

APRN Petition for Exception to Rule 221.3(e)(1)—Adela Hunt

Summary of Request: Adela Hunt requests that the Board waive the requirement that she comply with Rule §221.3(e)(1). This section of the rule includes a requirement that all nurse practitioner and clinical nurse specialist applicants who completed their programs on or after January 1, 1998 complete a separate, dedicated, graduate level course in advanced assessment.

Historical Perspective: Ms. Hunt completed an Adult Nurse Practitioner (ANP) master's program in May 1999 at Wayne State University in Detroit, Michigan. She applied for licensure as an ANP in Texas in October 2013. Section 301.152 of the Nursing Practice Act requires the Board to approve advanced practice registered nurses based on formal education (see Attachment A). The Board defined what constitutes acceptable educational preparation for advanced practice registered nurse licensure in Rule 221.3. Rule 221.3(e)(1) includes a requirement that applicants for advanced practice licensure complete separate, dedicated graduate level courses in advanced assessment, pathophysiology, and pharmacotherapeutics (Attachment B). The rule applies to all applicants who completed their advanced practice nursing education programs on or after January 1, 1998. Ms. Hunt did not complete a separate, dedicated, graduate level course in advanced assessment.

- In late 1992, the Board convened two task forces to examine nurse practitioner and clinical nurse specialist educational preparation, comparing programs in Texas with national guidelines and standards. These task forces were convened as a result of concern regarding the wide variation in advanced practice registered nurse (APRN) educational preparation among different programs. The Texas Higher Education Coordinating Board also participated in this process.
- In collaboration with the Texas Higher Education Coordinating Board, the Board adopted recommendations of the task forces that included the requirement for a separate, dedicated course in advanced assessment in May 1993. The Texas Higher Education Coordinating Board made a determination that all nurse practitioner and clinical nurse specialist programs would need to meet the new requirements by 1997.
- The Board voted to require that all graduates of nurse practitioner and clinical nurse specialist programs who completed their programs on or after January 1, 1998 demonstrate compliance with these requirements. Rule 221 was amended to include this requirement in 1996. The Board also notified all other boards of nursing regarding this change via the National Council of State Boards of Nursing.
- National standards were changing at the same time Texas made its changes to the education requirements. The American Association of Colleges of Nursing convened a national task force to examine essential elements for master's education in advanced nursing roles in 1994. In 1996, the American Association of Colleges of Nursing adopted its first edition of *The Essentials of Master's Education for Advanced Practice Nursing*. This first edition of the Master's Essentials included a requirement for a separate, dedicated, graduate level course in advanced assessment within master's degree programs for APRNs (Attachment C).
- The National Organization of Nurse Practitioner Faculties published the second edition of *Advanced Nursing Practice: Curriculum Guidelines and Program Standards for Nurse Practitioner Education* in 1995. The guidelines from this national organization state that they were aware of the work being done by the American Association of Colleges of Nursing and made recommendations that were congruent with those of the Master's Essentials (Attachment D). Thus, the National Organization of Nurse Practitioner Faculties also supported the

requirement for a separate, dedicated, graduate level course in advanced assessment for graduates of nurse practitioner programs.

- After review of Ms. Hunt's Verification of Completion form (Attachment E) and official transcript (Attachment F), staff determined that Ms. Hunt did not complete a separate, dedicated, graduate level course in advanced assessment in her ANP program.
- On December 6, 2013, staff received an email communication from the program director of the Adult/Gerontology Primary Care Nurse Practitioner Program at Wayne State University College of Nursing (Attachment G). The program director indicated that assessment content was integrated at the time Ms. Hunt completed her graduate program. Staff noted that the director indicated the course description confirmed that advanced assessment was a significant component of one of the courses. Staff further noted that the course descriptions provided were from the course catalog rather than a course syllabus.
- Ms. Hunt holds current certification as an ANP from the American Nurses Credentialing Center.
- On January 29, 2014, staff received a letter from Ms. Hunt requesting a waiver of the requirement for a dedicated, graduate level assessment course based on her experience and the integrated content in her graduate courses (Attachment H). Letters of support from the program director at Wayne State (Attachment I) as well as a faculty member from the University of Cincinnati (Attachment J) were provided by the applicant along with a recent performance evaluation (Attachment K), curriculum vitae (Attachment L), and current certification in Basic Life Support (Attachment M).

