

BOARDS AND COMMISSIONS

Board of Nursing

(Amended After Comments)

201 KAR 20:320. Standards for curriculum of prelicensure registered nurse and practical nurse programs.

RELATES TO: KRS 194A.540(11), 314.011(5), 314.021, 314.041(1)(a), 314.111(1), 314.131(1), (2), ~~344.010(4)~~, 620.020(8)

STATUTORY AUTHORITY: KRS 314.041(1)(a), 314.051(1)(a), 314.111(1), 314.131(1), (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.041(1)(a) and 314.051(1)(a) require that an applicant for licensure as a registered or licensed practical nurse complete the basic nursing curriculum in an approved school of nursing. KRS 314.111(1) requires that schools of nursing regardless of delivery models shall meet minimum standards and be approved by the Board of Nursing. KRS 314.131(1) and (2) authorizes the board to promulgate administrative regulations necessary to approve programs of nursing. This administrative regulation establishes the curriculum requirements for prelicensure registered nurse and practical nursing programs.

Section 1. Definitions.

(1) "Debriefing" means an activity that follows a simulation experience, is led by a nurse faculty as established in 201 KAR 20:310, Section 2, encourages participant's reflective thinking, and provides feedback regarding the participant's performance.

(2) **"Disability" is defined by KRS 344.010(4).**

(3) "Distance learning" means didactic instruction offered by any means where the student and faculty are in separate physical locations.

(4) ~~3~~ "External examination" means a standardized or norm-referenced examination that is designed to compare and rank test takers in relation to one another and is not produced by the program of nursing.

(5) ~~4~~ "Practical nursing program" means a program of nursing organized and administered by a vocational, technical, or adult education system or an independent school at a postsecondary level that awards the graduate a diploma in practical nursing upon meeting requirements of the program.

(6) ~~5~~ "Program of nursing" means the educational unit that prepares a person for licensure as a registered or licensed practical nurse.

(7) ~~6~~ "Registered nursing program" means a program of nursing organized and administered by an institution of higher learning that awards a degree in nursing upon meeting requirements of the program.

(8) ~~7~~ "Remediation" means the process by which a student improves or corrects a knowledge deficit through external examinations, other assignments, or activities.

(9) ~~8~~ "Simulation" means an activity or a technique that replicates actual or potential situations in clinical practice that allows the participant to develop or enhance critical thinking.

Section 2. General.

(1) An applicant for licensure shall complete a prelicensure program of nursing that meets the requirements of this administrative regulation.

(2) Length.

(a) A registered nursing program shall be a minimum of two (2) academic years, which may include prior articulated academic credits.

(b) A practical nursing program shall be a minimum of one (1) academic year.

(3) Philosophy, mission, and outcomes.

- (a) The philosophy, mission, and outcomes of the program of nursing shall be clearly defined in writing by the nursing faculty and be consistent with those of the governing institution.
 - (b) The program outcomes shall describe the expected competencies of the graduate.
 - (c) The program shall conduct an evaluation to validate that identified program outcomes have been achieved and provide evidence of improvement based on an analysis of those results.
- (4) Approval.
- (a) A curriculum plan shall be approved by the board in accordance with this administrative regulation.
 - (b) The curriculum plan shall enable the student to develop the nursing knowledge, skills, and competencies for the expected entry level and scope of practice.
 - (c) Theory and clinical experiences shall provide the student with opportunities to acquire and demonstrate the knowledge, skills, and competencies necessary for safe practice.
- (5) Curriculum plan.
- (a) The development, implementation, evaluation, and revision of the curriculum shall be the responsibility of the nursing faculty including the program administrator with input from students.
 - (b) The curriculum of the program of nursing shall assure the development of evidence based practice for the level and scope of nursing practice. This shall include the skills to identify and apply best practices in nursing care by providing client-centered, culturally competent care and respecting client differences, values, preferences, and expressed needs.
 - (c) A registered nursing program may determine that a portion of the curriculum fulfills the scope of practice for licensed practical nursing and allow students to exit the program and be made eligible for the NCLEX-PN examination. The registered nursing program shall submit its plan to the board for approval.
- (6) Organization of the curriculum.
- (a) There shall be a written plan, including supporting rationale, which describes the organization and development of the curriculum.
 - (b) The curriculum plan shall reflect the philosophy, mission, and outcomes of the program.
 - (c) There shall be a rationale for the amount of time or credits allocated to course and clinical practice experience.
 - (d) A course syllabus shall be developed for each nursing course to include outcomes, planned instruction, learning activities, and method of evaluation.
 - 1. Each course shall be implemented in accordance with the established course syllabus.
 - 2. A copy of each course syllabus shall be on file in the program of nursing office and shall be available to the board upon request.
 - (e) The curriculum plan shall be logical and sequential, and shall demonstrate an increase in difficulty and complexity as the student progresses through the program.
 - (f) A course may be offered as a distance learning course. A distance learning course shall meet the same standards as established in 201 KAR 20:260 through ~~201 KAR~~ 20:360 for any other course.
- (7) Curriculum components.
- (a) The curriculum of a registered nursing program or a practical nursing program shall prepare the graduate for licensure and full scope of practice as defined by current standards for nursing practice and expected competencies of graduates at the appropriate educational level.
 - (b) The curriculum shall include:

