



ABN E-NEWS

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Alabama Board of Nursing

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Welcome!

Welcome to ABN E-NEWS, the Alabama Board of Nursing quarterly electronic newsletter. The Board had a quarterly printed newsletter until the costs of printing and mailing became prohibitive. With the expansion of electronic devices and regular use of those devices, the Board issues its premier offering of its first electronic newsletter. Thanks to those of you who answered our recent survey indicating your interest, topics you want to see, and potential names. We selected "ABN E-NEWS" as it demonstrates what we are about.

In addition to the quarterly ABN E-NEWS newsletter, the Alabama Board of Nursing is venturing into Social Media. We have a page on Facebook and a Twitter account. Your feedback on our efforts to provide information in various media formats is valuable. Please tell us of things you like and dislike about these new ventures.

Welcome!

Handwritten signature of Catherine Dearman in black ink.

Catherine Dearman, Ph.D., RN
President

Handwritten signature of N. Genell Lee in black ink.

N. Genell Lee, MSN, RN, JD
Executive Officer

A Word From Our Call Center

Donna Aldridge, Call Center Specialist

The ABN Call Center is the gateway to your inquiries, concerns, and questions regarding nursing licensure, practice, and education in Alabama. Our representatives deal directly with callers either by telephone, live chat or email and strive to promptly answer each question or inquiry with detail and accuracy. The Call Center delivers a wide array of guidance to serve your needs pertaining to questions within the various divisions of the ABN. Questions related to legal, education, advanced practice, licensing, renewal, reinstating, or endorsing into Alabama are common. We strive to give you an immediate connection to the answers you need. We are available Monday thru Friday from 8:00 a.m. until 4:30 p.m. Please call us at 1-800-656-5318 or 334-293-5200 or join us at www.abn.alabama.gov for a live chat.

RENEWAL REMINDER:

**RN Renewal begins September 1, 2014 and ends November 30, 2014.
The Late Renewal period runs from December 1, 2014 through
December 31, 2014.**

APN Corner

Advanced Practice Nursing Update and Tips

Peggy Benson, RN, MSHA, MSN, NE-BC
Deputy Director

The Alabama Board of Nursing (ABN) is in the process of implementing a new information system that includes changes to Advanced Practice Nursing (APN) as well as updating the information available on the ABN website, under the APN tab. The changes will increase the information readily available to each APN related to each individual's own practice. CRNPs and CNMs can view individual practice information including collaboration details.

In October 2013, the ABN rolled out a "Status Check for Initial APN Applications." This allows APNs to check their application status and provides a checklist for missing information the APNS should submit to the ABN to complete the application. The ABN also rolled out a Frequently Asked Question and Answer page under the APN tab, which includes links to the other APN information.

In addition, as a reminder, maintaining your national certification is an individual responsibility of each APN and failure to do so may result in disciplinary action.

The ABN is not responsible for reminding each APN of their approaching certification expiration dates. The advanced practice approval card shall expire prior to the RN license card if the advanced practice national specialty certification expires during the license period. The tips listed below provide you with several options to aid you in tracking your individual expiration deadlines so that your certification does not expire.

Tips for Monitoring Certification Status

1. Place a reminder on your electronic calendar/iPhone at least two- three months before your certification is due to expire. Act on that reminder when it pops up.
2. Place a second reminder on your Internet Explorer task list or email calendar at work and be sure to date the reminder.
3. Do not ignore your recertification renewal letter from your certifying organization. Renew early and do not procrastinate. Place the letter in a conspicuous place so that you see the notice frequently and cannot overlook that it is due.

NOTE: If your national certification expires, cease working immediately until you reinstate your ABN approval to practice as an APN.

Nursing Practice Issues

Peggy Benson, RN, MSHA, MSN, NE-BC
Deputy Director

The ABN periodically receives questions related to documentation of nursing care. It is always best to familiarize yourself with the law. The documentation standards are relevant no matter the format used to document nursing care. Please note that legible, accurate, timely and complete documentation is paramount to documenting successfully.