Previous Board Actions Related to Petitioner's Request

Staff obtained the following information on past Board actions related to petitions in which an applicant requested a waiver of the curricular requirements for APRN licensure.

- 7/2002** A family nurse practitioner educated in another state requested that the Board waive the curricular requirements outlined in Rule 221.3. The applicant's program did not have a separate, dedicated pathophysiology course; rather, pathophysiology content was integrated. The Board voted to deny her request, reaffirming the curricular requirements for authorization to practice (APRN licensure). The applicant subsequently completed a dedicated pathophysiology course and obtained authorization to practice (licensure) as a family nurse practitioner.
- 1/2003** The Board considered a request from an applicant who completed a women's health care nurse practitioner program in Nebraska in May 2002. Although the applicant completed advanced assessment content, the content was integrated with medical diagnosis and management content. One clinical component of this course required demonstration of clinical skills related to assessment techniques. The Board denied this request, reaffirming the requirement for a dedicated advanced assessment course that includes both didactic and clinical components.
- 10/2004** The Board considered a request from an acute care nurse practitioner who requested that the Board waive the curricular requirements outlined in Rule 221.3. The applicant completed a program in Connecticut and did not have a separate, dedicated pathophysiology course; rather, pathophysiology content was integrated. The Board voted to deny her request.
- 7/2006** A clinical nurse specialist in psychiatric/mental health nursing with national certification requested that the Board waive the required courses in advanced assessment and pharmacotherapeutics for prescriptive authority. He claimed he completed assessment in a Master of Arts in college counseling and student development program and had integrated pharmacotherapeutics. Additionally, he was certified as a master psychopharmacologist (not

an accredited certification) that he believed demonstrated his underlying knowledge of assessment and pharmacotherapeutics. The Board denied the request.

Staff's Analysis of Petition

Ms. Hunt believes the Board should waive the requirement that she complete a separate, dedicated, graduate level course in advanced assessment. She believes she had sufficient assessment content integrated in her diagnosis and management courses.

Although the courses in question contain assessment content, the catalog descriptions provided by the program director (included with the program director's email communication in Attachment G) contain the following statement regarding course content for the two courses identified as advanced assessment:

715 Clinical Judgment in Nursing I

“. . . Analysis of nursing explanatory decisions in primary care of adults; advanced nursing assessment of adults; concepts of health and illness. Development of conceptual framework for practice. Includes clinical practicum in management of episodic illness, twelve hours per week.”

716 Clinical Judgment in Nursing II

“. . . Analysis in managerial decisions in primary care of adults. Application of conceptual framework to nursing practice. Emphasis on management of episodic health problems. Includes clinical practicum, with preceptor, twelve hours per week.”

It is impossible to know from this information whether didactic and clinical content in advanced assessment were included as required by Board Rule. Although board staff requested that Ms. Hunt provide course syllabi for her courses in early December 2013, neither the applicant nor the program director were able to provide anything other than the catalog information for this course. From the information provided in the course catalog, staff cannot determine how much content addressed advanced assessment as required by Board Rule (Attachment B) and supported by the American Association of Colleges of Nursing's Master's Essentials (Attachment C) and the National Organization of Nurse Practitioner Faculties' Curriculum Guidelines (Attachment D). Staff further noted that the description for NUR 716 does not even mention assessment content. The 1996 Master's Essentials very clearly states that there should be a separate, dedicated course in advanced assessment at the graduate level.

