

**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 Appropriations Committee on Health and Human Services

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BILL: CS/SB 254

INTRODUCER: Appropriations Committee on Health and Human Services and Senator Harrell

SUBJECT: Nursing Education Programs

DATE: February 27, 2026      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Smith</u>	<u>Brown</u>	<u>HP</u>	<b>Favorable</b>
2.	<u>Gerbrandt</u>	<u>McKnight</u>	<u>AHS</u>	<b>Fav/CS</b>
3.	_____	_____	<u>FP</u>	_____

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 254 revises regulatory oversight of prelicensure nursing education programs (programs) and creates a temporary provisional license for certain graduate nurses. The bill:

- Requires program graduates to complete a board-approved or board-developed remedial course before taking the nurse licensure exam if it has been more than six months since graduation.
- Requires the Department of Health (DOH) to issue a temporary provisional license to certain graduate registered nurses and graduate licensed practical nurses to allow them to begin working while waiting for full licensure.
- Requires programs with nurse licensure exam passage rates more than 10 percentage points below the national average to offer a graduate nursing preceptorship and free remediation to certain students.
- Requires programs to administer an exit examination to assess licensure exam readiness.
- Requires the Board of Nursing (BON) to deny approval of a program that has had a program terminated by another regulatory jurisdiction.
- Authorizes the Board of Nursing (BON) to investigate programs that has been subject to adverse action in another U.S. jurisdiction and take specified action.
- Requires program directors to submit annual reports to the BON and authorizes the BON to terminate programs for failure to submit such reports. Authorizes penalties against directors who fail to submit timely reports.
- Requires programs to conspicuously post their graduates passage rates, as published by the BON, for the past two years on the program website.

- Requires a remediation plan for all programs placed on probation and authorizes the BON to take specified action for failure to comply. Eliminates the BON's authority to extend probation for a third year.
- Authorizes DOH employees to conduct onsite inspections of programs to verify compliance or investigate violations.
- Eliminates the BON's authority to grant an extension for approved professional programs to obtain accreditation.

The bill has a significant, negative fiscal impact on state expenditures. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

## II. Present Situation:

### Florida Postsecondary Nursing Education Programs

As of January 9, 2025, the Florida Board of Nursing (BON) has approved 314 Registered Nurse (RN) programs, five Professional Diploma programs, and 194 Practical Nursing (LPN) programs for pre-licensure education.<sup>1</sup> Pre-licensure nursing programs include pre-licensure programs offered by Florida's state universities, colleges, public school districts, private institutions licensed by the Florida 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 programs.<sup>2</sup>

Post-licensure nursing programs advance the training of licensed RNs and include Registered Nurse to Bachelor of Science in Nursing (RN to BSN), Master of Science in Nursing (MSN), Doctor of Nursing Practice (DNP), Doctor of Philosophy (Ph.D.) programs, and nursing certificates. Upon completion of some master's and doctorate programs, RNs transition to an advanced practice registered nurse (APRN) license. These roles include nurse practitioner (NP), certified nurse midwife (CNM), clinical nurse specialist (CNS), psychiatric mental health nurse practitioner, and certified registered nurse anesthetist (CRNA).<sup>3</sup>

### Pre-licensure Nursing Education Programs

Educational institutions that wish to conduct a program in Florida for the pre-licensure education of RNs or LPNs must meet specific requirements to be approved by the BON.<sup>4</sup> The program application must include the legal name of the educational institution, the legal name of the nursing education program, and, if such institution is accredited, the name of the accrediting agency. The application must also document:<sup>5</sup>

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<sup>1</sup> Department of Health, *Senate Bill 526 Legislative Analysis* (Feb. 28, 2025) (on file with the Senate Committee on Health Policy).

<sup>2</sup> Florida Center for Nursing (2025), *The State of Nursing Education in Florida - 2025*, Tampa, Fla., available at <https://issuu.com/flcenterfornursing/docs/newthestateofnursingeducationinflorida> (last visited Nov. 20, 2025).