The standards are located on the ABN website www.abn.alabama.gov under tab "Laws" in the **Administrative Code** for Nursing, Chapter **610-X-6**. Download the chapter and then **tab down** to Rule **610-X-6-.06, Documentation Standards**. In addition to the documentation rules noted below, the standards of practice for nursing include following the facility/organizational policies related to documentation.

Rule 620-X-6-.06 Documentation Standards

(1) The standards for documentation of nursing care provided to patients by registered nurses and licensed practical nurses are based on principles of documentation regardless of the documentation format.

(2) Documentation of nursing care shall be:

- (a) Legible.
- (b) Accurate.
- (c) Complete. Complete documentation includes reporting and documenting on appropriate records a patient's status, including signs and symptoms, responses, treatments, medications, other nursing care rendered, communication of pertinent information to other health team members, and unusual occurrences involving the patient. A signature of the writer, whether electronic or written, is required in order for the documentation to be considered complete.
- (d) Timely.
 - (i) Charted at the time or after the care, including medications, is provided. Charting prior to care being provided, including medications, violates principles of documentation.
 - (ii) Documentation of patient care that is not in the sequence of the time the care was provided shall be recorded as a "late entry" including a date and time the late entry was made as well as the date and time the care was provided.
- (e) A mistaken entry in the record by a licensed nurse shall be corrected by a method that does not obliterate, white-out, or destroy the entry.
- (f) Corrections to a record by a licensed nurse shall have the name or initials of the individual making the correction.

ADVANCED PRACTICE ALERT! ATTENTION CRNPs AND CNMs:

Please follow the link below to
verify your practice
information with ABN:

https://abn.alabama.gov/abnonline/crnpcnmprofile_login.aspx

Legislative Update

Honor L. Ingels
Chief Information and
Legislative Officer

As you may be aware, the 2014 Regular Session of the Alabama Legislature convened on January 14, 2014. What you may not be aware of is how many proposed pieces of legislation could have a significant impact on the nursing profession.

Two of the first bills introduced this year were SB 57 and HB 150, the Senate and House versions of a bill that would mandate new policies for management of diabetes in schoolchildren. Both bills include the delegation of insulin and glucagon administration to school personnel who are not nurses, but have been through a training course. The Alabama Board of Nursing has serious concerns about this legislation, which would require individuals who are not nurses to engage in the practice of nursing and would certainly lower the standard of care for children suffering from diabetes.

Thousands of children and their families deal with the challenges of diabetes management every day and we understand the difficulties teachers and schools face, as well. This is why the Board opposes delegation of insulin administration to non-medical personnel. Insulin is a dangerous prescription drug, which is why administration of it is restricted to medical professionals, patients, and their families. We do not believe that these seriously ill children or lay school personnel in schools should be exposed to the risks associated with insulin delegation and will work throughout this session to be sure that diabetes management in schools is safe for everybody concerned.

Additionally, the Legislature is expected to address important healthcare-related issues like the stocking of injectable epinephrine in schools for children with allergies and several items related to the implementation of the Affordable Care Act. We will do our best to keep the public up to date as the session progresses, so please follow us on Twitter and Facebook to stay informed.

A Brief Overview of the Disciplinary Process

Cathy Boden, MSN, RN
Nurse Consultant, Legal Division

The ABN's mission is to safeguard and promote the health, safety, and welfare of the public through licensing and approval of qualified individuals and adopting and enforcing legal standards for nursing education and nursing practice. To further that mission, the ABN receives and investigates complaints against individual licensed nurses who are alleged to have violated the legal standards for nursing. The ABN initiates investigations in two general ways.

First, if a nurse believes that his/her competence and safety to practice is impaired or compromised due to the use or abuse of drugs or alcohol or as a result of a physical or mental condition, the nurse may place a phone call to the Board to self-disclose a possible violation of the Nurse Practice Act (NPA). The nurse may request review for eligibility for participation in "VDAP," the Board's disciplinary alternative program. Review of the information provided determines whether the nurse meets the eligibility requirements. If the nurse does not meet VDAP eligibility requirements, staff assigns the nurse's case to an Investigator and/or Nursing Consultant for further review and investigation.

