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1 A bill to be entitled
2 An act relating to nursing education programs;
3 amending s. 464.003, F.S.; revising definitions;
4 amending s. 464.008, F.S.; requiring certain
5 applicants for licensure to take a preparatory course;
6 amending ss. 464.015 and 464.022, F.S.; conforming
7 cross-references; amending s. 464.013, F.S.; exempting
8 nurses who are certified by an accredited program from
9 continuing education requirements; amending s.
10 464.019, F.S.; specifying the location of clinical
11 training; revising the limitation on the percentage of
12 clinical training that consists of clinical
13 simulation; deleting obsolete requirements; providing
14 for the recalculation of pass rates when students have
15 been transferred from a terminated program;
16 authorizing the Board of Nursing to adopt certain
17 rules relating to documenting the accreditation of
18 nursing education programs; deleting the requirement
19 that the Office of Program Policy Analysis and
20 Government Accountability participate in an
21 implementation study and revising the terms of the
22 study; requiring nursing education programs that
23 prepare students for the practice of professional
24 nursing to be accredited; providing an exception;
25 amending s. 456.014, F.S.; conforming a cross-
26 reference; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
29

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30 Section 1. Subsections (10), (19), and (23) of section
31 464.003, Florida Statutes, are amended to read:

32 464.003 Definitions.—As used in this part, the term:

33 (10) "Clinical training" means direct nursing care
34 experiences with patients or clients, or clinical simulation of
35 such experiences, which offer the student the opportunity to
36 integrate, apply, and refine specific skills and abilities based
37 on theoretical concepts and scientific principles.

38 (19) "Practice of practical nursing" means the performance
39 of selected acts, including the administration of treatments and
40 medications, in the care of the ill, injured, or infirm; ~~and~~ the
41 promotion of wellness, maintenance of health, and prevention of
42 illness of others under the direction of a registered nurse, a
43 licensed physician, a licensed osteopathic physician, a licensed
44 podiatric physician, or a licensed dentist; and the teaching of
45 general principles of health and wellness to the public and to
46 students other than nursing students. A practical nurse is
47 responsible and accountable for making decisions that are based
48 upon the individual's educational preparation and experience in
49 nursing.

50 (23) "Required passage rate" means the graduate passage
51 rate required for an approved program pursuant to s.

52 464.019(5)(a) ~~464.019(6)(a)~~1.

53 Section 2. Section 464.008, Florida Statutes, is amended to
54 read:

55 464.008 Licensure by examination.—

56 (1) Any person desiring to be licensed as a registered
57 nurse or licensed practical nurse shall apply to the department
58 to take the licensure examination. The department shall examine

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59 each applicant who meets all of the following requirements:

60 (a) Completes ~~Has completed~~ the application form and remits
61 an application remitted a fee of up to \$150 as set by the board
62 ~~not to exceed \$150~~ and ~~has remitted~~ an examination fee of up to
63 \$75 as set by the board, ~~not to exceed \$75~~ plus the actual per
64 applicant cost to the department for purchase of the examination
65 from the National Council of State Boards of Nursing or a
66 similar national organization.

67 (b) Provides a set of fingerprints to ~~Has provided~~
68 ~~sufficient information on or after October 1, 1989,~~ which must
69 be submitted by the department for a statewide criminal records
70 correspondence check through the Department of Law Enforcement.

71 (c) Is in good mental and physical health.7

72 (d) Is a recipient of a high school diploma or the
73 equivalent.7 ~~and~~

74 (e) Completes ~~Has completed~~ the requirements for:

- 75 1. Graduation from an approved program;
- 76 2. Graduation from a prelicensure nursing education program
77 that the board determines is equivalent to an approved program;
- 78 3. Graduation on or after July 1, 2009, from an accredited
79 program; or
- 80 4. Graduation before July 1, 2009, from a prelicensure
81 nursing education program whose graduates at that time were
82 eligible for examination.

83
84 Courses successfully completed in a professional nursing
85 education program which ~~that~~ are at least equivalent to a
86 practical nursing education program may be used to satisfy the
87 education requirements for licensure as a licensed practical

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88 nurse.

89 (f)~~(d)~~ Has the ability to communicate in the English
90 language, which may be determined by an examination given by the
91 department.

