may arrange for an applicant to directly reimburse a third party for the monitoring and evaluation of a pilot program.