Secondly, the nurse may receive notice from the Board that an investigation of an alleged violation of the NPA is underway.

The investigation of an applicant or licensed nurse, regardless of how the complaint comes to the attention of the ABN, can generate a variety of emotions and questions from the nurse under investigation. The ABN takes numerous steps to ensure fairness for the applicant or licensed nurse during the processing of the complaint.

The ABN mails a Notice of Investigation to the current address of record of the applicant or nurse following the receipt of a complaint alleging a violation of the NPA. The Notice provides the nurse with the case number assigned to the investigation and contact information for the Special Investigator assigned to the case. A search of the State Judicial Information System (SJIS), NURSYS® (a national databank of discipline maintained by the National Council of State Boards of Nursing), and the internet are routinely performed in the course of all investigations. The ABN asks the applicant or nurse to provide specific records in connection with the Board's investigation. Contact with the Special Investigator is the first, but not the only opportunity, for the nurse to provide a written response to the allegation and any evidence to refute the allegation. The Notice of Investigation is a serious matter and starts the process between the ABN and the nurse.

The U.S. Constitution, the NPA, and the Alabama Administrative Procedure Act ensure due process rights. Complaints are private and if the nurse wants Board staff members to respond to inquiries from specific individuals during the course of the investigation, the ABN requires the nurse submit a General Release of Liability/Authority to Disclose form.

During the investigation, the nurse may seek and retain legal counsel. The nurse may continue to practice or seek employment as a nurse and apply for license renewal. The ABN directs the applicant or nurse to keep the Board apprised, in writing, of nursing employment and contact information. Some nurses misunderstand the role of the Board and request appointment of an attorney to represent the individual. The ABN does not pay for an attorney for the nurse and does not provide legal services or advice.

Master's prepared registered nurses employed by the Board review allegations that involve practice as a nurse, including the records gathered in the investigation. At the conclusion of the investigation, a Board attorney determines whether there is sufficient evidence to substantiate a violation of the NPA. If the Board dismisses the complaint, there is no public record of the allegation. In FY 2013, 809 cases were dismissed without action at the conclusion of an investigation of an alleged violation.

In the event there is evidence of a violation of the NPA, disciplinary proceedings occur. The law provides for participation in the disciplinary proceedings by the applicant or licensed nurse. Depending on the nature of the findings and the violations of the NPA and ABN **Administrative Code**, the staff may offer the nurse a Consent Order with stated Findings of Fact and Conclusions of Law and disciplinary action. Disciplinary action options include a reprimand, probation, and/or suspension of the license, and may require the nurse to comply with certain terms in order to return to or continue nursing practice.

Upon request or refusal to participate by the applicant or licensed nurse, staff schedules an Administrative Hearing before a hearing officer. The Board will present witnesses and evidence to prove the violations. At this time, the nurse has the opportunity to testify, present the case through witnesses, and evidence as well.

The Board then reviews the testimony and evidence, as well as the hearing officer's recommendation, and makes the final decision in writing regarding the nurse's license. Applicants or licensed nurses have the option to appeal decisions of the Board following an administrative hearing in accord with the Alabama Administrative Procedure Act.

Disciplinary actions of the ABN are public information. The Board notes the name of the applicant or licensed nurse in the Board's minutes, on the ABN website, and published in the Annual Report to the Governor. The Board's Order is available for review by employers, schools of nursing, and any member of the public upon request.

LPN Continuing Education Audit

Joyce D. Jeter, MSN, RN
Nurse Consultant, CE/Practice

Upon license renewal, the Continuing Education (CE) records submitted by licensed nurses are subject to an audit. When a licensed nurse renews the license, he/she must attest that the information recorded in the individual CE record is true and accurate. Each renewal period the ABN performs random CE audits to review information submitted by licensed nurses. Audit of the license occurs during the next renewal period if a nurse failed the CE audit or was late responding to the notice.

Random selection of audit subjects occurs following license renewal and audit notices are typically mailed in January. The notice explains what the nurse must do in order to respond to the audit. Failure to respond to a CE audit within the specified period may result in a CE Compliance Late Fee of \$150.00 – \$600.00 and/or disciplinary action against the nurse's individual license.