92 (2) A person who applies to take the licensure examination
93 more than 1 year after satisfying the educational requirements
94 specified in subsection (1) must complete a licensure
95 examination preparatory course approved by the board before
96 being approved for examination.

97 (3)~~(2)~~ Each applicant who passes the examination and
98 provides proof of meeting the educational requirements specified
99 in subsection (1) shall, unless denied pursuant to s. 464.018,
100 be entitled to licensure as a registered professional nurse or a
101 licensed practical nurse, as ~~whichever is~~ applicable.

102 (4)~~(3)~~ An ~~Any~~ applicant who fails the examination three
103 consecutive times, regardless of the jurisdiction in which the
104 examination is taken, must ~~shall be required to~~ complete a
105 board-approved remedial course before the applicant may ~~will~~ be
106 approved for reexamination. After taking the remedial course,
107 the applicant may be approved to retake the examination up to
108 three additional times before the applicant is required to
109 retake remediation. The applicant shall apply for reexamination
110 within 6 months after completion of remediation. The board shall
111 by rule establish guidelines for remedial courses.

112 Section 3. Subsections (3) and (4) of section 464.015,
113 Florida Statutes, are amended to read:

114 464.015 Titles and abbreviations; restrictions; penalty.—

115 (3) Only persons who are graduates of prelicensure nursing
116 education programs listed in s. 464.008(1)(e) ~~s. 464.008(1)(e)~~

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117 may use the term "Graduate Nurse" and the abbreviation "G.N.,"
118 pending the results of the first licensure examination for which
119 they are eligible.

120 (4) Only persons who are graduates of prelicensure nursing
121 education programs listed in s. 464.008(1)(e) ~~s. 464.008(1)(e)~~
122 may use the term "Graduate Practical Nurse" and the abbreviation
123 "G.P.N.," pending the results of the first licensure examination
124 for which they are eligible.

125 Section 4. Subsection (4) of section 464.022, Florida
126 Statutes, is amended to read:

127 464.022 Exceptions.—No provision of this part shall be
128 construed to prohibit:

129 (4) The practice of nursing by graduates of prelicensure
130 nursing education programs listed in s. 464.008(1)(e) ~~s.~~
131 ~~464.008(1)(e)~~, pending the result of the first licensing
132 examination for which they are eligible following graduation, if
133 ~~provided~~ they practice under direct supervision of a registered
134 professional nurse. The board shall by rule define what
135 constitutes direct supervision.

136 Section 5. Subsection (3) of section 464.013, Florida
137 Statutes, is amended to read:

138 464.013 Renewal of license or certificate.—

139 (3) The board shall by rule prescribe up to 30 hours of
140 continuing education ~~not to exceed 30 hours~~ biennially as a
141 condition for renewal of a license or certificate. A nurse who
142 is certified by a health care specialty program accredited by
143 the National Commission for Certifying Agencies or Accreditation
144 Board for Specialty Nursing Certification is exempt from
145 continuing education requirements. The criteria for programs

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146 shall be approved by the board.

147 Section 6. Section 464.019, Florida Statutes, is amended to
148 read:

149 464.019 Approval of nursing education programs.—

150 (1) PROGRAM APPLICATION ~~APPLICATIONS~~.—An educational
151 institution that wishes to conduct a program in this state for
152 the prelicensure education of professional or practical nurses
153 must submit to the department a program application and review
154 fee of \$1,000 for each prelicensure nursing education program to
155 be offered at the institution's main campus, branch campus, or
156 other instructional site. The ~~Each~~ program application must
157 include the legal name of the educational institution, the legal
158 name of the nursing education program, and, if such institution
159 ~~program~~ is accredited by an accrediting agency other than an
160 ~~accrediting agency described in s. 464.003(1)~~, the name of the
161 accrediting agency. The application must also document that:

162 (a)1. For a professional nursing education program, the
163 program director and at least 50 percent of the program's
164 faculty members are registered nurses who have a master's or
165 higher degree in nursing or a bachelor's degree in nursing and a
166 master's or higher degree in a field related to nursing.

167 2. For a practical nursing education program, the program
168 director and at least 50 percent of the program's faculty
169 members are registered nurses who have a bachelor's or higher
170 degree in nursing.

171
172 The educational degree requirements of this paragraph may be
173 documented by an official transcript or by a written statement
174 from the educational institution verifying that the institution

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175 conferred the degree.

