Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Permanent Rules Relating to Advanced Practice Nursing Education Programs

AGENCY: Minnesota Board of Nursing

MINNESOTA RULES: Chapter 6301

RULE APPROVED
OFFICE OF ADMINISTRATIVE HEARING
November 9, 2016
DATE
ADMINSTRATIVE LAW JUDGE.

The attached rules are approved for
filing with the Secretary of State

Lauren C. Bethke
Lauren C. Bethke
Assistant Revisor

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(MN) SECRETARY OF STATE

Minnesota Board of Nursing

Adopted Permanent Rules Relating to Advanced Practice Nursing Education Programs

6301.0100 DEFINITIONS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Approval.** "Approval" means authority granted by the board for a controlling body to offer a program designed to prepare students to meet the nursing education requirements for licensure as practical, professional, or advanced practice nurses in Minnesota.

[For text of subps 5 to ~~8~~ 7, see M.R.]

Subp. 7a. **Comparable organizations.** A foreign accrediting organization is a "comparable organization" under this chapter if it only accredits those programs that meet or exceed the performance standards for nursing education programs in part 6301.2330. A foreign accrediting organization that accredits programs that do not meet such standards is not a comparable organization.

Subp. ~~7a.~~ 7b. **Competence.** "Competence" means the application of knowledge, ethics, and the interpersonal, decision-making, and psychomotor skills expected for the practice role, within the regulatory context of public health, safety, and welfare.

[For text of subp 8, see M.R.]

Subp. 9. [See repealer.]

[For text of subps 10 and 11, see M.R.]

Subp. 11a. **High-fidelity simulation.** "High-fidelity simulation" means a simulation conducted with ~~full-scale~~ computerized patient mannequins, virtual reality, or standardized patients and designed to provide a high level of interactivity and realism.

Subp. 11b. **Lead faculty.** "Lead faculty" means the advanced practice registered nurse responsible for providing direct oversight for the advanced practice program in a role and population focus.

[For text of subps 12 to 14, see M.R.]

Subp. 15. **Nursing personnel.** "Nursing personnel" means those nurses and unlicensed assistive personnel, exclusive of nursing students, who provide care to patients.

Subp. 16. [See repealer.]

[For text of subps 17 to 19, see M.R.]

Subp. 19a. **Advanced practice program.** "Advanced practice program" means a graduate program or postgraduate program designed to prepare students for licensure as advanced practice registered nurses.

Subp. 19b. **Population focus.** "Population focus" means the categories of population foci, as defined in Minnesota Statutes, section 148.171, subdivision 12b.

Subp. 20. **Program.** "Program" means a course of study offered by a controlling body that prepares students to practice practical nursing, professional nursing, or advanced practice nursing.

[For text of subp 21, see M.R.]

Subp. 21a. **Simulation.** "Simulation" means a learning activity that replicates a patient situation using a planned course of events and applies evidence-based best practices in nursing education to improve or validate competence.

[For text of subp 22, see M.R.]

Subp. 23. [See repealer.]

6301.2300 SCOPE OF RULES.

This chapter applies to new applications for program approval and to currently approved practical, professional, and advanced practice programs offered in Minnesota. Nothing in this chapter restricts faculty from designing or implementing curricula more comprehensively than required under this chapter.

6301.2310 PURPOSE OF NURSING EDUCATION PROGRAM APPROVAL.

This chapter establishes requirements for practical, professional, and advanced practice nursing programs conducted under Minnesota Statutes, sections 148.171 to 148.285, in order to:

A. promote the safe practice of nursing by enforcing education and practice standards for individuals seeking licensure as advanced practice registered nurses, registered nurses, and licensed practical nurses;

[For text of items B to E, see M.R.]

6301.2320 PURPOSE FOR NURSING EDUCATION STANDARDS.

The purpose for nursing education standards is to:

A. provide a framework for preparing safe and competent graduates for entry into practical, professional, and advanced practice nursing;

[For text of items B and C, see M.R.]

6301.2330 NURSING EDUCATION STANDARDS.

All nursing education programs shall meet the standards in this part.

[For text of items A to G, see M.R.]

H. The nursing program director must be a professionally and academically qualified registered nurse with institutional authority and administrative responsibility for the program.