Tips for a successful audit:

1. Take the audit seriously and do not procrastinate. If selected for audit, the licensed nurse is required to respond within thirty (30 days) of the date of the written notice.
2. Submit a copy (ies) of all requested CE certificate information from the CE provider for verification (always include the license number and name on the certificate or any information that sent to the Board).
3. The Board may request more information with another deadline specified. Again, failure to respond within the established time frame could result in fees or disciplinary action.
4. If the nurse cannot provide the CE verification information or somehow miscalculated the CE hours, it is always best to acknowledge the truth up front to the Nursing Consultant.
5. The CE Audit rules are located in the **Alabama Administrative Code** for Nursing under Continuing Education for Licensure, Rule 610-X-10-.07, Reporting Requirements for Audit.

Nursing Education Program Concerns

Cathy Russell, PhD, NE-BC, ACNS-BC, RN
Nurse Consultant, Nursing Education

Since its beginning in 1915, the Alabama Board of Nursing has been responsible for the regulation and approval of schools of nursing. The lack of standardization of nursing education was one motivating factor for the first Board of Nurse Examiners and Training (the first title of the ABN).

According to the American Association of Colleges of Nursing (AACN) State Snapshot, the Bureau of Labor Statistics projects that, by 2020, the national nursing workforce will need to increase by 26%. This 26% increase equates to 1.2 million new RN positions (2013). In response to the predicted decreased supply and increased demand for registered nurses, existing programs have increased enrollment and institutions have begun offering nursing as a component of its education mission. AACN (2013) listed faculty shortages, insufficient number of clinical sites, classroom space, clinical preceptors, and budget constraints as barriers that limit enrollment in registered nursing programs. Unfortunately, no statistics are available for practical nursing supply and demand, which is of concern to the ABN.

Several variables contribute to the clinical site shortage, including hospital closures, magnet status, and low census. According to Business Alabama (2012), three Alabama hospitals, Cooper Green Mercy Hospital (Birmingham), Infirmary West (Mobile), and Chilton Medical Center (Clanton) closed in 2012. Some facilities limit clinical agreements to BSN programs because of their magnet status; thus, the type of nursing program, (i.e.: LPN, ADN, or BSN) may impact whether clinical sites are available. Although Praxis (the practical application or exercise of a branch of learning) is an essential component in nursing education, several nursing programs experience difficulty securing adequate and appropriate clinical experiences for nursing students. Without sufficient theoretical and clinical experiences, programs are non-compliant with the education rules outlined in the ABN **Administrative Code**, Chapter 610-X-3, Nursing Education Programs.

Annually, the Board of Nursing critically examines nursing programs in the state to ascertain their compliance with the ABN **Administrative Code**. At the end of fiscal year 2013, several programs did not meet the 80% outcome standard for first-time writers on the national examination selected by the Board (NCLEX®). According to annual reports, most nursing programs did not identify securing clinical sites as a barrier to increasing enrollment nor did they use simulation as a substitute for clinical experiences. However, educational site visits confirmed that some programs are having difficulty securing acute pediatric, maternal, psychiatric, and adult health clinical experiences. As clinical resources become scarcer, it may be beneficial for nursing programs and healthcare organizations to work more closely together and review the feasibility of forming a consortium to ensure equitable availability of quality clinical experiences for each program. The success or failure of each nursing program affects all of nursing and ultimately patient safety.

ABN WELCOMES NEW BOARD MEMBERS FOR CALENDAR YEAR 2014!

Please join us in welcoming the following new members to the Alabama Board of Nursing:

Cheryl Bailey, RN, BSN, MBA (Practice) – Cullman
Gladys Davis Hill, RN, MSN (Education) -
Moundville

Vicki P. Karolewics, EdD (Consumer) - Cullman
Chrystalbell King, LPN (LPNAA) – Montgomery

Welcome back E. Laura Wright, PhD, MNA, CRNA,
(Birmingham) reappointed to the Board for a second term.