176 (b) The program's nursing major curriculum consists of at
177 least:

178 1. Fifty percent clinical training at a facility in the
179 United States, the District of Columbia, or a possession or
180 territory of the United States for a practical nursing education
181 program, an associate degree professional nursing education
182 program, or a professional diploma nursing education program.

183 2. Forty percent clinical training at a facility in the
184 United States, the District of Columbia, or a possession or
185 territory of the United States for a bachelor's degree
186 professional nursing education program.

187 (c) No more than 50 ~~25~~ percent of the program's clinical
188 training consists of clinical simulation.

189 (d) The program has signed agreements with each agency,
190 facility, and organization included in the curriculum plan as
191 clinical training sites and community-based clinical experience
192 sites.

193 (e) The program has written policies for faculty which
194 include provisions for direct or indirect supervision by program
195 faculty or clinical preceptors for students in clinical training
196 consistent with the following standards:

197 1. The number of program faculty members equals at least
198 one faculty member directly supervising every 12 students unless
199 the written agreement between the program and the agency,
200 facility, or organization providing clinical training sites
201 allows more students, not to exceed 18 students, to be directly
202 supervised by one program faculty member.

203 2. For a hospital setting, indirect supervision may occur

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204 only if there is direct supervision by an assigned clinical
205 preceptor, a supervising program faculty member is available by
206 telephone, and such arrangement is approved by the clinical
207 facility.

208 3. For community-based clinical experiences that involve
209 student participation in invasive or complex nursing activities,
210 students must be directly supervised by a program faculty member
211 or clinical preceptor and such arrangement must be approved by
212 the community-based clinical facility.

213 4. For community-based clinical experiences not subject to
214 subparagraph 3., indirect supervision may occur only when a
215 supervising program faculty member is available to the student
216 by telephone.

217
218 A program's policies established under this paragraph must
219 require that a clinical preceptor who is, ~~if~~ supervising
220 students in a professional nursing education program, ~~to~~ be a
221 registered nurse or, if supervising students in a practical
222 nursing education program, ~~to~~ be a registered nurse or licensed
223 practical nurse.

224 (f) The professional or practical nursing curriculum plan
225 documents clinical experience and theoretical instruction in
226 medical, surgical, obstetric, pediatric, and geriatric nursing.
227 A professional nursing curriculum plan shall also document
228 clinical experience and theoretical instruction in psychiatric
229 nursing. Each curriculum plan must document clinical training
230 experience in appropriate settings that include, but are not
231 limited to, acute care, long-term care, and community settings.

232 (g) The professional or practical nursing education program

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233 provides theoretical instruction and clinical application in
234 personal, family, and community health concepts; nutrition;
235 human growth and development throughout the life span; body
236 structure and function; interpersonal relationship skills;
237 mental health concepts; pharmacology and administration of
238 medications; and legal aspects of practice. A professional
239 nursing education program must ~~shall~~ also provide theoretical
240 instruction and clinical application in interpersonal
241 relationships and leadership skills; professional role and
242 function; and health teaching and counseling skills.

243 (2) PROGRAM APPROVAL.—

244 (a) Upon receipt of a program application and review fee,
245 the department shall examine the application to determine if
246 ~~whether~~ it is complete. If the ~~a~~ program application is not
247 complete, the department shall notify the educational
248 institution in writing of any errors or omissions within 30 days
249 after the department's receipt of the application. A program
250 application is deemed complete upon the department's receipt of:

251 1. The initial application, if the department does not
252 notify the educational institution of any errors or omissions
253 within the 30-day period; or

254 2. A revised application that corrects each error and
255 omission of which the department notifies the educational
256 institution within the 30-day period.

257 (b) Within 90 days after the department's receipt of a
258 complete program application, the board shall:

259 1. Approve the application if it documents compliance with
260 subsection (1) ~~paragraphs (1)(a)-(g)~~; or

261 2. Provide the educational institution with a notice of

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262 intent to deny the application if it does not document
263 compliance with subsection (1) ~~paragraphs (1)(a)-(g)~~. The notice
264 must specify ~~set forth~~ written reasons for the board's denial of
265 the application. The board may not deny a program application
266 because of an educational institution's failure to correct an
267 ~~any~~ error or omission that ~~of which~~ the department failed to
268 provide notice of to ~~does not notify~~ the institution within the
269 30-day notice period under paragraph (a). The educational
270 institution may request a hearing on the notice of intent to
271 deny the program application pursuant to chapter 120.