[For text of item I, see M.R.]

6301.2340 REQUIRED CRITERIA FOR NURSING EDUCATION PROGRAMS.

[For text of subp 1, see M.R.]

Subp. 1a. **Nondegree granting program.** An advanced practice program that is operated by a nondegree granting body must provide documentation of the following:

A. approval from the Minnesota Office of Higher Education to provide postsecondary education in Minnesota;

B. an agreement with a controlling body as defined in subpart 1;

C. the degrees awarded to graduates of the program by each educational institution; and

D. that students were enrolled as of January 1, 2015.

[For text of subp 2, see M.R.]

Subp. 3. **Nursing education program.**

A. The nursing education program must:

(1) be an integral part of a governing academic institution;

(2) implement a comprehensive, systematic plan for ongoing evaluation that is based on program outcomes and stakeholder input regarding competence and safety. The ongoing evaluation plan must provide for continuous improvement;

(3) provide a curriculum to enable the student to develop the competence necessary for the level, scope, and standards of nursing practice consistent with the type of licensure;

(4) ensure students of practical and professional programs:

(a) have learning activities with faculty oversight to acquire and demonstrate competence in clinical settings with patients across the life span and with patients throughout the whole wellness, acute, and chronic illness continuum;

(b) have diverse learning activities including clinical simulations to acquire and demonstrate competence. The faculty must have oversight over the learning activities; and

(c) provide input into the development, implementation, and evaluation of the program;

(5) ensure students of advanced practice programs:

(a) have learning activities ~~with faculty oversight~~ to acquire and demonstrate competence in clinical settings with patients in at least one population focus. The faculty must have oversight over the learning activities;

(b) have diverse learning activities, including clinical simulations, to acquire and demonstrate competence. The faculty must have oversight over the learning activities;

(c) who are prepared for more than one population focus or combined roles have content and clinical experience in both functional roles and population foci; and

(d) provide input into the development, implementation, and evaluation of the program;

(6) ensure the director of practical and professional programs:

(a) is academically and experientially qualified to accomplish the mission, goals, and expected student and faculty outcomes;

(b) has a graduate degree in nursing from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or its successors, or by a comparable organization if the graduate degree is from an educational institution from a foreign country~~, as acceptable to the board~~;

(c) has a current unencumbered Minnesota registered nurse license and current registration;

(d) is vested with the administrative authority to accomplish the mission, goals, and expected program outcomes;

(e) provides effective leadership to the program in achieving its mission, goals, and expected program outcomes;

(f) is given adequate time and resources to fulfill the role and responsibilities;

(g) communicates information about the program that is accurate, complete, consistent, and readily available; and

(h) informs the board within 30 days of a change in the director, the name of the program, the name of the controlling body, the address of the program at each site where the program is offered, the addition or termination of a site of the program, the address of the controlling body, or control of the program. Changes in control of the program include sharing control with another body, deleting a body from sharing control, transferring control in whole or in part to another body, or merging programs formerly controlled by other bodies;

(7) ensure the director of the advanced practice program:

(a) is academically and experientially qualified to accomplish the mission, goals, and expected student and faculty outcomes;

(b) has a doctoral degree from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or its successors, or by a comparable organization if the graduate degree is from a foreign country~~, as acceptable to the board~~;

(c) effective January 1, 2025, holds a graduate degree with a major in nursing and a doctorate in nursing or a health-related field from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council of Higher Education Accreditation or successors, or by a comparable organization if the graduate degree is from a foreign country~~, as acceptable to the board~~;

(d) has a current unencumbered Minnesota registered nurse license and current registration;

(e) is vested with the administrative authority to accomplish the mission, goals, and expected program outcomes;

(f) provides effective leadership to the program in achieving its mission, goals, and expected program outcomes;

(g) is given adequate time and resources to fulfill the role and responsibilities;

(h) communicates information about the program that is accurate, complete, consistent, and readily available; and

(i) informs the board within 30 days of a change in the director, the lead faculty member of a program track, the name of the program, the name of the controlling body, or the address of the program at each site where the program is offered; the addition or termination of a site of the program; or a change in the address of the controlling body or control of the program. Changes in control of the program include sharing control with another body, deleting a body from sharing control, transferring control in whole or in part to another body, or merging programs formerly controlled by other bodies;