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

<sup>4</sup> Section. 464.019, F.S. and Florida Board of Nursing, *Education and Training Programs*, available at <https://floridasnursing.gov/education-and-training-programs/> (last visited Nov. 20, 2025).

<sup>5</sup> Section 464.019(1), F.S.

- For an RN education program, that the program director and 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 Bachelor of Science 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.
- An RN nursing education program must also provide theoretical instruction and clinical experience in:
  - Interpersonal relationships and leadership skills.
  - Professional role and function. Health teaching and counseling skills.

### **Program Approval Process**

Upon receipt of a program application and the required fee, the Department of Health (DOH) must examine the application to determine if it is complete. If the application is not complete, the DOH must notify the educational institution in writing of any errors or omissions within 30 days after the DOH's receipt of the application. A program application is deemed complete upon the DOH's receipt of:

- The initial application, if the DOH does not notify the educational institution of any errors or omissions within the initial 30-day period after receipt; or
- Upon receipt of a revised application that corrects each error and omission that the DOH has notified the applicant of within the initial 30-day period after receipt of the application.<sup>6</sup>

Once a complete application is received, the BON may conduct an onsite evaluation if necessary to document the applicant's curriculum and staffing. Within 90 days after the DOH's receipt of the complete program application, the BON must:

- Approve the application; or
- Provide the educational institution with a Notice of Intent to Deny if information or documents are missing.<sup>7</sup>

The notice must specify in writing the reasons for the BON's denial of the application, and the BON may not deny an application because an educational institution failed to correct an error or omission that the DOH failed to notify the institution of within the 30-day notice period. The educational institution may request a hearing on the Notice of Intent to Deny the application pursuant to ch. 120, F.S. A program application is deemed approved if the BON does not act within the 90-day review period. Upon the BON's approval of a program application, the program becomes an "approved" program.<sup>8</sup>

### **Approved Nursing Pre-licensure Education Programs Annual Report**

Each approved pre-licensure education program must submit to the BON an annual report by November 1, which must include:

<sup>6</sup> Sections 464.019(2) and 464.003(4), F.S.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

- 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.
- 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.<sup>9</sup>

If an approved program fails to submit the required annual report, the BON 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 BON 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.<sup>10</sup>

### **Approved Nursing Pre-licensure Education Programs Accountability**

#### ***Graduate Passage Rates***

An approved nursing pre-licensure education program must achieve a graduate National Council of State Boards of Nursing Licensing Examination (NCLEX) passage rate of first-time test takers which is not more than ten percentage points lower than the average passage rate during the same calendar year for graduates of comparable degree programs who are U.S. educated, first-time test takers, as calculated by the contracted testing service of the National Council of State Boards of Nursing.<sup>11</sup>

For purposes of s. 464.019(5), F.S., an approved program is comparable to all degree programs of the same program type from among the following program types:<sup>12</sup>

- 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.
- LPN nursing education programs.

If an approved program's graduate passage rates do not equal or exceed the required passage rates for two consecutive calendar years, the BON must place the program on probationary status and the program director must appear before the BON to present a remediation plan, which must include specific benchmarks to identify progress toward a graduate passage rate goal. The program must remain on probationary status until it achieves a graduate passage rate that equals or exceeds the required passage rate for any one calendar year.<sup>13</sup>

The BON must deny a program application for a new pre-licensure nursing education program submitted by an educational institution if the institution has an existing program that is already

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<sup>9</sup> Section 464.019(3), F.S.

<sup>10</sup> Section 464.019(5), F.S.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

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

on probationary status. Upon the program's achievement of a graduate passage rate that equals or exceeds the required passage rate, the BON must remove the program's probationary status.

