

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Education

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BILL: CS/CS/SB 1036

INTRODUCER: Education Committee; Health Policy Committee; and Senator Grimsley

SUBJECT: Nursing Education Programs

DATE: March 20, 2014

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Peterson</u>	<u>Stovall</u>	<u>HP</u>	<b>Fav/CS</b>
2.	<u>Letarte</u>	<u>Klebacha</u>	<u>ED</u>	<b>Fav/CS</b>

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/CS/SB 1036 establishes a schedule for all registered nurse prelicensure programs approved by the Board of Nursing (BON) to become accredited by a specialized nursing accrediting agency that is recognized by the U.S. Secretary of Education. The bill:

- Revises the definition of “clinical training” to include clinical simulation and the definition of “practice of professional nursing” to include “the teaching of general principles of health and wellness to the public and to students other than nursing students.”
- Increases the percentage of clinical training that may consist of simulation from 25 percent to 50 percent.
- Requires the BON to adopt rules to administer the documentation of the accreditation of nursing education programs.
- Exempts a nurse who is certified by a health care specialty program that is accredited by the National Commission for Certifying Agencies (NCCA) or Accreditation Board for Specialty Nursing Certification (ABSNC) from the biennial continuing education requirement.
- Provides an exemption from the nursing education program accreditation requirement for an institution exempted from licensure by the Commission for Independent Education under section 1005.06(1)(e), F.S.

The bill takes effect on July 1, 2014.

## II. Present Situation:

The “Nurse Practice Act” of chapter 464, F.S.,<sup>1</sup> governs the licensure and regulation of nurses in Florida. Nurses are licensed by the Department of Health (DOH)<sup>2</sup> and are regulated by the BON.<sup>3</sup> Applicants for a registered nurse (RN)<sup>4</sup> or licensed practical nurse (LPN)<sup>5</sup> license, among other requirements, must submit an application form to the DOH, pay a fee, submit information for a criminal background check,<sup>6</sup> and pass a licensure exam.<sup>7</sup> The exam used by the DOH is the National Council Licensure Examination (NCLEX),<sup>8</sup> developed by the National Council of State Boards of Nursing.<sup>9</sup>

In addition, an applicant must complete the requirements for graduation from an approved program or its equivalent, as determined by the BON.<sup>10</sup>

### Nursing Education Program Approval and Accreditation

Florida law requires an institution desiring to offer a nursing education program to submit an application to the DOH and pay a program review fee. The application must document compliance with the following program standards: faculty qualifications; clinical training and clinical simulation requirements, including a requirement that no more than 25 percent of the program’s clinical training consist of clinical simulation; faculty-to-student supervision ratios; and curriculum and instruction requirements.<sup>11</sup>

Once the DOH determines an application is complete, it forwards the application to the BON, which has 90 days to approve the application or to provide the applicant with notice of its intent

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<sup>1</sup> Chapter 464, F.S., is composed of two parts. Part I includes sections 464.001-464.027, F.S., and is entitled the “Nurse Practice Act.” The current bill amends portions of Part I. Part II includes sections 464.201-464.2085, F.S., and is entitled “Certified Nursing Assistants”(CNAs) and is not addressed by this bill.

<sup>2</sup> Section 464.008, F.S.

<sup>3</sup> The BON is comprised of 13 members appointed by the Governor and confirmed by the Senate who serve four-year terms. Sections 464.004(1) and (3), F.S. “Seven members of the board must be registered nurses who are residents of this state and who have been engaged in the practice of professional nursing for at least 4 years, including at least one advanced registered nurse practitioner, one nurse educator member of an approved program, and one nurse executive. These seven board members should be representative of the diverse areas of practice within the nursing profession. In addition, three members of the board must be licensed practical nurses who are residents of this state and who have been actively engaged in the practice of practical nursing for at least 4 years prior to their appointment. The remaining three members must be residents of the state who have never been licensed as nurses and who are in no way connected with the practice of nursing. No person may be appointed as a lay member who is in any way connected with, or has any financial interest in, any health care facility, agency, or insurer. At least one member of the board must be 60 years of age or older.” Section 464.004(2), F.S.

<sup>4</sup> “‘Registered nurse’ means any person licensed in this state to practice professional nursing.” Section 464.003(22), F.S.

<sup>5</sup> “‘Licensed practical nurse’ means any person licensed in this state to practice practical nursing.” Section 464.003(16), F.S.