(8) ensure advanced practice nursing program faculty who coordinate or lead a program track are:

(a) educationally prepared;

(b) ~~and~~ nationally certified in the same role and population focus; and

(c) hold an unencumbered license as a registered nurse and as an advanced practice registered nurse with current registration in Minnesota;

(9) ensure general principles for faculty include:

(a) academic preparation for the areas in which they teach;

(b) experiential preparation in the areas they teach;

(c) sufficiency in number to support the program outcomes;

(d) provision of opportunities for ongoing development in the science of education;

(e) nursing faculty in practical and professional nursing programs hold unencumbered licensure as a registered nurse with current registration in Minnesota;

(f) nursing faculty in advanced practice nursing programs hold unencumbered licensure as a registered nurse and as an advanced practice registered nurse with current registration in Minnesota; and

(g) nonnursing faculty are sufficient in number, utilization, and credentials to meet program goals and outcomes;

(10) ensure practical nursing program faculty have a baccalaureate or graduate degree in nursing from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or successors, or by a comparable organization if the baccalaureate- or graduate-level degree is from a foreign country~~, as acceptable to the board~~;

(11) ensure professional nursing program faculty have a graduate degree for full-time faculty and the majority of part-time faculty hold a graduate degree from a regionally or nationally accredited college or university recognized by the United States

Department of Education, the Council for Higher Education Accreditation or successors, or by a comparable organization if the baccalaureate- or graduate-level degree is from a foreign country~~, as acceptable to the board~~. If the major of the graduate degree is not in nursing, the faculty must hold a baccalaureate degree with a major in nursing;

(12) ensure advanced practice nursing program faculty have a graduate degree in a health-related field in a clinical specialty from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or successors, or by a comparable organization if the graduate-level degree is from a foreign country~~, as acceptable to the board~~;

(13) effective January 1, 2025, ensure advanced practice nursing faculty have a baccalaureate or graduate degree with a major in nursing and a graduate degree in nursing or a health-related field in a clinical specialty from a regionally or nationally accredited college or university recognized by the United States Department of Education, the Council for Higher Education Accreditation or successors, or by a comparable organization if the baccalaureate or graduate-level degree is from a foreign country~~, as acceptable to the board~~;

(14) ensure nursing faculty in advanced practice nursing programs are educationally prepared and nationally certified in the same role and population focus if curricular content and student learning activities are specific to an identified role and population focus;

(15) ensure responsibilities of nursing faculty include:

(a) developing, implementing, evaluating, and updating the purpose, philosophy, objectives, and organizational framework of the nursing education program;

(b) designing, implementing, and evaluating the curriculum using a written plan;

(c) developing, evaluating, and revising student admission, progression, retention, and graduation policies within the policies of the governing body;

(d) participating in academic advising and guidance of students;

(e) planning and providing theoretical, clinical, and simulated clinical learning activities that reflect an understanding of the philosophy, objectives, and curriculum of the nursing education program; and

(f) evaluating student achievement of curricular objectives and outcomes related to nursing knowledge and practice;

(16) maintain minimum standard on the practical or professional licensure examination of greater than 75 percent for candidates from the program who, during any January 1 through December 31 period, wrote the licensing examination for the first time; and

(17) ensure associate degree professional nursing programs provide advanced standing and transition experiences for qualified licensed practical nurses.

B. High-fidelity simulation may be used in part to meet the requirements of item A, subitem (4), units (a) and (b), when:

(1) equipment and resources, including the number of nursing faculty, to support student learning are sufficient;

(2) nursing faculty with documented education and training in the use of simulation develop, implement, and evaluate the simulation experience;

(3) the design, implementation, and evaluation of the simulation is based on nationally recognized evidence-based standards for simulation;

(4) the simulation provides an opportunity for each student to demonstrate clinical competence while in the role of the nurse;

(5) prebriefing and debriefing are conducted by nursing faculty with subject matter expertise and training in simulation using evidence-based techniques; and

(6) high-fidelity simulation is utilized for no more than half of the time designated for meeting clinical learning requirements.