If the program, during the two calendar years following its placement on probation, does not achieve the required passage rate for any one calendar year, the BON may extend the program's probationary status for one additional year if certain criteria are met. If the program is not granted the one-year extension or fails to achieve the required passage rate by the end of the extension, the BON must terminate the program. If students from a program that is terminated transfer to an approved or accredited program under the direction of the Commission for Independent Education, the BON must recalculate the passage rates of the programs receiving the transfer students and exclude the test scores of those students transferring more than 12-credits.<sup>14</sup>

An "accredited" nursing education program is a program for the pre-licensure education of RNs or LPNs that is conducted at a U.S. educational institution, whether in Florida, another state, or D.C., and that is accredited by a specialized nursing accrediting agency that is nationally recognized by the U.S. Secretary of Education to accredit nursing education programs.<sup>15</sup> Accredited programs do not have to meet requirements related to program application, approval, or submission of annual reports to the BON.<sup>16</sup>

All approved and accredited programs must meet accountability requirements related to the graduate passage rate on the NCLEX.

All approved nursing programs, except those specifically excluded,<sup>17</sup> must seek accreditation within five years of enrolling the program's first students.<sup>18</sup> An approved program that has been placed on probation must disclose its probationary status in writing to the program's students and applicants.<sup>19</sup> If an accredited 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.<sup>20</sup>

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<sup>14</sup> Section 464.019(5), F.S.

<sup>15</sup> Section 464.003(1), F.S. Eligible institutional and accrediting Agencies available to Florida Nursing Programs are: Accreditation Commission for Education in Nursing (ACEN), Inc., formerly, National League for Nursing Accrediting Commission; Commission on Collegiate Nursing Education (CCNE)); National League for Nursing Commission for Nursing Education Accreditation (NLN CNEA); National Nurse Practitioner Residency and Fellowship Training Consortium;. and Florida Board of Nursing, See U.S. Department of Education, Accreditation in the U.S., available at [https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/college-accreditation/college-accreditation-united-states/college-accreditation-in-the-united-states--pg-4#National\\_Institutional#National\\_Institutional](https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/college-accreditation/college-accreditation-united-states/college-accreditation-in-the-united-states--pg-4#National_Institutional#National_Institutional) (last visited Nov. 20, 2025); and Florida Board of Nursing, *What is the difference between an "approved" and an "accredited" pre-licensure nursing education program in Florida?* available at <https://floridasnursing.gov/help-center/what-is-the-difference-between-an-approved-and-an-accredited-pre-licensure-nursing-education-program-in-florida/> (last visited Nov. 20, 2025).

<sup>16</sup> Section 464.019(9), F.S.

<sup>17</sup> Excluded institutions are those exempt from licensure by the Commission of Independent Education under ss. 1005.06(1) and 464.019(11)(d), F.S.

<sup>18</sup> Section 464.019(11)(a)-(d), F.S.

<sup>19</sup> *Id.*

<sup>20</sup> Section 464.019(9)(b), F.S.

### **Board of Nursing Rulemaking Authority**

The BON does not have rulemaking authority to administer s. 464.019, F.S., except:

- The BON must adopt rules that prescribe the format for submitting program applications and annual reports, and to administer the documentation of the accreditation of nursing education programs.<sup>21</sup>
- The board may adopt rules relating to the nursing curriculum, including rules relating to the uses and limitations of simulation technology, and rules relating to the criteria to qualify for an extension of time to meet the accreditation requirements.<sup>22</sup>

Under these rulemaking requirements and authority, the BON may not impose any condition or requirement on an educational institution submitting a program application, an approved program, or an accredited program, except as expressly provided in s. 464.019, F.S.<sup>23</sup>

### **III. Effect of Proposed Changes:**

#### **Temporary Provisional Licenses**

**Section 1** amends s. 464.008, F.S., to create a temporary provisional license. The Department of Health (DOH) must issue a temporary provisional license to any applicant who is eligible to sit for the National Council of State Boards of Nursing Licensing Examination (NCLEX) and seeks to practice as a graduate registered nurse or graduate practical nurse.<sup>24</sup> The license is valid for up to 180 days, is nonrenewable, and automatically expires when the applicant passes the exam and is issued a full license or fails the exam. A temporary provisional licensee may practice only under direct supervision of a registered nurse (RN) or licensed practical nurse (LPN), as applicable, and the supervising nurse must file a written protocol with the DOH. The Board of Nursing (BON) must adopt rules to implement the supervision requirements.