<sup>6</sup> Section 464.008(1), F.S.

<sup>7</sup> Section 464.008(2), F.S.

<sup>8</sup> See Florida Board of Nursing, *Licensed Practical Nurse & Registered Nurse by Examination*, <http://floridasnursing.gov/licensing/licensed-practical-nurse-registered-nurse-by-examination/> (last visited Mar. 14, 2014).

<sup>9</sup> National Council of State Boards of Nursing, *NCLEX Examinations: About the NCLEX*, <https://www.ncsbn.org/nclex.htm> (last visited Mar. 1, 2014).

<sup>10</sup> Section 464.008(1)(c), F.S.

<sup>11</sup> Section 464.019(1), F.S.

to deny and the reasons for the denial. An applicant may request a hearing under chapter 120, Florida Statutes, on a notice of intent to deny.<sup>12</sup>

Nursing programs are currently offered in Florida by: public school districts, community colleges, state universities, private institutions licensed by the Commission for Independent Education (CIE), private institutions that are members of the Independent Colleges and Universities of Florida (ICUF), and Pensacola Christian College, which is statutorily authorized to offer a bachelor of science in nursing degree by s. 1005.06(1)(e), F.S.<sup>13</sup>

Some of the nursing programs offered by these institutions have *programmatic* accreditation. An “accredited program” is defined as:

[A] program for the prelicensure education of professional or practical nurses that is conducted in the United States at an educational institution, whether in this state, another state, or the District of Columbia, and that is *accredited by a specialized nursing accrediting agency that is nationally recognized by the United States Secretary of Education to accredit nursing education programs.*<sup>14</sup>

The specialized nursing accrediting agencies currently recognized by the United States Department of Education include: the Commission on Collegiate Nursing Education and the Accreditation Commission for Education in Nursing.<sup>15</sup>

Chapter 464, F.S., recognizes and distinguishes between nursing education programs that are approved by the BON and programs that are both approved by the BON and accredited.<sup>16</sup> An approved program<sup>17</sup> is required to submit an annual report to the BON which includes an affidavit certifying compliance with the program standards, and documentation for the previous

<sup>12</sup> Section 464.019(2), F.S. If the BON does not act on a program application within the 90-day review period, the program application is deemed approved. *Id.*

<sup>13</sup> Office of Program Policy Analysis and Government Accountability, *Florida's Nursing Education Programs Continued to Expand in 2013, While Licensure Exams Passage Rates of New Programs Declined*, Report No. 14-03, 2 (Jan. 2014), available at <http://floridasnursing.gov/forms/oppaga-report-2014.pdf>. The Office of Program Policy Analysis and Government Accountability (OPPAGA) also notes that “[n]ursing education programs in Florida that hold specialized nursing accreditation by the National League for Nursing Accrediting Commission (NLNAC) or by the Collegiate Commission on Nursing Education (CCNE) are not regulated by the Florida Board of Nursing.” *Id.* Section 1005.06(1)(e), F.S., exempts schools from the CIE’s licensure requirements if the institution had been so exempted in 2001 under s. 246.085(1)(b), F.S. (2001), and maintains the following qualifying criteria: the institution is incorporated in this state; the institution’s credits or degrees are accepted for credit by at least three colleges that are fully accredited by an agency recognized by the U.S. Department of Education; the institution was exempt under that category prior to July 1, 1982, and the institution does not enroll any students who receive state or federal financial aid. Two institutions in Florida, Pensacola Christian College and Landmark Baptist College, are subject to this exemption. Landmark Baptist College does not offer a nursing program. Conversation with staff at the Commission for Independent Education (Mar. 11, 2014).

<sup>14</sup> Section 464.003(1), F.S. (italics added).

<sup>15</sup> United States Department of Education, *Accreditation in the United States: Specialized Accrediting Agencies*, [https://www2.ed.gov/admins/finaid/accred/accreditation\\_pg7.html](https://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html) (last visited Mar. 14, 2014).

<sup>16</sup> A program is initially approved by the BON and may voluntarily seek accreditation after initial approval. If a program becomes accredited, the program is not under the jurisdiction of the BON, unless, at some point, the program is no longer accredited. Conversation with staff at the Florida Board of Nursing (Mar. 14, 2014).

