

BEFORE THE BOARD OF NURSING
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of)	NOTICE OF AMENDMENT,
ARM 24.159.604, 24.159.605,)	ADOPTION, AND REPEAL
24.159.606, 24.159.608, 24.159.609,)	
24.159.611, 24.159.612, 24.159.625,)	
24.159.630, 24.159.632, 24.159.635,)	
24.159.640, 24.159.650, 24.159.655,)	
24.159.659, 24.159.662, 24.159.665,)	
24.159.666, and 24.159.670 nursing)	
education programs, the adoption of)	
NEW RULE I waiver of faculty)	
qualifications, and the repeal of ARM)	
24.159.601, 24.159.615, 24.159.656,)	
24.159.674, 24.159.677, and)	
24.159.680 nursing education)	
programs)	

TO: All Concerned Persons

1. On February 26, 2015, the Board of Nursing (board) published MAR Notice No. 24-159-80 regarding the public hearing on the proposed amendment, adoption, and repeal of the above-stated rules, at page 186 of the 2015 Montana Administrative Register, Issue No. 4.

2. On March 20, 2015, a public hearing was held on the proposed amendment, adoption, and repeal of the above-stated rules in Helena. Comments were received by the March 27, 2015, deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board responses are as follows:

ARM 24.159.630 CONTINUED APPROVAL OF PROGRAMS

COMMENT 1: One commenter asked the board to clarify when "annual" NCLEX pass rates would be calculated.

RESPONSE 1: The NCLEX pass rates are reported by the National Council of State Boards of Nursing to the board on a calendar year basis. The results are typically received so that they can be presented and discussed by the board each year during the January board meeting.

ARM 24.159.632 PROGRAM SURVEYS

COMMENT 2: One commenter asked whether the board will approve a nursing education program based solely on national accreditation. The commenter requested confirmation as to whether national accreditation will supplant periodic board surveys and reevaluations.

RESPONSE 2: The board confirms that a nursing education program that receives national accreditation will not be subject to periodic surveys and reevaluations by the board. However, all programs remain subject to board rules, and continued approval is always dependent upon compliance.

COMMENT 3: One commenter asked whether a nursing program with a nationally certified registered nursing program must also have its licensed practical nursing program periodically surveyed and reevaluated by the board.

RESPONSE 3: The board recognizes this specific question is not addressed in either current rule, or the proposed amendments. As amended, the rule will require a board survey and evaluation every five years, but only for programs that are not nationally accredited. The rule also provides that, "Each time a program survey is performed, the entire program is evaluated for all components under board jurisdiction." National accreditation does not address the practical nursing aspect of a program, and so the board must periodically survey the practical aspect. Keeping with past interpretation and practice of the board, practical nurse programs whose registered nurse program counterparts are nationally accredited will be surveyed and evaluated by the board on an eight-year cycle, simultaneous with the national accreditation body's survey and evaluation of the registered nurse program.

4. The board has amended ARM 24.159.604, 24.159.605, 24.159.606, 24.159.608, 24.159.609, 24.159.611, 24.159.612, 24.159.625, 24.159.630, 24.159.632, 24.159.635, 24.159.640, 24.159.650, 24.159.655, 24.159.659, 24.159.662, 24.159.665, 24.159.666, and 24.159.670 exactly as proposed.

5. The board has adopted NEW RULE I (24.159.663) exactly as proposed.

6. The board has repealed ARM 24.159.601, 24.159.615, 24.159.656, 24.159.674, 24.159.677, and 24.159.680 exactly as proposed.

BOARD OF NURSING
HEATHER O'HARA, RN, PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY
Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State May 18, 2015