The bill also requires applicants to complete a remedial course before taking the NCLEX if it has been more than six months since graduation. The BON must develop a remedial course and offer it at no cost on their website to applicants experiencing hardship.

**Section 2** amends s. 464.019, F.S., revising the regulatory oversight of prelicensure nursing education programs.

#### **Application Requirements**

The bill requires that a program application must include the legal name of the nursing education program director, and the status and outcome of any pending or closed disciplinary case against the applicant in another regulatory jurisdiction. Under the bill the program director is required to certify the accuracy of faculty credentials reported to the BON.

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<sup>21</sup> Section 464.019(8), F.S.

<sup>22</sup> Section 464.019(8), F.S.

<sup>23</sup> *Id.*

<sup>24</sup> Pursuant to subsection (1) of that section, the DOH must examine each applicant who has submitted an application, the required fees, and the cost of the examination; has passed an FDLE criminal history record check; is a high school graduate in good mental health; has graduated from a nursing program; and can communicate in English.

### **Admissions Criteria**

The bill requires professional and practical nursing education programs to implement standardized admissions criteria that identify students who may require additional academic preparation and support to succeed. For each such student, the program must maintain documentation of an individualized academic support plan.

### **Exit Examinations**

The bill also requires programs to administer a national, standardized, and comprehensive exit examination to assess students' readiness for the NCLEX. A student may not be denied graduation solely on the basis of the exit examination if all required coursework has been completed. Each program must submit established remediation criteria to the BON that it will offer to students who do not pass the exit examination.

### **Graduate Nursing Preceptorships Programs**

Beginning August 1, 2027, any nursing education program with an annual NCLEX passage rate that is more than 10 percentage points below the average national passage rate for United States-educated, first-time test takers in comparable degree programs, must offer a graduate nursing preceptorship to its graduates. A graduate who does not pass the NCLEX at the conclusion of the preceptorship must be offered free remediation by the program.

Although preceptorships are required only for underperforming programs, all nursing programs are encouraged to offer them. A graduate nursing preceptorship must last three months and may include job shadowing, supervised clinical and nonclinical training, and patient care in a hospital setting. Clinical preceptors must oversee the preceptorship.

Graduates who hold a temporary provisional license under s. 464.008(5), F.S., may participate in a preceptorship. These graduates are expected to sit for the NCLEX at the conclusion of the preceptorship.

By January 1, 2027, the Florida Center for Nursing must establish standards for graduate nursing preceptorships, including supervision requirements. The BON is required to adopt these standards by rule.

### **Programs Facing Adverse Actions in Other Jurisdictions**

The bill establishes processes allowing the BON to respond to adverse actions taken in another U.S. jurisdiction against a nursing education program that is operating or seeks to operate in Florida. Specifically, the bill:

- Requires the program director of an approved nursing education program to notify the BON within 15 days after an adverse action taken against it in another U.S. jurisdiction.
- Requires the BON to deny an application from a nursing education program if another U.S. jurisdiction has terminated or revoked the programs authority to operate.

- Authorizes the BON to investigate adverse actions taken against a nursing education program and for less serious actions the BON may approve the application, approve the application with conditions, or deny the application.
- Authorizes the BON to impose disciplinary remedies on an approved program, up to and including revocation of the program's approval, pursuant to rules adopted by the BON.

### **Annual Reporting**

The bill provides that the program director is responsible for submitting the annual report to the BON. The bill authorizes the BON to terminate a program for not submitting its annual report; however, the BON may give an extension of time, not to exceed 60 days, for a program's submission of its annual report, upon request and for good cause. If a program director fails to timely submit the program's annual report, the BON may impose a penalty listed in s. 456.072(2), F.S., against the program director.

### **Transparency of Passage Rates**

The bill requires programs to conspicuously post their graduates passage rates, as published by the BON, for the past two years on the program's website. The program's website must include only the graduate passage rates specific to that program.

