

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [HB 919](#)

TITLE: Nursing Education Programs

SPONSOR(S): Overdorf

COMPANION BILL: None

LINKED BILLS: None

RELATED BILLS: [CS/SB 526](#) (Harrell)

Committee References

[Health Professions & Programs](#)

15 Y, 0 N

[Careers & Workforce](#)

[Health & Human Services](#)

SUMMARY

Effect of the Bill:

HB 919 establishes new requirements for nursing education programs approved by the Board of Nursing, including the adoption of standardized evaluation and admission criteria, a comprehensive exit exam, and a remediation program. The bill also revises existing accountability measures by reducing the number of years an approved nursing education program can fail to meet statutory requirements before being placed on probation, and further limiting the length of time an approved program can spend on probation. The bill also removes the Board of Nursing's authority to extend the deadline for nursing education programs required to obtain accreditation under current law.

Fiscal or Economic Impact:

The Department of Health will incur an insignificant, negative fiscal impact implementing the provisions of this bill which current resources are adequate to absorb.

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ANALYSIS

EFFECT OF THE BILL:

Nursing Education Program Requirements

Florida is currently facing a nursing workforce shortage that is expected to grow to 59,000 nurses by 2035. Before a potential nurse can be licensed to practice, they must first graduate from an approved [nursing education program](#) and pass the National Council of State Boards of Nursing Licensing Exam ([NCLEX](#)). Florida's first-time test-takers have consistently scored below the nation's average for the past decade and Florida currently ranks last in the nation for NCLEX passage rates.

HB 919 revises existing accountability measures and imposes new requirements for pre-licensure nursing education programs for [practical nurses](#) (LPN) and [professional nurses](#) (RN). Under the bill, nursing education programs must include the legal name of the program director as well as documentation of the following program components in the application for approval:

- Standardized evaluation and admission criteria. The admission criteria must identify students who are likely to need additional educational support and the program must maintain individualized student academic support plans for these students.
- A comprehensive exit examination to prepare students for the NCLEX.
- Remediation to be offered to students who do not pass the exit examination.

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An educational institution seeking to administer a nursing education program must demonstrate to the Department of Health (DOH) that it meets all statutory requirements for approval.¹ Nursing education programs that have already been approved must affirm continued compliance with all requirements through an affidavit submitted with the program's [annual report](#). The bill requires the [Board of Nursing](#) (Board) to terminate a nursing education program for failing to adhere to the annual reporting requirements.

The bill gives the Board the express authority to deny an application from a nursing education program that has had adverse action taken against it by another regulatory jurisdiction in the U.S., and to revoke the approval of an existing approved program for the same.

The bill authorizes DOH staff to conduct on-site inspections or evaluations of nursing education programs to assess compliance with statutory requirements. A nursing education program is subject to disciplinary action by the Department if the program fails to allow such an inspection or evaluation during reasonable hours.

Program Director Responsibilities

Current law requires nursing education programs to be administered by a program director who is a registered nurse. While current law requires the program director to appear before the Board in circumstances where the program is failing to meet statutory requirements, it does not impose any accountability measures or disciplinary actions against the program director for failing to comply with these requirements.

Under the bill, the program director is expressly responsible for submitting the required annual report to the Board, as well as a written remediation plan in the case of a program that has failed to meet the required NCLEX graduate passage rates. The program director must also certify the accuracy of the program faculty credentials reported to the Board and ensure that the program's average exit examination results are posted on the program's website. A program director's failure to comply with requirements under this section constitute grounds for discipline.²

Accountability Requirements

Current law establishes minimum NCLEX [passage rate requirements](#) for approved nursing education programs.³ Programs that fail to meet these requirements for two consecutive years are subject to a [probationary process](#). A program may remain on probation for up to two years, unless the Board has granted an extension for a third year. Programs that fail to meet the required passage rate during the probationary period are terminated by the Board.

Under the bill, a nursing education program that fails to meet the statutorily required NCLEX passage rates for a single calendar year, compared to two calendar years under current law, must be placed on probationary status pursuant to Chapter 120, F.S.