272 (c) A program application is deemed approved if the board
273 does not act within the 90-day review period provided under
274 paragraph (b).

275 (d) Upon the board's approval of a program application, the
276 program becomes an approved program.

277 ~~(3) STATUS OF CERTAIN PROGRAMS. A professional or practical~~
278 ~~nursing education program becomes an approved program if, as of~~
279 ~~June 30, 2009, the program:~~

280 ~~(a) Has full or provisional approval from the board or,~~
281 ~~except as provided in paragraph (b), is on probationary status.~~

282 ~~(b) Is on probationary status because the program did not~~
283 ~~meet the board's requirement for graduate passage rates. Such~~
284 ~~program shall remain on probationary status until it achieves a~~
285 ~~graduate passage rate for calendar year 2009 or 2010 that equals~~
286 ~~or exceeds the required passage rate for the respective calendar~~
287 ~~year and must disclose its probationary status in writing to the~~
288 ~~program's students and applicants. If the program does not~~
289 ~~achieve the required passage rate, the board shall terminate the~~
290 ~~program pursuant to chapter 120.~~

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291 (3)~~(4)~~ ANNUAL REPORT.—By November 1 of each year, each
292 approved program shall submit to the board an annual report
293 comprised of an affidavit certifying continued compliance with
294 subsection (1) ~~paragraphs (1)(a)–(g)~~, a summary description of
295 the program's compliance with subsection (1) ~~paragraphs (1)(a)–~~
296 ~~(g)~~, and documentation for the previous academic year that, to
297 the extent applicable, describes ~~sets forth~~:

298 (a) The number of student applications received, qualified
299 applicants, applicants accepted, accepted applicants who enroll
300 in the program, students enrolled in the program, and program
301 graduates.

302 (b) The program's retention rates for students tracked from
303 program entry to graduation.

304 (c) The program's accreditation status, including
305 identification of the accrediting agency ~~if such agency is not~~
306 ~~an accrediting agency described in s. 464.003(1)~~.

307 (4)~~(5)~~ INTERNET WEBSITE.—~~By October 1, 2010,~~ The board
308 shall publish the following information on its Internet website:

309 (a) A list of each accredited program conducted in the
310 state and the program's graduate passage rates for the most
311 recent 2 calendar years, which the department shall determine
312 through the following sources:

313 1. For a program's accreditation status, the specialized
314 accrediting agencies that are nationally recognized by the
315 United States Secretary of Education to accredit nursing
316 education programs.

317 2. For a program's graduate passage rates, the contract
318 testing service of the National Council of State Boards of
319 Nursing.

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320 (b) The following data for each approved program, which
321 includes ~~shall include~~, to the extent applicable:

322 1. All documentation provided by the program in its program
323 application if submitted on or after July 1, 2009.

324 2. The summary description of the program's compliance
325 submitted under subsection (3) ~~(4)~~.

326 3. The program's accreditation status, including
327 identification of the accrediting agency ~~if such agency is not~~
328 ~~an accrediting agency described in s. 464.003(1)~~.

329 4. The program's probationary status.

330 5. The program's graduate passage rates for the most recent
331 2 calendar years.

332 6. Each program's retention rates for students tracked from
333 program entry to graduation.

334 (c) The average passage rates for United States educated
335 first-time test takers on the National Council of State Boards
336 of Nursing Licensing Examination for the most recent 2 calendar
337 years, as calculated by the contract testing service of the
338 National Council of State Boards of Nursing. The average passage
339 rates shall be published separately for each type of comparable
340 degree program listed in subparagraph (5) (a)1. ~~sub-subparagraphs~~
341 ~~(6) (a)1.a.-d.~~

342
343 The information required to be published under this subsection
344 shall be made available in a manner that allows interactive
345 searches and comparisons of individual programs selected by the
346 website user. The board shall update the Internet website at
347 least quarterly with the available information.

348 (5) ~~(6)~~ ACCOUNTABILITY.-

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349 (a)1. An approved program must achieve a graduate passage
350 rate that is not more ~~lower~~ than 10 percentage points lower ~~less~~
351 than the average passage rate during the same calendar year for
352 graduates of comparable degree programs who are United States
353 educated, first-time test takers on the National Council of
354 State Boards of Nursing Licensing Examination ~~during a calendar~~
355 ~~year~~, as calculated by the contract testing service of the
356 National Council of State Boards of Nursing. For purposes of
357 this subparagraph, an approved program is comparable to all
358 degree programs of the same program type from among the
359 following program types:

360 a. Professional nursing education programs that terminate
361 in a bachelor's degree.