1. Theory and selected clinical practice experiences designed to enable students to provide nursing care to individuals throughout the life span; and
 2. Information regarding Kentucky nursing laws, including scope of practice, licensure requirements, and the role of the board of nursing.
- (c) Clinical practice settings shall be appropriate for the type of nursing program and the program outcomes and enable the student to observe and practice safe nursing care of persons at each stage of the life span. Experiences shall include opportunities to learn and provide care to diverse ethnic and cultural populations.
- (d) Clinical practice experience shall be supervised by board approved nursing faculty in accordance with 201 KAR 20:310.
- (e) The curriculum shall have written measurable program outcomes that reflect the role of the graduate.
- (f) Students shall have sufficient opportunities in simulated or clinical settings to develop psychomotor skills essential for safe, effective practice.
- (8) Curriculum change.
- (a) A program of nursing that is not accredited by a national nursing accrediting body shall submit a written plan for major curriculum revisions to the board a minimum of four (4) months prior to the planned implementation.
1. A request for curriculum revision shall include the present plan and the proposed change with rationale and expected outcomes.
 2. The board shall be available to assist if curriculum revisions are being considered.
 3. Major curriculum revisions shall include:
 - a. A change in the philosophy, mission, or outcomes that results in a reorganization or reconceptualization of the entire curriculum; or
 - b. The addition of tracks or alternative programs of study that provide educational mobility.
- (b) A program of nursing that implements a curriculum change shall provide an evaluation of the outcomes of those changes through the first graduating class following full implementation of the curriculum change. The program of nursing shall also submit the evaluation with its annual report.
- (9) Integrated practicum.
- (a) The curriculum shall include an integrated practicum. The integrated practicum shall consist of a minimum of 120 clock hours of concentrated clinical experience of direct patient care in a health care facility or health care organization.
- (b) The integrated practicum shall be completed within a period not to exceed seven (7) consecutive weeks while the governing institution is in session and within seven (7) months of graduation. **The program of nursing may permit a student to complete the integrated practicum during seven (7) nonconsecutive weeks due to documented medical emergency or disability. If the institution is not in session, the program administrator shall monitor the remainder of the student's practicum with an assigned preceptor.**

Section 3. Simulation Standards.

- (1)
 - (a) A program of nursing that uses simulation shall adhere to the standards set in this section.
 - (b) A program of nursing shall not use simulation for more than fifty (50) percent of its total clinical hours required for graduation.
- (2)
 - (a) The program of nursing shall provide resources sufficient to support the simulation activities, including training of the faculty, and programmatic outcomes.

(b) Simulation activities shall be managed by a nurse who is academically and experientially qualified in the use of simulation, both in its pedagogical and technical aspects. The managing nurse shall demonstrate his or her qualifications by:

1. Attendance at simulation conferences;
2. Completion of educational activities related to simulation; or
3. Holding a credential issued by the Society for Simulation in Healthcare or a simulation preparation program recognized by the International Nursing Association for Clinical Simulation.

(c) The program of nursing shall have written rationale for the use and purpose of simulation within the curriculum.

(d) The program of nursing shall have an orientation plan for faculty concerning simulation.