<sup>17</sup> Section 464.003(4), F.S., defines an “approved program” as “a program for the prelicensure education of professional or practical nurses that is conducted in the state at an educational institution and that is approved under s. 464.019. The term includes such a program placed on probationary status.”

academic year that sets forth data related to the number of students who applied, were accepted, enrolled, and graduated; retention rates; and accreditation status.<sup>18</sup> The BON, in turn, must post information on its website listing: all accredited programs and graduation rates for the most recent two years; approved programs that are not accredited; all documentation submitted in the application (for applications submitted on or after July 1, 2009); a summary description of the program's compliance with program standards, accreditation status, probationary status, graduate passage rates for the most recent two years, and retention rates; and for both approved and accredited programs, the average passage rates for the NCLEX.<sup>19</sup> Approved programs must have a graduate passage rate on the NCLEX that is not lower than ten percent below the national average for two consecutive years. Failure to comply with the passage rate requirement results in the BON placing the program on probation or terminating the program entirely if not corrected within two years of being placed on probationary status.<sup>20</sup>

The 2009 Legislature substantially revised and “streamline[d] the application process for new nursing programs” by restricting the BON’s rulemaking authority and codifying the program approval process in statute.<sup>21</sup> The reason noted for streamlining the process was to significantly increase the number of approved programs that could produce graduates to address the state’s shortage of nurses.<sup>22</sup>

As part of the revisions, the 2009 Legislature directed the Florida Center for Nursing and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to study the five-year administration of the revised process and provide reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives, annually, beginning January 2011.<sup>23</sup> In its 2014 report, the OPPAGA reported that since July 2009:<sup>24</sup>

- The BON has approved 231 new programs, which has increased the total number of programs by 139 percent;<sup>25</sup>
- The number of available seats in nursing programs has increased by 180 percent;<sup>26</sup>
- The overall enrollment has increased by 58 percent;<sup>27</sup>
- The number of students graduating has increased by 30 percent;<sup>28</sup> and,
- The licensure exam passage rates of the approved programs created since 2009 that had graduates who took the NCLEX has declined—approximately 73 percent (82 of 112

<sup>18</sup> Section 464.019(4), F.S.

<sup>19</sup> Section 464.019(5), F.S.

<sup>20</sup> Section. 464.019(6)(a), F.S.

<sup>21</sup> Section 2, ch. 2009-168, L.O.F.; see The Florida Senate Professional Staff of the Health and Human Services Appropriations Committee, *Bill Analysis and Fiscal Impact Statement for CS/CS/SB 2284*, 1, 6 (Apr. 22, 2009), available at <http://archive.flsenate.gov/data/session/2009/Senate/bills/analysis/pdf/2009s2284.ha.pdf>.

<sup>22</sup> The Florida Senate Professional Staff of the Health and Human Services Appropriations Committee, *Bill Analysis and Fiscal Impact Statement for CS/CS/SB 2284*, 6 (Apr. 22, 2009), available at <http://archive.flsenate.gov/data/session/2009/Senate/bills/analysis/pdf/2009s2284.ha.pdf>.

<sup>23</sup> Section 2, ch. 2009-168, L.O.F.; see s. 464.019(11), F.S.

<sup>24</sup> Office of Program Policy and Government Accountability, Florida Legislature, *Florida’s Nursing Education Programs Continued to Expand in 2013, While Licensure Exams Passage Rates of New Programs Declined*, Report No. 14-03 (Jan. 2014) available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1403rpt.pdf>.

<sup>25</sup> *Id.* at 3.

<sup>26</sup> *Id.* at 4.

<sup>27</sup> *Id.* at 5.

<sup>28</sup> *Id.* at 6.

programs) had exam passage rates that were more than 10 percent below the national average for 2013.<sup>29</sup> Twenty-four of the programs were placed on probation and the remainder are at risk of being placed on probation if the licensure exam passage rates do not increase.<sup>30</sup>

### **Specialized Nursing Education Program Accreditation**

Accreditation is a voluntary process by which a non-governmental entity reviews and recognizes educational institutions or programs that meet or exceed standards for educational quality.<sup>31</sup> Accreditation standards and criteria, materials demonstrating compliance, and policies and procedures are based on principles widely accepted and tested in general and professional education.<sup>32</sup> The accreditation process—the standards, criteria, policies, and procedures—is subject to continuous and systematic review to ensure they stay current with developments in education and nursing.<sup>33</sup> Once a program is determined eligible—generally, having current state BON approval and evidencing capacity to meet accreditation standards—a program is required to submit documentation addressing faculty qualifications and experience, curriculum, available resources, and program self-evaluation/improvement processes.<sup>34</sup> In general, the accreditation process may include a self-evaluation report, peer review site visit, detailed analysis of materials and reviewer findings, and ultimate action by the accrediting body.<sup>35</sup> Accreditation is subject to ongoing reporting and assessment to ensure continued compliance with accreditation standards.<sup>36</sup> While programs may vary in the detail, among the criteria that may be used for evaluating program effectiveness are: completion rates, licensure pass rates, graduate employment, and procedures for ensuring ongoing program improvement.<sup>37</sup>