362 b. Professional nursing education programs that terminate
363 in an associate degree.

364 c. Professional nursing education programs that terminate
365 in a diploma.

366 d. Practical nursing education programs.

367 2. Beginning with graduate passage rates for calendar year
368 2010, if an approved program's graduate passage rates do not
369 equal or exceed the required passage rates for 2 consecutive
370 calendar years, the board shall place the program on
371 probationary status pursuant to chapter 120 and the program
372 director shall ~~must~~ appear before the board to present a plan
373 for remediation. The program must ~~shall~~ remain on probationary
374 status until it achieves a graduate passage rate that equals or
375 exceeds the required passage rate for any 1 calendar year. The
376 board shall deny a program application for a new prelicensure
377 nursing education program submitted by an educational

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378 institution if the institution has an existing program that is
379 already on probationary status.

380 3. Upon the program's achievement of a graduate passage
381 rate that equals or exceeds the required passage rate, the
382 board, at its next regularly scheduled meeting following release
383 of the program's graduate passage rate by the National Council
384 of State Boards of Nursing, shall remove the program's
385 probationary status. However, if the program, during the 2
386 calendar years following its placement on probationary status,
387 does not achieve the required passage rate for any 1 calendar
388 year, the board shall terminate the program pursuant to chapter
389 120.

390 (b) If an approved program fails to submit the annual
391 report required in subsection (3) ~~(4)~~, the board shall notify
392 the program director and president or chief executive officer of
393 the educational institution in writing within 15 days after the
394 due date of the annual report. The program director shall ~~must~~
395 appear before the board at the board's next regularly scheduled
396 meeting to explain the reason for the delay. The board shall
397 terminate the program pursuant to chapter 120 if it does not
398 submit the annual report within 6 months after the due date.

399 (c) An approved program on probationary status shall
400 disclose its probationary status in writing to the program's
401 students and applicants.

402 (d) If students from a program that has been terminated
403 pursuant to this subsection transfer to an approved or an
404 accredited program under the direction of the Commission for
405 Independent Education, the board shall recalculate the passage
406 rates of the programs receiving the transferring students,

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407 excluding the test scores of those students transferring more
408 than 12 credits.

409 (6)(7) DISCLOSURE OF GRADUATE PASSAGE RATE DATA.—

410 (a) For each graduate of the program ~~an approved program's~~
411 ~~or accredited program's graduates~~ included in the calculation of
412 the program's graduate passage rate, the department shall
413 disclose to the program director, upon his or her written
414 request, the name, examination date, and determination of
415 whether each graduate passed or failed the National Council of
416 ~~for~~ State Boards of Nursing Licensing Examination, if to the
417 ~~extent that~~ such information is provided to the department by
418 the contract testing service of the National Council of ~~for~~
419 State Boards of Nursing. The written request must specify the
420 calendar years for which the information is requested.

421 (b) A program director to whom confidential information
422 exempt from public disclosure pursuant to s. 456.014 is
423 disclosed under this subsection must maintain the
424 confidentiality of the information and is subject to the same
425 penalties provided in s. 456.082 for department employees who
426 unlawfully disclose confidential information.

427 (7)(8) PROGRAM CLOSURE.—

428 (a) An educational institution conducting an approved
429 program or accredited program in this state, at least 30 days
430 before voluntarily closing the program, shall notify the board
431 in writing of the institution's reason for closing the program,
432 the intended closure date, the institution's plan to provide for
433 or assist in the completion of training by the program's
434 students, and the arrangements for storage of the program's
435 permanent records.

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436 (b) An educational institution conducting a nursing
437 education program that is terminated under subsection (5) ~~(6)~~ or
438 closed under subparagraph (9)(b)3. ~~(10)(b)3.~~:

439 1. May not accept or enroll new students.

440 2. Shall ~~Must~~ submit to the board within 30 days after the
441 program is terminated or closed a written description of how the
442 institution will assist in completing the ~~completion~~ of training
443 of ~~by~~ the program's students and the institution's arrangements
444 for storage of the program's permanent records.