Staff acknowledges that the program director stated in her email to staff (Attachment G) and the letter of support (Attachment I) that the courses included assessment content. The letter provided by the applicant as Attachment I indicates the program held high standards that require proficiency in didactic and clinical areas of assessment. However, after review of the course descriptions for the above two courses in addition to Ms. Hunt's courses in Adult Primary Care (NUR 717 and 718) that were included with Attachment G, it appears to staff that NUR 715 and 716 (clinical judgment courses) targeted medical diagnosis and management of episodic illnesses and conditions whereas NUR 717 and 718 (adult primary care courses) targeted medical diagnosis and management of chronic diseases and conditions. While staff agrees with the program director that it is necessary to appropriately assess a patient before rendering a diagnosis and determining the appropriate plan for medical management, staff cannot confirm that there was sufficient depth and breadth of assessment didactic and clinical content in the applicant's program to confirm that she met the requirements set forth in Board Rule 221 that requires a separate, dedicated, graduate level course in advanced assessment that includes both didactic and clinical components (Attachment B). Staff further noted that a graduate level course, NUR 712: Advanced Nursing Assessment of Adults, was available at the time Ms. Hunt completed the program (see course catalog information included with Attachment G).

In her letter to staff (Attachment H), Ms. Hunt states her belief that her varied experiences and APRN licensure in multiple states supports that she has appropriate knowledge and competence in the content area of advanced assessment. While staff recognizes that there has been no indication of disciplinary

action against Ms. Hunt's licenses and she received a good performance evaluation, staff would also note that lack of disciplinary action should not be considered an indicator of knowledge and skill level. Disciplinary actions are based on complaints received from the public, and it is only reasonable to presume that no history of disciplinary action means that there were no actions taken against Ms. Hunt's licenses. Lack of disciplinary action is not an appropriate indicator of knowledge and skill.

Medical diagnosis and management content in an APRN education program should be built upon a solid foundation of core of courses as described in the Master's Essentials. Advanced assessment is one of those core courses. The Master's Essentials very clearly require that medical diagnosis and management or specialty courses should include assessment content, but this should not replace a separate, dedicated course. The national standards have been revised since the mid-1990s. With each revision of the national standards, a separate, dedicated, graduate level course in advanced assessment continues to be included as a core course requirement. As more patients enter the healthcare system with increased numbers of co-morbid conditions and have more complex disease processes, it is in the interest of patient safety that certain curricular requirements must be met.

After review of Ms. Hunt's application and all supporting documents, it is staff's opinion that Ms. Hunt does not meet the education requirements set forth in Board Rule 221.3(e)(1).

PROS and CONS:

Pros: Granting the request to waive the requirement for a separate, dedicated, graduate level advanced assessment course will provide for the needs of this petitioner. It would allow Ms. Hunt to work as an ANP in Texas without completing an additional course.

Cons: Rule 221.3(e) does not make provisions for acceptance of integrated content in lieu of the separate course in advanced assessment. Requiring that Ms. Hunt complete a separate, dedicated, graduate level advanced assessment course is consistent with the Board's position on the minimal educational requirements for safe, competent advanced nursing practice that was adopted in 1993 as well as recognized national standards for nurse practitioner educational preparation that were adopted in the mid-1990s and continue to be included in present day education standards. This is consistent with the Board's mission to protect and promote the welfare of the people of Texas. Denial of the petition is consistent with past determinations made by staff as well as previous Board decisions on this issue.

Petition Review Committee's Recommendations and Rationale:

Four individuals were eligible to review this petition. Of those who were eligible, one reviewer was unable to complete the review. A second reviewer who is new to the review committee responded by asking about options for demonstrating the required knowledge, skills and competency. The remaining two reviewers both recommended denial of the petition. The following is a summary of the rationale for recommendation of denial from the two reviewers who recommended denial of the petition:

- The descriptions of Ms. Hunt's courses do not meet the requirements set forth in Board Rule 221.3 as the assessment content is limited to assessments associated with the disease processes described in the didactic portion of the course and practicum experiences associated with the course.
- Neither the program officials nor the petitioner provided evidence that assessment content was completed in sufficient depth and breadth in the integrated curriculum.
- The requirement for an advanced health assessment course that is described in the 1996 Master's Essentials includes a requirement for content that addresses completion of a comprehensive history and physical and psychological assessments. Neither the information provided in the course descriptions nor the information provided by Ms. Hunt and her program director demonstrate that all of this content was included in the integrated courses.