### **Nurse Specialty Certification**

A nurse may seek specialty certification beyond the education required for licensure.<sup>38</sup> Sometimes, however, specialty certification is a requirement of state licensure.<sup>39</sup> Currently, there are a wide range of specialty certification programs that are accredited by the National Commission for Certifying Agencies or the Accreditation Board of Nursing Specialties that provide specialty certification.<sup>40</sup>

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<sup>29</sup> *Id.* at 7 (noting that all of these programs were private institutions licensed by the Commission for Independent Education).

<sup>30</sup> Office of Program Policy and Government Accountability, Florida Legislature, *Florida's Nursing Education Programs Continued to Expand in 2013, While Licensure Exams Passage Rates of New Programs Declined*, Report No. 14-03, 7 (Jan. 2014) available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1403rpt.pdf>.

<sup>31</sup> Accreditation Commission for Education in Nursing, *Accreditation Manual*, 1 (July 31, 2013), available at <http://www.acenursing.net/manuals/GeneralInformation.pdf>.

<sup>32</sup> *Id.* at 3.

<sup>33</sup> *Id.*

<sup>34</sup> *Id.* at 12-14.

<sup>35</sup> *Id.* at 14-25.

<sup>36</sup> *Id.* at 13.

<sup>37</sup> Commission on Collegiate Nursing Education, *Standards for Accreditation of Baccalaureate and Graduate Nursing Programs*, 17-20 (2013), available at <http://www.aacn.nche.edu/ccne-accreditation/Standards-Amended-2013.pdf>.

<sup>38</sup> Section 464.012(1), F.S.

<sup>39</sup> *See* s. 464.012(1)(b), F.S.

<sup>40</sup> *See* American Board of Nursing Specialties, *Accreditation Board for Specialty Nursing Certification: Approved Certification Programs*, <http://nursingcertification.org/accreditation-exams.html> (last visited Mar. 14, 2014); Institute for Credentialing Excellence, *NCCA-Accredited Certification Programs*, <http://www.credentialingexcellence.org/p/cm/ld/fid=121> (last visited Mar. 14, 2014).

### III. Effect of Proposed Changes:

CS/CS/SB 1036 establishes a schedule for all registered nurse (RN) prelicensure programs approved by the Board of Nursing (BON) to become accredited by a specialized nursing accrediting agency that is recognized by the U.S. Secretary of Education.<sup>41</sup>

The bill amends s. 464.003, F.S., to expand the definition of “clinical training” to include clinical simulation. Under current law, “clinical training” only means “direct nursing care experiences with patients or clients which offer the student the opportunity to integrate, apply, and refine specific skills and abilities based on theoretical concepts and scientific principles,”<sup>42</sup> and would not include the usage of simulation, which replicates clinical practice.<sup>43</sup> The expanded definition in the bill would allow clinical simulation to be part of, and meet requirements for, clinical training.

The bill amends s. 464.033, F.S., to expand the definition of “practice of practical nursing.”<sup>44</sup> The current statutory definition does not specifically allow a person in the practice of practical nursing to teach anyone.<sup>45</sup> The bill language would allow someone in the practice of practical nursing to teach “general principles of health and wellness to the public and to students other than nursing students.”<sup>46</sup>

The bill amends s. 464.013, F.S., to exempt a nurse who is certified by a health care specialty program that is accredited by the National Commission for Certifying Agencies (NCCA) or Accreditation Board for Specialty Nursing Certification (ABSNC) from the biennial continuing education requirement.

The bill amends s. 464.019, F.S., to impose a schedule for nursing education programs that prepare students for the practice of professional nursing to become accredited by an accrediting agency described in s. 464.003(1), F.S. Accreditation is required by a specialized nursing accrediting agency that is nationally recognized by the United States Secretary of Education to accredit nursing education programs.