445 (c) If an educational institution does not comply with
446 paragraph (a) or paragraph (b), the board shall provide a
447 written notice explaining the institution's noncompliance to the
448 following persons and entities:

449 1. The president or chief executive officer of the
450 educational institution.

451 2. The Board of Governors, if the program is conducted by a
452 state university.

453 3. The district school board, if the program is conducted
454 by an educational institution operated by a school district.

455 4. The Commission for Independent Education, if the program
456 is conducted by an educational institution licensed under
457 chapter 1005.

458 5. The State Board of Education, if the program is
459 conducted by an educational institution in the Florida College
460 System or by an educational institution that is not subject to
461 subparagraphs 2.-4.

462 (8) ~~(9)~~ RULEMAKING.—The board does not have ~~any~~ rulemaking
463 authority to administer this section, except that the board
464 shall adopt rules ~~a rule~~ that prescribe ~~prescribes~~ the format

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465 for submitting program applications under subsection (1) and
466 annual reports under subsection (3), and to administer the
467 documentation of the accreditation of nursing education programs
468 under subsection (11) ~~(4)~~. The board may not impose any
469 condition or requirement on an educational institution
470 submitting a program application, an approved program, or an
471 accredited program, except as expressly provided in this
472 section. ~~The board shall repeal all rules, or portions thereof,~~
473 ~~in existence on July 1, 2009, that are inconsistent with this~~
474 ~~subsection.~~

475 (9) ~~(10)~~ APPLICABILITY TO ACCREDITED PROGRAMS.—

476 (a) Subsections (1)-(3) ~~(1)-(4)~~, paragraph (4) (b) ~~(5) (b)~~,
477 and subsection (5) ~~(6)~~ do not apply to an accredited program. ~~An~~
478 ~~accredited program on probationary status before July 1, 2010,~~
479 ~~ceases to be subject to the probationary status.~~

480 (b) If an accredited program ceases to be accredited, the
481 educational institution conducting the program:

482 1. Within 10 business days after the program ceases to be
483 accredited, must provide written notice of the date that the
484 program ceased to be accredited to the board, the program's
485 students and applicants, and each entity providing clinical
486 training sites or community-based clinical experience sites for
487 the program. The educational institution must continue to
488 provide the written notice to new students, applicants, and
489 entities providing clinical training sites or community-based
490 clinical experience sites for the program until the program
491 becomes an approved program or is closed under subparagraph 3.

492 2. Within 30 days after the program ceases to be
493 accredited, must submit an affidavit to the board, signed by the

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494 educational institution's president or chief executive officer
495 which, ~~that~~ certifies the institution's compliance with
496 subparagraph 1. The board shall notify the persons and
497 applicable entities listed in paragraph (7) (c) ~~subparagraph~~
498 ~~(8) (c)1.~~ and the ~~applicable entities listed in subparagraphs~~
499 ~~(8) (c)2.-5.~~ if an educational institution does not submit the
500 affidavit required by this subparagraph.

501 3. May apply to become an approved program under this
502 section. If the educational institution:

503 a. Within 30 days after the program ceases to be
504 accredited, submits a program application and review fee to the
505 department under subsection (1) and the affidavit required under
506 subparagraph 2., the program shall be deemed an approved program
507 from the date that the program ceased to be accredited until the
508 date that the board approves or denies the program application.
509 The program application must be denied by the board pursuant to
510 chapter 120 if it does not contain the affidavit. If the board
511 denies the program application under subsection (2) or if
512 ~~because~~ the program application does not contain the affidavit,
513 the program shall be closed and the educational institution
514 conducting the program must comply with paragraph (7) (b) ~~(8) (b)~~.

515 b. Does not apply to become an approved program pursuant to
516 sub-subparagraph a., the program shall be deemed an approved
517 program from the date ~~that~~ the program ceased to be accredited
518 until the 31st day after that date. On the 31st day after the
519 program ceased to be accredited, the program shall be closed and
520 the educational institution conducting the program must comply
521 with paragraph (7) (b) ~~(8) (b)~~.