Upon being placed on probation, the bill requires the program's director to submit a written remediation plan to the Board, in addition to the oral presentation of a remediation plan to the Board required under current law. The remediation plan must include specific, nationally recognized benchmarks to identify progress toward a passage rate goal. The bill requires the Board to terminate the program if the program director fails to submit and present a remediation plan within six months of the program's placement on probation.

Under the bill, a nursing education program may stay on probation for one calendar year. The bill requires the Board to terminate a program if it does not achieve the required passage rate in the year following its placement on probationary status. Under the proposed framework, a nursing educational program may only fail to meet the required NCLEX passage rate for two consecutive years before facing termination. This is a significantly shorter

¹ See, [s. 464.008\(1\), F.S.](#); graduation from an approved, or equivalent, nursing education program is a prerequisite for licensure by examination as a practical or professional nurse.

² See, [s. 456.072\(k\)\(1\), F.S.](#); Under current law, every licensee is subject to discipline for failure to perform a statutory or legal obligation placed upon a licensee

³ See, [s. 464.019\(5\), F.S.](#)

timeframe than under current law, which allows a nursing education program to fail to meet the required passage rate for up to five consecutive years before the program is terminated.

Additionally, the bill requires nursing education programs with an NCLEX passage rate below 30 percent in a given year to reimburse the total cost of tuition and fees paid by each student who failed to pass the NCLEX as a first-time test taker in that calendar year.

Student Remediation

As a requirement for Board approval, all nursing education programs must establish criteria for remediation programs to be offered to students who fail the program's exit exam. Additionally, nursing education programs that are on probation must provide remediation at no cost, or otherwise pay for the student to obtain remediation from a different Board-approved remediation course, to students who have failed the program's exit exam, or have failed the NCLEX.

Accreditation

Under current law, nursing education programs for professional nurses⁴ must obtain [accreditation](#) within five years of enrolling its first students, or face termination for failing to do. However, a program may apply to the Board and receive a deadline extension of up to two years, for a total of seven years until a program must be accredited.⁵

The bill eliminates the Board's authority to grant an extension of the accreditation deadline, thereby limiting programs to only five years between enrolling students and obtaining accreditation.

The bill provides an effective date of July 1, 2025.

RULEMAKING:

The Board has limited rulemaking authority regarding the regulation of nursing education programs. The bill expands the Board's rulemaking authority to expressly include the enforcement and administration of accountability provisions of this bill.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

Current resources are adequate to absorb the increase in workload that the Department of Health will experience relating to enforcement and rulemaking under the provisions of this bill.⁶

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Nursing Practice and Regulation

⁴ Also known as Registered Nurses, or RNs.

⁵ S. [464.019\(11\), F.S.](#)

⁶ Department of Health, *2025 Agency Legislative Bill Analysis for HB 919* (2025). On file with the Health Professions and Programs Subcommittee.

The [Board of Nursing](#) (Board), within the Department of Health (DOH), oversees the licensure and regulation of the nursing profession, as well as the pre-licensure nursing education programs that prepare individuals to practice nursing in the state. The Board is composed of 13 members appointed by the Governor and approved by the Senate. The Board membership includes:⁷

- Seven professional nurses who have been practicing for at least four years, including one advanced practice registered nurse, one nurse educator from an approved nursing education program, and one nurse executive;
- Three licensed practical nurses who have been practicing for at least four years; and
- Three residents of this state who have never been licensed as nurses and who are in no way connected with the practice of nursing.

There are two nursing licensure categories:

- [Professional nurses](#); often referred to as “registered nurses,” (RNs), professional nurses perform acts requiring substantial specialized knowledge, judgement, and nursing skill based on applied principles of psychological, biological, physical, and social sciences. Advanced Practice Registered Nurses (APRNs) are a subcategory of professional nurses who have completed additional education and training.
- [Practical nurses](#); a licensed practical nurse (LPN) performs selected acts, including the administration of treatments and medications, in the care of the ill, injured, or infirm; 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.