(e) The program of nursing shall have a written procedure on the method of prebriefing and debriefing each simulated activity.

(3) The program of nursing shall have appropriate facilities for conducting simulation. This shall include educational and technological resources and equipment to meet the intended objectives of the simulation.

(4) Faculty, both didactic and clinical, that utilize simulation shall:

- (a) Have training in the use of simulation; and
- (b) Engage in on-going professional development in the use of simulation.

(5) The simulation activities shall be linked to the program of nursing's course objectives and the programmatic outcomes.

(6) Beginning July 1, 2019, a program of nursing shall submit evidence of compliance with these standards in the annual report required by 201 KAR 20:360, Section 3(1) of this administrative regulation.

Section 4. Use of External Examinations.

(1) External examinations may be used to assist in the remediation of a student or as a part of the final course grade.~~[]~~

(2) A program of nursing shall not use an external examination as the sole basis to determine a student's progression or graduation.

(3) A curriculum change that includes the implementation of an external examination shall include consideration of multiple evaluation criteria, and shall not be based solely on external examination test results.

(4) A program of nursing that utilizes external examinations as a component of student remediation shall ensure that completion of remediation occurs within the same semester or quarter.

(5) The academic progression policy of the program of nursing and course syllabi shall clearly outline the role of an external examination, including the frequency of and schedule for the testing, and the weight to be applied to results when calculating the final course grade. A course syllabus that references an external examination shall include information needed to calculate the impact of test results in any given external examination on the final course grade. If a course syllabus requires a specific average~~[test]~~ score ~~[on all exams]~~ for examinations as a condition for passing the course, an external examination shall not be weighted more than the lowest weighted individual examination included within the course grade average~~[student results on external exams shall be excluded from that calculation]~~.

(6) A program of nursing shall not require students who have completed all requirements for graduation to earn a specific score or benchmark on an external examination as a condition for graduation~~[or for placing the student's name on the Certified List of Kentucky Program of Nursing Graduates pursuant to 201 KAR 20:070]~~.

Section 5.

(1) A program of nursing shall provide the students on-campus physical facilities pursuant to 201 KAR 20:350, Section 2, to practice clinical skills where the student may be observed in-person by a member of nurse faculty or a skills laboratory instructor, as defined in 201 KAR 20:310, Section 1.

(2) Prior to the evaluation of clinical skills, students shall be provided access to physical facilities on campus to practice clinical skills, where the student is observed in-person by a member of nurse faculty or skills laboratory instructor who may provide feedback.

(3) Students shall be evaluated in the clinical skills laboratory on the program's campus or in a clinical setting. **The clinical skills laboratory may be video recorded for evaluation using equipment provided by the program of nursing.** The students' skills shall be evaluated by a member of nurse faculty or a skills laboratory instructor.

Section 6. ~~Section 5.~~ Curriculum Additions.

(1) Each program of nursing shall include information in its curriculum that meets the requirements of KRS 194A.540 related to domestic violence and elder abuse, neglect, and exploitation.

(2) Each program of nursing shall include information about~~[-]~~

~~[(a)] Pediatric abusive head trauma as it is defined in KRS 620.020(8)~~[-]~~~~

~~[(b)] Suicide prevention and wellness topics listed in subsection (3) of this section by August 15, 2022; and~~

~~[(c)] Implicit bias topics listed in subsection (4) of this section by August 15, 2022.~~

(3) Each program of nursing shall include suicide ~~[Suicide]~~ prevention and wellness information~~[topics shall include:], including the following topics:~~

(a) Chronic toxic stress and secondary traumatic stress potentially increasing the incidence of suicide amongst nurses;

(b) A confidential and standardized pathway to care for nurses that addresses screening, assessing, safety planning, referrals, and follow-up for nurses at risk for suicide;

(c) Systems of care, evidence-informed approaches, and best practices to reduce suicide rates; and

(d) Ethical legal considerations of caring for patients and nurses who are suicidal.