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<sup>41</sup> The programmatic accreditation requirement of the bill only applies to RN programs because it is required for a “program that prepares students for the practice of *professional nursing*.” CS/SB 1036, lines 480-499 (2014 Reg. Session) (emphasis added). A “registered nurse” is defined as “any person licensed in this state to practice *professional nursing*.” Section 464.003(22), F.S. (emphasis added). Whereas, a “licensed practical nurse” is defined as “any person licensed in this state to practice *practical nursing*” and, therefore, would not be required to become accredited under the language of the bill referring to “professional nursing” programs. Section 464.003(16), F.S. (emphasis added); see CS/SB 1036, lines 480-499 (2014 Reg. Session).

<sup>42</sup> Section 464.003(10), F.S.

<sup>43</sup> Section 464.003(9), F.S.

<sup>44</sup> Section 464.003(19), F.S. “Practice of practical nursing” is defined as “the performance of selected acts, including the administration of treatments and medications, in the care of the ill, injured, or infirm and the promotion of wellness, maintenance of health, and prevention of illness of others under the direction of a registered nurse, a licensed physician, a licensed osteopathic physician, a licensed podiatric physician, or a licensed dentist. A practical nurse is responsible and accountable for making decisions that are based upon the individual’s educational preparation and experience in nursing.” *Id.*

<sup>45</sup> In contrast to the current inability of a person practicing *practical nursing* to teach anyone, the practice of *professional nursing* allows for a *professional* nurse to engage in “[t]he supervision and *teaching of other personnel* in the *theory and performance* of any of the acts described in this subsection.” Section 464.003(20), F.S. (emphasis added).

<sup>46</sup> CS/SB 1036, lines 38-40 (Reg. Session). The “general principles of health and wellness” are not defined in s. 464.003, F.S.

Specifically, the bill requires that a nursing education program that prepares students for the practice of professional nursing that:

- Was approved by the BON and had enrolled students prior to July 1, 2014 must be an accredited program by July 1, 2019.
- Was approved by the BON before July 1, 2014, but did not enroll students before that date, must become an accredited program within five years of enrolling the program's first students.
- Is approved after June 30, 2014 must become an accredited program within five years of enrolling the program's first students.

In addition, the bill also:

- Exempts the Pensacola Christian College nursing education program from the requirement to become accredited.
- Increases the limit on clinical training that can be by simulation from 25 percent to 50 percent and specifies that required clinical training be completed at a facility located in the United States, the District of Columbia, or a possession or territory of the United States.
- Authorizes the BON to adopt rules to administer the documentation of the accreditation of nursing education programs.
- Repeals obsolete language related to the status of certain programs during the transition to the new approval process effective July 1, 2009.
- Repeals the requirement for the OPPAGA, in addition to the Florida Center for Nursing, to submit an annual report on the administration of the nursing education approval process and extends the report indefinitely.

The bill amends s. 456.014, F.S. to conform a cross-reference.

The bill takes effect on July 1, 2014.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

There are 21 Bachelor of Science in Nursing (BSN) programs<sup>47</sup> and 128 Associate Degree in Nursing (ADN) programs (offered by public and private institutions) that will need to become accredited and will incur associated accreditation costs.<sup>48</sup>

For fiscal year 2014, the Commission on Collegiate Nursing Education imposes a new applicant fee of \$3,500 per baccalaureate program, \$5,500 for a baccalaureate and master's level programs, and \$7,500 for a baccalaureate, master's, and doctoral nursing programs; an evaluation fee of \$1,750 per evaluation team member (typically, 3-5 members are on an evaluation team); and an annual fee of \$2,468 to maintain accreditation for a baccalaureate program, \$2,975 for maintenance of a baccalaureate and master's level programs, and \$3,484 for maintenance of a baccalaureate, masters, and doctor of nursing programs.<sup>49</sup> The "2013-2014 Schedule of Accreditation Fees" for the Accreditation Commission for Education in Nursing charges a candidacy fee of \$2,500; an accreditation review fee of \$1,000 for initial or continuing accreditation (per program); a site visit fee of \$835 per evaluator per day; \$2,400 annual for maintenance of accreditation; and various service fees for additional services, as required.<sup>50</sup>

**C. Government Sector Impact:**

There are 21 Bachelor of Science in Nursing (BSN) programs<sup>51</sup> and 128 Associate Degree in Nursing (ADN) programs (offered by public and private institutions) that will need to become accredited and will incur associated accreditation costs.<sup>52</sup>