To be licensed as either a professional or practical nurse, an applicant must, among other requirements, have graduated from an approved⁸ prelicensure nursing education program and passed the national licensure examination, the National Council of State Boards of Nursing Licensure Exam ([NCLEX](#)), for the level of nursing the applicant is seeking to practice.⁹

[Nursing Education Programs](#)

Pre-licensure nursing education programs prepare students to safely practice as either an RN or LPN. A key component of this preparation is ensuring that students are ready and able to pass the NCLEX. Successful completion of the NCLEX is required for licensure as a nurse.

In Florida, nursing education programs are offered by state universities, Florida colleges, public school districts, 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 religious institutions authorized by law to offer nursing education programs.¹⁰

Board-approved Nursing Education Programs

Nursing education programs are overseen by the Board, in conjunction with DOH. An educational institution seeking to conduct a nursing education program must apply to DOH for approval, DOH reviews the application for completion, and then forwards the complete application to the Board for final approval.¹¹ As of January 9, 2025, there are 319 approved RN education programs and 194 approved LPN education programs.¹²

⁷ S. [464.004, F.S.](#)

⁸ Or a program that the Board has determined to be equivalent to an approved program; see, [s. 464.008\(1\)\(c\), F.S.](#)

⁹ [s. 464.008\(1\), F.S.](#)

¹⁰ Florida Center for Nursing, *The State of Nursing Education in Florida* (2025). Available at <https://www.flcenterfornursing.org/research-data/nursing-education-reports/the-state-of-nursing-education-in-florida-2025/> (last visited March 7, 2025).; see also, [s. 1005.06, F.S.](#)

¹¹ S. [464.019\(2\), F.S.](#)

¹² Department of Health, *2025 Agency Legislative Bill Analysis for HB 919* (2025). On file with the Health Professions and Programs Subcommittee.

The application must include the legal name of the educational institution, the legal name of the nursing education program, and, if the institution is accredited, the name of the accrediting agency. The application must also document:¹³

- For an RN education program, the program director and that at least 50 percent of the program’s faculty members must be RNs who have a master’s degree or higher in nursing or a bachelor’s degree in nursing and a master’s or higher degree in a field related to nursing;
- For an LPN education program, the program director and at least 50 percent of the program’s faculty members must be RNs who have a bachelor’s degree or higher in nursing;
- The program’s nursing major curriculum consists of at least:
 - Fifty percent clinical training in the U.S., the District of Columbia (D.C.), or a possession or territory of the U.S. for an LPN, ARN, or a diploma RN;
 - Forty percent of clinical training in a U.S. state, D.C., or a possession or territory of the U.S. for a B.S. degree RN education program, and no more than 50 percent of the program’s clinical training may consist of clinical simulation;
- The RN and LPN educational degree requirements may be documented by an official transcript or by a written statement from the educational institution verifying that the institution conferred the degree;
- The program must have signed agreements with each agency, facility, and organization included in the curriculum plan as clinical training sites and community-based clinical experience sites;
- The program must have written policies for faculty which include provisions for direct or indirect supervision by faculty or clinical preceptors for students in clinical training consistent with the following standards;
 - The number of program faculty members must equal at least one faculty member directly supervising every 12 students unless the written agreement between the program and the agency, facility, or organization providing clinical training sites allows more students, not to exceed 18, to be directly supervised by one program faculty member;
 - For a hospital setting, indirect supervision may occur only if there is direct supervision by an assigned clinical preceptor and a supervising program faculty member is available by telephone, and such arrangement is approved by the clinical facility;
 - For community-based clinical experiences that involve student participation in invasive or complex nursing activities, students must be directly supervised by a program faculty member or clinical preceptor and such arrangement must be approved by the community-based clinical facility;
 - For community-based clinical experiences not involving student participation in invasive or complex nursing activities, indirect supervision may occur only when a supervising program faculty member is available to the student by telephone; and
 - A program’s clinical training policies must require that a clinical preceptor who is supervising students in an RN education program be an RN or, if supervising students in an LPN education program, be an RN or LPN;
- The RN or LPN nursing curriculum plan must document clinical experience and theoretical instruction in medical, surgical, obstetric, pediatric, and geriatric nursing. An RN curriculum plan must also document clinical experience and theoretical instruction in psychiatric nursing. Each curriculum plan must document clinical training experience in appropriate settings that include, but are not limited to, acute care, long-term care, and community settings;
- An RN or LPN education program must provide theoretical instruction and clinical application in the following:
 - Personal, family, and community health concepts;
 - Nutrition;
 - Human growth and development throughout the lifespan;
 - Body structure and function;
 - Interpersonal relationship skills;
 - Mental health concepts;
 - Pharmacology and administration of medications; and Legal aspects of practice; and
- An RN nursing education program must also provide theoretical instruction and clinical experience in:

¹³ S. 464.019(1), F.S.

- Interpersonal relationships and leadership skills;
- Professional role and function; and
- Health teaching and counseling skills.

DOH has 30 days after receiving an application to notify the applicant of any errors or omissions in the application. DOH will forward complete applications to the Board who may then conduct an onsite evaluation if necessary to document the applicant’s compliance with staffing and curriculum requirements. Within 90 days of DOH’s receipt of the complete application, the Board must either:¹⁴

- Approve the application; or
- Provide the educational institution with a notice of intent to deny citing specific reasons for the denial.

The applicant may request a hearing on the notice of intent to deny pursuant to the Administrative Procedures Act.¹⁵

[Nursing Education Program Annual Report](#)

Approved nursing education programs are required to submit an annual report to the Board by November 1st of each year. The annual report must include:

- An affidavit certifying continued compliance with s. 465.019(1), F.S;
- A summary description of the program’s compliance with s. 465.019(1), F.S; and
- Documentation for the previous academic year that describes:
 - The number of student applications received, qualified applicants, applicants accepted, accepted applicants who enroll in the program, students enrolled in the program, and program graduates;
 - The program’s retention rates for students tracked from program entry to graduation; and
 - The program’s accreditation status, including identification of the accrediting agency.¹⁶

If an approved nursing education program fails to submit the required annual report, the Board must notify the program director and president or chief executive officer of the institution in writing within 15 days after the due date. The program director must appear before the Board to explain the delay. If the program director fails to appear, or if the program does not submit the annual report within six months after the due date, the BON must terminate the program.¹⁷ In 2024, the Board terminated 31 programs for failing to submit their annual report.¹⁸

Accountability Requirements

The NCLEX is developed by the National Council of State Boards of Nursing (NCSBN) to test the competency of nursing education program graduates in the United States and Canada. The NCSBN is a non-profit organization whose membership is composed of state boards of nursing and other nursing regulatory bodies that are charged with regulating public health, safety, and welfare.¹⁹ The NCLEX-RN and NCLEX-PN are variable-length, valid, and reliable computerized adaptive tests designed to measure nursing competence according to the intended practice level of the test-taker.

Approved nursing education programs are required to meet accountability requirements related to graduate passage rates on the NCLEX. The [graduate passage rate](#) is the percentage of a nursing education program’s graduates who, as first-time test-takers, pass the NCLEX in a given calendar year.²⁰ The national passage rates for 2024 are 91.16 percent for the NCLEX-RN and 88.38 percent for the NCLEX-PN.; compared to Florida’s passage

¹⁴ S. [464.019\(2\), F.S.](#)

¹⁵ *Id.* See also, Ch. 120, F.S.

¹⁶ S. [464.019\(3\), F.S.](#)

¹⁷ [s. 464.019\(5\), F.S.](#)

¹⁸ *Supra*, note 12.

¹⁹ National Council of State Boards of Nursing, History. Available at <https://www.ncsbn.org/about/history.page> (last visited March 7, 2025).