~~[(4)] Implicit bias topics shall include:-]~~

~~[(a)] The impact of historical racism and other forms of invidious discrimination on the provisions of healthcare;~~

~~[(b)] Methods of evaluation the presence and extent of implicit bias; and]~~

~~[(c)] Measures that may be taken to reduce implicit bias.~~ AUDRIA DENKER,
President

APPROVED BY AGENCY: February 15, 2024

FILED WITH LRC: July 9, 2024 at 12:05 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on May 21, 2024 at 10:00 a.m. at Kentucky Board of Nursing, 312 Whittington Parkway, Ste 300, Louisville, Kentucky 40222. Individuals interested in being heard at this hearing shall notify this agency in writing by May 14, 2024, five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through May 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Jeffrey R. Prather, General Counsel, Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222, (502) 338-2851, email

Jeffrey.Prather@ky.gov or submit a comment at
<https://secure.kentucky.gov/formservices/Nursing/PendReg>.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Jeffrey Prather

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation sets standards for curriculum in prelicensure programs of nursing education.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary because of KRS 314.111.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

This administrative regulation conforms to the content of the authorizing statutes by establishing standards for curriculum in prelicensure programs of nursing education.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation assists in the effective administration of the statutes by establishing standards for curriculum in prelicensure programs of nursing education.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

It clarifies that external examinations may be weighted no more than the lowest weighted individual examination included within the course grade average; requires on-campus physical facilities pursuant for students to practice clinical skills and be observed and provided feedback prior to testing; and it removes implicit bias as a required curriculum subject for programs of prelicensure RN and LPN education.

(b) The necessity of the amendment to this administrative regulation:

Programs of nursing and students have struggled with the use and interpretation of regulatory guidelines regarding the weight of external examinations. Moreover, the Board has concerns about the effectiveness of programs of nursing that do not provide for hands-on clinical training experience. The Board is removing implicit bias training due to concerns raised by licensees and the general assembly.

(c) How the amendment conforms to the content of the authorizing statutes:

The clarification regarding external exams permits programs of nursing education to use external exams as a tool in nursing education, and more guidance to programs of nursing in their use of such examinations. The amendments conform to the authorizing statutes by expanding curriculum requirements to include subjects that are a needed component of nursing education.

(d) How the amendment will assist in the effective administration of the statutes:

By setting curriculum standards for programs of prelicensure RN and LPN education.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Prelicensure programs of nursing, RN and LPN nursing students, approximately ninety-five (95).

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

They will have provided for facilities to allow students to have hands-on clinical experience.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There are no additional costs for the removal of the implicit bias requirement or establishing a grade weight for external examinations, or clinical facilities. Programs of nursing are currently required to have adequate facilities under 201 KAR 20:350, Section 2, this amendment adds that students shall be provided access to the facilities for training and validation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Students will be better prepared for nursing practice through their participation in in-person clinical training and the use of external examinations.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There are no additional costs.

(b) On a continuing basis:

There are not additional costs.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

Agency funds.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No increase is needed.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

It does not.

(9) TIERING: Is tiering applied?

Tiering is not applied, the changes apply to all equally.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.

Kentucky Revised Statutes 314.041(1)(a), 314.051(1)(a), 3124.111(1), and 314.131(1,2)

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Kentucky Board of Nursing.

(a) Estimate the following for the first year:

Expenditures:No expenditures to estimate.

Revenues:No revenues to estimate.

Cost Savings:No additional cost savings.

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

There will be no difference to expenditures, revenues, or cost savings.

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

None.

(a) Estimate the following for the first year:

Expenditures:N/A

Revenues:N/A

Cost Savings:N/A

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

N/A

(4) Identify additional regulated entities not listed in questions (2) or (3):

Programs of Nursing.

(a) Estimate the following for the first year:

Expenditures:Programs of Nursing without appropriate clinical facilities to provide hands-on training and evaluation of nursing students will need to provide them. Expenditures unknown.

Revenues:No additional revenues.

Cost Savings:No cost savings.

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

There will be no difference to revenues or cost savings. Expenditures may be tied to upkeep for clinical facilities.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

The programs of nursing will need clinical facilities to provide in-person training and evaluation of nursing students to validate hands-on competency. Most existing programs of nursing that provide a basic curriculum for preparing registered nurses in an approved by the board should already have such facilities available to students.

(b) Methodology and resources used to determine the fiscal impact:

N/A

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

This administrative regulation will not have a major economic impact.

(b) The methodology and resources used to reach this conclusion:

N/A