522 (10) (11) IMPLEMENTATION STUDY.—The Florida Center for

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523 ~~Nursing and the education policy area of the Office of Program~~
524 ~~Policy Analysis and Government Accountability~~ shall study the
525 implementation 5-year administration of this section and submit
526 reports to the Governor, the President of the Senate, and the
527 Speaker of the House of Representatives in January of each year
528 following the effective date of this act ~~by January 30, 2011, and~~
529 ~~annually thereafter through January 30, 2015.~~ The annual reports
530 shall address the previous academic year; provide ~~set forth~~ data
531 on the measures specified in paragraphs (a) and (b), as such
532 data becomes available; and include an evaluation of such data
533 for purposes of determining whether this section is increasing
534 the availability of nursing education programs and the
535 production of quality nurses. The department and each approved
536 program or accredited program shall comply with requests for
537 data from the Florida Center for Nursing ~~and the education~~
538 ~~policy area of the Office of Program Policy Analysis and~~
539 ~~Government Accountability.~~

540 (a) The Florida Center for Nursing ~~education policy area of~~
541 ~~the Office of Program Policy Analysis and Government~~
542 ~~Accountability~~ shall evaluate program-specific data for each
543 approved program and accredited program conducted in the state,
544 including, but not limited to:

- 545 1. The number of programs and student slots available.
- 546 2. The number of student applications submitted, the number
547 of qualified applicants, and the number of students accepted.
- 548 3. The number of program graduates.
- 549 4. Program retention rates of students tracked from program
550 entry to graduation.
- 551 5. Graduate passage rates on the National Council of State

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552 Boards of Nursing Licensing Examination.

553 6. The number of graduates who become employed as practical
554 or professional nurses in the state.

555 (b) The Florida Center for Nursing shall evaluate the
556 board's implementation of the:

557 1. Program application approval process, including, but not
558 limited to, the number of program applications submitted under
559 subsection (1); the number of program applications approved and
560 denied by the board under subsection (2); the number of denials
561 of program applications reviewed under chapter 120; and a
562 description of the outcomes of those reviews.

563 2. Accountability processes, including, but not limited to,
564 the number of programs on probationary status, the number of
565 approved programs for which the program director is required to
566 appear before the board under subsection (5) ~~(6)~~, the number of
567 approved programs terminated by the board, the number of
568 terminations reviewed under chapter 120, and a description of
569 the outcomes of those reviews.

570 ~~(c) For any state fiscal year in which the Florida Center
571 for Nursing does not receive legislative appropriations, the
572 education policy area of the Office of Program Policy Analysis
573 and Government Accountability shall perform the duties assigned
574 by this subsection to the Florida Center for Nursing.~~

575 (11) ACCREDITATION REQUIRED.—

576 (a) A nursing education program that prepares students for
577 the practice of professional nursing, that was approved under
578 this section before July 1, 2014, and that enrolled students
579 before July 1, 2014, must become an accredited program by July
580 1, 2019.

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581 (b) A nursing education program that prepares students for
582 the practice of professional nursing, that was approved under
583 this section before July 1, 2014, but did not enroll students
584 before that date, must become an accredited program within 5
585 years after the date of enrolling the program's first students.

586 (c) A nursing education program that prepares students for
587 the practice of professional nursing and that is approved by the
588 board after June 30, 2014, must become an accredited program
589 within 5 years after the date of enrolling the program's first
590 students.

591 (d) This subsection does not apply to a nursing education
592 program provided by an institution that is exempted from
593 licensure by the Commission for Independent Education under s.
594 1005.06(1) (e).

595 Section 7. Subsection (1) of section 456.014, Florida
596 Statutes, is amended to read:

597 456.014 Public inspection of information required from
598 applicants; exceptions; examination hearing.—

599 (1) All information required by the department of any
600 applicant shall be a public record and shall be open to public
601 inspection pursuant to s. 119.07, except financial information,
602 medical information, school transcripts, examination questions,
603 answers, papers, grades, and grading keys, which are
604 confidential and exempt from s. 119.07(1) and shall not be
605 discussed with or made accessible to anyone except the program
606 director of an approved program or accredited program as
607 provided in s. 464.019(6) ~~464.019(7)~~, members of the board, the
608 department, and staff thereof, who have a bona fide need to know
609 such information. Any information supplied to the department by

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610 any other agency which is exempt from the provisions of chapter
611 119 or is confidential shall remain exempt or confidential
612 pursuant to applicable law while in the custody of the
613 department or the agency.

614 Section 8. This act shall take effect July 1, 2014.