6301.2350 GRANTING APPROVAL.

Subpart 1. **Program accreditation for practical and professional programs.** All Board of Nursing-approved practical and professional nursing education programs must provide evidence of current accreditation by a national nursing accrediting body recognized by the United States Department of Education or the Council for Higher Education Accreditation or its successors~~, as acceptable to the board,~~ by January 1, 2018, or must have achieved candidacy status leading to such accreditation and demonstrated satisfactory progression toward obtaining the accreditation.

Subp. 1a. **Program accreditation for advanced practice programs.** All Board of Nursing-approved advanced practice nursing education programs must provide evidence of current accreditation by a national nursing or nursing-related accrediting body recognized by the United States Department of Education or the Council for Higher Education Accreditation or successors~~, as acceptable to the board~~.

[For text of subps 2 and 3, see M.R.]

6301.2360 SURVEYS; COMPLIANCE WITH STANDARDS AND CRITERIA.

[For text of subp 1, see M.R.]

Subp. 2. **Survey for evidence of compliance with nursing education standards.** All Board of Nursing-approved nursing education programs must provide evidence of current accreditation by a national nursing accrediting body approved by the United States Department of Education or the Council for Higher Education Accreditation or its successors~~, as acceptable to the board,~~ as specified in part 6301.2350, subparts 1 and 1a.

All reports and communication with accrediting bodies must be submitted to the board including:

[For text of items A to C, see M.R.]

[For text of subp 3, see M.R.]

Subp. 4. **Survey for licensure examination success rates for practical and professional nursing programs.** If the success rates are 75 percent or less for candidates from the program who, during any calendar year, wrote the licensing examination for the first time, the board must take one of the actions described in items A to C and publish the actions, including a report to the accrediting body.

[For text of items A to C, see M.R.]

Subp. 5. **Survey for initial approval of new nursing education program.** An educational institution intending to establish a nursing education program in Minnesota must be surveyed as outlined in items A to C.

[For text of item A, see M.R.]

B. Phase II - Program development leading to initial approval.

[For text of subitems (1) to (4), see M.R.]

(5) After receiving initial approval, the director must submit all required board annual reports including all reports and communication regarding candidacy for national nursing education accreditation or nursing-related accreditation.

C. Phase III - Continuing approval. Under Minnesota Statutes, section 148.251, subdivision 3, the board must survey initially approved nursing programs, and continue approval for the program if the program is in compliance with board rules, including:

(1) meeting the minimum first-time licensure examination success rate as required by subpart 4; and

(2) acquiring national nursing education accreditation or nursing-related accreditation, as required by subpart 6.

Subp. 6. **Survey required.** Under Minnesota Statutes, section 148.251, subdivision 3, the board must survey all nursing programs to determine if the board will continue approval. For approval to be continued, a nursing program must be in compliance with all board rules and must:

A. follow the accreditation cycle and process for initial or continuation of accreditation of the national nursing education accrediting or nursing-related accrediting body recognized by the United States Department of Education or the Council for Higher Education Accreditation or successors~~, as acceptable to the board~~;

B. allow board members and board staff to accompany surveyors on the accrediting site visit if the board chooses to conduct joint visits;

C. submit a national nursing accrediting or nursing-related accrediting body self-study to the board;

D. submit a copy of all communication between the program and the national nursing accrediting or nursing-related accrediting body; and

E. submit required annual board reports.

Subp. 7. **Approval.** The board must act to continue approval if the program:

A. receives initial or continuing national nursing or nursing-related education accreditation; and

B. is in compliance with all other board rules and statutes.

[For text of subps 8 and 9, see M.R.]

Subp. 10. **Board action following conference or hearing.**

[For text of items A and B, see M.R.]

C. If the deficiencies are not corrected before expiration of the correction order, the director must be notified that a conference with a board review panel may be held, or that a contested case hearing may be held according to Minnesota Statutes, chapter 14, and contested case rules in parts 1400.5010 to 1400.8400.

(1) The purpose of the review panel or hearing is to determine if the deficiency was corrected prior to expiration of the correction order.

(2) If the deficiency was not corrected prior to expiration of the correction order, the board shall either remove the program from the list of approved programs or deny approval to an applicant and report the action to the accrediting body.

REPEALER. Minnesota Rules, part 6301.0100, subparts 9, 16, and 23, are repealed.