### **Program Remediation**

For an approved program that is placed on probation, the bill requires the program director to submit to the BON a written remediation plan with specific nationally-recognized benchmarks to identify progress toward a graduate passage rate goal, and to present that plan to the BON. If the program director fails to submit the required written remediation plan, or fails to appear before the BON to present the remediation plan no later than six months after the date of the program being placed on probation, the bill requires the BON to terminate the nursing education program and authorizes the BON to impose a penalty listed in s. 456.072(2), F.S., against the program director. The bill removes the BON's authority to extend an approved program's probationary status for a third year.

### **Onsite Inspections**

The bill authorizes agents or employees of the DOH to conduct onsite evaluations or inspections at any time during business hours to ensure that approved programs or accredited programs are in full compliance with ch. 464, F.S., or to determine whether ch. 464, F.S., or s. 456.072, F.S., is being violated. The DOH may collect any evidence necessary or as required to ensure compliance with ch. 464, F.S. or for prosecution. A refusal by a nursing education program to allow an onsite evaluation or inspection is deemed a violation of a legal obligation imposed by the BON and the DOH.

### **Program Accreditation Deadline**

The bill repeals s. 464.019(11)(f), F.S., which gives the BON authority to grant an extension of up to two years for an approved professional program to become programmatically accredited.

This repeal eliminates any extension of the accreditation deadline. An approved program must become an accredited program within five years after the date of enrolling its first students.

**Section 3** amends s. 464.022, F.S., adding to the list of situations where a person can perform nursing related tasks without being a Florida licensed nurse to include temporary provisional licensees, provided that they practice under the direct supervision of a registered nurse or licensed practical nurse.

The bill takes effect July 1, 2026.

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

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill will have an indeterminate significant, negative fiscal impact on the Department of Health (DOH). The bill requires the DOH to issue temporary provisional licenses that it currently does not issue to certain nursing graduates as an optional first step before the graduate obtains full licensure. To implement these provisions the DOH will require four

full-time equivalent (FTE) positions responsible for managing the temporary license, including processing and reviewing application and protocols for licensure.<sup>25</sup>

The bill also includes additional duties for the Board of Nursing including rule adoption, enhanced oversight and the development of a remedial course. According to the DOH, one FTE is needed to carry out these additional duties.<sup>26</sup>

The bill increases the oversight authority of the DOH and authorizes the DOH to conduct onsite evaluations and inspections of certain nursing education programs. According to the DOH, these provisions require three FTE.<sup>27</sup>

The temporary provisional license created by the bill will require the DOH to update technology systems. According to the DOH, these costs cannot be absorbed within existing resources.<sup>28</sup>

To implement the provisions of the bill, the DOH would require a total of \$1,477,479 in the following categories:<sup>29</sup>

- Salaries and Benefits - eight FTE, \$1,187,404
- Contracted Services - \$167,040
- Other Expenses - \$123,035

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 464.008, 464.019, and 464.022.

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<sup>25</sup> The Florida Department of Health, *Agency Bill Analysis SB 254* (Nov. 5, 2025) (on file with Senate Appropriations Committee on Health and Human Services).

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

<sup>27</sup> The Florida Department of Health, *Agency Bill Analysis SB 254* (Nov. 5, 2025) (on file with Senate Appropriations Committee on Health and Human Services).

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

<sup>29</sup> *Id.*

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Appropriations Committee on Health and Human Services on February 25, 2026:**

The committee substitute:

- Clarifies the role of the Board of Nursing (BON) regarding programs that have had adverse actions taken in other U.S. jurisdictions.
- Requires applicants to complete a remedial course before taking the National Council of State Boards of Nursing Licensing Examination (NCLEX) if it has been more than six months since graduation and requires the BON to develop a virtual remedial course, to be offered at no cost to applicants experiencing hardship.
- Requires programs to conspicuously post their graduates passage rates for the past two years on the program website as posted by the BON on the BON's website.
- Removes language requiring the Department of Health to report passage rates to program directors.

- B. **Amendments:**

None.