²⁰ S. [464.003\(14\), F.S.](#)

rates of 84.9 percent for the NCLEX-RN and 80.78 percent for the NCLEX-PN.²¹ These scores place Florida last among all 50 states for NCLEX passage rates in 2024.²²

The number of test-takers passing the NCLEX can indicate the number of new nurses entering the nursing workforce. In 2024, Florida had fewer total NCLEX-RN test-takers than in 2023, but a higher pass rate, producing almost the same number of new nurses.²³

Approved nursing education programs must achieve graduate passage rates that are no more than ten percentage points lower than the average passage rate for the same calendar year for graduates of comparable degree programs who are U.S. educated, first-time NCLEX test takers.²⁴ Individual nursing education programs are compared to other programs based on level of nursing and degree type. Programs are categorized according to the following program types:²⁵

- RN nursing education programs that terminate in a bachelor’s degree;
- RN nursing education programs that terminate in an associate degree;
- RN nursing education programs that terminate in a diploma; and
- LPN nursing education programs.

Approved nursing education programs that fail to meet the required passage rates for two consecutive years must be placed on [probation](#) by the Board. The program director of a program placed on probation must appear before the Board to present a remediation plan including specific benchmarks to identify progress toward a graduate passage rate goal. A program is taken off of probation once it achieves a graduate passage rate that meets the statutory requirement in a calendar year. A program’s probationary status is automatically carried over for a second year if the program does not meet the required passage rate in the first year on probation. The Board may grant a program a third year of probation if the program still does not meet the required passage rate, but is able to demonstrate improvement. If the program is not granted the one-year extension of probation, or if the program fails to meet the required passage rates after the third year of probation, the Board must terminate the program.²⁶ The current probationary process allows nursing education programs to have up to five consecutive years of unsatisfactory NCLEX passage rates, including three years of probation.

In 2024, three LPN education programs and 13 RN education programs were placed on probation. Of the 16 programs placed on probation, 12 were for-profit programs.²⁷

[Accreditation](#)

An “accredited” nursing education program is a program operated in the U.S. and is accredited by a specialized nursing accrediting agency that is nationally recognized by the United States Secretary of Education to accredit nursing education programs.²⁸ The specialized nursing accreditors are the:²⁹

- Accreditation Commission for Education in Nursing;
- Commission on Collegiate Nursing Education; and
- National League for Nursing Commission for Nursing Education Accreditation.

Board-approved RN education programs are required to obtain accreditation within five years of enrolling its first students.³⁰ However, a program may apply to the Board and receive an extension of the deadline for up to two

²¹ *Supra*, note 23.

²² *Supra*, note 12.

²³ Florida Center for Nursing, *The State of Nursing Education in Florida* (2025). Available at <https://www.flcenterfornursing.org/research-data/nursing-education-reports/the-state-of-nursing-education-in-florida-2025/> (last visited March 7, 2025).

²⁴ [s. 464.019\(5\), F.S.](#)

²⁵ *Id.*

²⁶ [s. 464.019\(5\), F.S.](#)

²⁷ *Supra*, note 12.

²⁸ [S. 464.003\(1\), F.S.](#)

²⁹ *Supra*, note 23.

³⁰ [S. 464.019\(11\), F.S.](#)

years. In order to be eligible for an extension, a program must meet NCLEX graduate passage rate, student retention, and graduate work placement requirements, among others.³¹

Due to the stringent criteria required to maintain accreditation, accredited nursing education programs are exempt from the reporting requirements that are used to monitor approved nursing education programs' compliance with requirements, however they are still required to meet the statutory requirements for graduate passage rates on the NCLEX.³²

If an accredited nursing education program ceases to be accredited, the educational institution conducting the program must provide written notice to that effect to the BON, the program's students and applicants, and each entity providing clinical training sites or experiences. It may then apply to be an approved program.³³

OTHER RESOURCES:

[Florida Center for Nursing. The State of Nursing Education in Florida: 2025](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Health Professions & Programs Subcommittee	15 Y, 0 N	3/13/2025	McElroy	Osborne
Careers & Workforce Subcommittee				
Health & Human Services Committee				

³¹ S. [464.019\(11\)\(f\), F.S.](#)

³² S. [464.019\(9\)\(a\), F.S.](#)

³³ S. [464.019\(9\)\(b\), F.S.](#)