For fiscal year 2014, the Commission on Collegiate Nursing Education imposes a new applicant fee of \$3,500 per baccalaureate program, \$5,500 for a baccalaureate and master's level programs, and \$7,500 for a baccalaureate, master's, and doctoral nursing programs; an evaluation fee of \$1,750 per evaluation team member (typically, 3-5 members are on an evaluation team); and an annual fee of \$2,468 to maintain accreditation for a baccalaureate program, \$2,975 for maintenance of a baccalaureate and master's level programs, and \$3,484 for maintenance of a baccalaureate, masters, and doctor of nursing programs.<sup>53</sup> The "2013-2014 Schedule of Accreditation Fees" for the Accreditation Commission for Education in Nursing charges a candidacy fee of \$2,500; an accreditation review fee of \$1,000 for initial or continuing accreditation (per

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<sup>47</sup> Florida Department of Health, *Medical Quality Assurance (MQA) Services: Compare Florida Prelicensure Nursing Education Programs*, available at <http://ww2.doh.state.fl.us/MQANEP/SearchResults.aspx> (last visited Mar. 14, 2014).

<sup>48</sup> *Id.* (listing 107 ADN programs as "approved" and 21 programs as being on "probationary" status, which equals the combined total of 128 programs that are "approved" as defined in s. 464.003(4), F.S. and not accredited).

<sup>49</sup> Commission on Collegiate Nursing Education, *CCNE Fee Structure: Nursing Education Programs* (2013), available at <http://www.aacn.nche.edu/ccne-accreditation/FEESTR.pdf>.

<sup>50</sup> Accreditation Commission for Education in Nursing (ACEN), *2013-2014 Schedule of Accreditation Fees*, available at <http://www.acenursing.net/resources/fees1314.pdf>.

<sup>51</sup> Florida Department of Health, *Medical Quality Assurance (MQA) Services: Compare Florida Prelicensure Nursing Education Programs*, <http://ww2.doh.state.fl.us/MQANEP/SearchResults.aspx> (last visited Mar. 14, 2014).

<sup>52</sup> *Id.* (listing 107 ADN programs as "approved" and 21 programs as being on "probationary" status, which amounts to the combined total of 128 programs that are "approved" as defined in s. 464.003(4), F.S. and not accredited).

<sup>53</sup> Commission on Collegiate Nursing Education, *CCNE Fee Structure: Nursing Education Programs* (2013), available at <http://www.aacn.nche.edu/ccne-accreditation/FEESTR.pdf>.



program); a site visit fee of \$835 per evaluator per day; \$2,400 annual for maintenance of accreditation; and various service fees for additional services, as required.<sup>54</sup>

There would be no fiscal impact, and “little to no impact” in general, on the State University System of Florida because all nursing programs within the State University System are accredited by the Accreditation Commission for Education in Nursing or the Commission on Collegiate Nursing Education.<sup>55</sup>

No agency bill analysis was available at the time of this analysis from the Florida Department of Education regarding the fiscal impact on the Florida College System.

#### **VI. Technical Deficiencies:**

None.

#### **VII. Related Issues:**

None.

#### **VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 464.003, 464.013, 464.019, and 456.014.

#### **IX. Additional Information:**

##### **A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

##### **CS/CS by Education March 18, 2014:**

- Authorizes clinical simulation to occur in a “facility” as opposed to only in a “health care facility” as stated in CS/SB 1036.

##### **CS by Health Policy on March 5, 2014:**

- Specifies the type of certification a nurse must have to qualify for exemption from the CE requirements to be certification by a health care specialty program accredited by the NCCA or ABSNC.
- Requires clinical training to be at a health care facility within the U.S., the District of Columbia, or a possession or territory of the United States.
- Reinstates and increases the limit on clinical training that can be by simulation to 50 percent from 25 percent.
- Extends the study of the implementation of the nursing program approval process from a five-year review ending with a report released on or before January 30, 2015, to an ongoing annual review and report.

<sup>54</sup> Accreditation Commission for Education in Nursing (ACEN), *2013-2014 Schedule of Accreditation Fees*, available at <http://www.acenursing.net/resources/fees1314.pdf>.

<sup>55</sup> Board of Governors of the State University System of Florida, SB 1036 Agency Legislative Bill Analysis (Mar. 11, 2014) (on file with the Senate Committee on Education).

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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