- Wayne State University provided evidence indicating that a course was available to the petitioner at the time she completed her program.
- Courses are readily available that would allow the petitioner to meet the Board's requirement for a dedicated course in advanced assessment.

The response from the third reviewer indicated that the reviewer understands how staff arrived at the recommendation for denial of licensure for failure to complete a separate, dedicated course in advanced assessment as required by Board Rule 221.3. Although the reviewer did not recommend denial, it is notable that the questions the reviewer submitted were focused on a mechanism for the petitioner to demonstrate that she has the necessary knowledge and skills related to advanced assessment. Therefore, it is notable that the reviewer is not recommending that the Board grant the waiver. Below is a summary of the reviewer's questions and staff's response.

- One of the questions from the reviewer was whether it is reasonable for the petitioner to submit a case study portfolio demonstrating her knowledge and skills. Staff would contend that the same issues related to evaluating the depth and breadth of advanced assessment knowledge would exist with reviewing case studies that exists with reviewing integrated content. The extent of advanced assessment content demonstrable through case studies would be limited to the disease processes associated with the disease(s) and condition(s) seen in the selected cases. This is the same challenge that exists with integrated content as noted by one of the review committee members above. Staff would further add that a portfolio process such as that described by the reviewer would require an extensive number of cases to demonstrate the depth and breadth of knowledge required by Board Rules and national standards. This would be resource intensive to the agency, and the Board does not have the necessary resources for staff to evaluate an applicant's knowledge and skill through a case study portfolio.
- The other question from the reviewer is whether the petitioner could partner with a university to demonstrate her knowledge and skill set. Staff would offer that there is nothing in Board Rule 221.3 that prohibits acceptance of an independent study in advanced assessment, and staff has previously accepted independent studies for the purpose of meeting the education requirements for licensure. Thus, partnering with a university to complete an independent study would allow the applicant to demonstrate her knowledge and skills and meet the requirement set forth in Board Rule. Staff would also note that there is no minimum number of credit hours for an advanced assessment course required by Rule 221.

In addition, staff would note that Rule 221 as proposed by the Board at the April 2014 Board meeting will create a process whereby applicants for licensure who have not met the course requirement for a separate, dedicated course in advanced assessment may apply for a temporary permit to practice as an APRN in the state of Texas while completing the necessary course. The permit would require the APRN to practice under supervision without prescriptive authority while the course is completed. The Board will consider adoption of Rule 221 as part of agenda item 6.4. If this rule is adopted by the Board, this option may be offered to Ms. Hunt for her consideration.

The recommendation and rationale from the petition review committee as well as the questions from one reviewer were shared with Ms. Hunt on June 6, 2014. She was offered the opportunity to submit a written response to the committee recommendation and advised that she may address the Board when her request for waiver is considered. Ms. Hunt did not respond to this information.

Recommendation of Staff and Petition Review Committee: Move to deny the request from Adela Hunt to waive the requirement for a separate, dedicated, graduate level course in advanced health assessment as set forth in Rule 221.3(e)(1).

List of Attachments for Adela Hunt's petition

- A. Section 301.152 of the Nursing Practice Act
- B. Board Rule 221.3(e)
- C. American Association of Colleges of Nursing publication: *The Essentials of Master's Education for Advanced Nursing Practice* (1996)—Content related to advanced assessment as a dedicated course.
- D. The National Organization of Nurse Practitioner Faculties publication: *Advanced Nursing Practice: Curriculum Guidelines and Program Standards for Nurse Practitioner Education* (1995)—Content related to curriculum standards and advanced assessment
- E. Verification of Completion of a Program in an Advanced Practice Nurse Role form submitted for Adela Hunt
- F. Transcript from Wayne State University
- G. 12/6/13 email from Adela Hunt's program director confirming integrated assessment content.
- H. Letter from Adela Hunt requesting waiver
- I. Letter from program director submitted by the applicant
- J. Letter from the University of Cincinnati provided by applicant
- K. Performance evaluation from 2012 submitted by the applicant
- L. Curriculum Vitae submitted by the applicant
- M. Basic Life Support—Healthcare Provider certification submitted by the applicant