

1                                   A bill to be entitled  
 2           An act relating to approved nursing education program  
 3           accountability; amending s. 464.019, F.S.; requiring  
 4           the Board of Nursing to extend an approved program's  
 5           probationary status under certain circumstances;  
 6           requiring an approved program on probationary status  
 7           to offer a remediation program designed to assist a  
 8           student in passing a specified examination at no  
 9           additional cost to the student; providing an effective  
 10          date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14           Section 1. Paragraph (a) of subsection (5) of section  
 15           464.019, Florida Statutes, is amended, and paragraph (e) is  
 16           added to that subsection, to read:

17           464.019 Approval of nursing education programs.—

18           (5) ACCOUNTABILITY.—

19           (a)1. An approved program must achieve a graduate passage  
 20           rate for first-time test takers which is not more than 10  
 21           percentage points lower than the average passage rate during the  
 22           same calendar year for graduates of comparable degree programs  
 23           who are United States educated, first-time test takers on the  
 24           National Council of State Boards of Nursing Licensing  
 25           Examination, as calculated by the contract testing service of

26 | the National Council of State Boards of Nursing. For purposes of  
27 | this subparagraph, an approved program is comparable to all  
28 | degree programs of the same program type from among the  
29 | following program types:

30 |       a. Professional nursing education programs that terminate  
31 | in a bachelor's degree.

32 |       b. Professional nursing education programs that terminate  
33 | in an associate degree.

34 |       c. Professional nursing education programs that terminate  
35 | in a diploma.

36 |       d. Practical nursing education programs.

37 |       2. If an approved program's graduate passage rates do not  
38 | equal or exceed the required passage rates for 2 consecutive  
39 | calendar years, the board shall place the program on  
40 | probationary status pursuant to chapter 120 and the program  
41 | director shall appear before the board to present a plan for  
42 | remediation, which shall include specific benchmarks to identify  
43 | progress toward a graduate passage rate goal. The program must  
44 | remain on probationary status until it achieves a graduate  
45 | passage rate that equals or exceeds the required passage rate  
46 | for any 1 calendar year. The board shall deny a program  
47 | application for a new prelicensure nursing education program  
48 | submitted by an educational institution if the institution has  
49 | an existing program that is already on probationary status.

50 |       3. Upon the program's achievement of a graduate passage

51 rate that equals or exceeds the required passage rate, the  
52 board, at its next regularly scheduled meeting following release  
53 of the program's graduate passage rate by the National Council  
54 of State Boards of Nursing, shall remove the program's  
55 probationary status. If the program, during the 2 calendar years  
56 following its placement on probationary status, does not achieve  
57 the required passage rate for any 1 calendar year, the board may  
58 extend the program's probationary status for 1 additional year,  
59 provided the program has demonstrated adequate progress toward  
60 the graduate passage rate goal by meeting a majority of the  
61 benchmarks established in the remediation plan. If the program  
62 is not granted the 1-year extension or fails to achieve the  
63 required passage rate by the end of such extension, the board  
64 shall terminate the program pursuant to chapter 120. If a  
65 program on probationary status fails to achieve the required  
66 passage rate for the 2020 calendar year, including a program  
67 subject to termination during the 2021 calendar year, the board  
68 shall extend the program's probationary status for 1 additional  
69 year. The board shall grant such extension at a regularly  
70 scheduled meeting during the 2021 calendar year.

71 (e) For each student who fails to pass the NCLEX on his or  
72 her first attempt, and for at least 1 calendar year following  
73 his or her graduation date, an approved program on probationary  
74 status must offer such student, at no additional cost, a  
75 remediation program designed to assist the student in passing

76 | the NCLEX.

77 |       Section 2. This act shall take effect upon becoming a law.