

SFY 2016

Ohio Board of Nursing Annual Report



July 1, 2015 - June 30, 2016

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Ohio Board of Nursing

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November 17, 2016

The Honorable John Kasich
Governor, State of Ohio
77 South High Street, 30th Floor
Columbus, Ohio 43215

Dear Governor Kasich:

On behalf of the Ohio Board of Nursing, we are pleased to submit this Annual Report for state fiscal year 2016, in accordance with Section 4723.06 of the Revised Code.


This Annual Report highlights the work of the Board members and staff. The Board is responsible for regulating over 285,000 licenses and certificates and 182 pre-licensure nursing education programs.

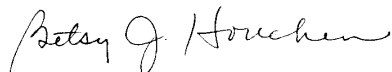
In accordance with the provisions of Ohio Revised Code Chapter 4723., during fiscal year 2016, the Board issued licenses to qualified individuals; approved education and training programs; and disciplined and monitored the practice of licensees and certificate holders who violated the Nurse Practice Act or administrative rules regulating practice.

While the overwhelming majority of Ohio nurses practice with high standards, the actions or deficient practice of some have the potential to compromise patient safety and the public's confidence in the profession. The Board has an important role in impacting the safety of nursing care that touches virtually all Ohioans.

The report highlights the public protection role of the Board and the regulatory excellence that has been achieved by a lean and efficient Board with a common sense approach to meeting regulatory challenges while protecting the public.

Respectfully yours,


Maryam Lyon, MSN, RN
President



Betsy Houchen, JD, MS, RN
Executive Director

Board Overview

Mission

The mission of the Ohio Board of Nursing is to actively safeguard the health of the public through the effective regulation of nursing care.

Board Overview

The Board's top priorities are to efficiently license the nursing workforce and remove dangerous practitioners from practice in a timely manner to protect Ohio patients. Public protection is critical, as nursing touches virtually every citizen of Ohio. The Board regulates over 285,000 licenses and certificates, as compared to 233,000 in 2009.

Nationally Recognized

The Board has a demonstrated track record of ensuring public protection; funding initiatives to combat the nursing shortage; implementing innovative programs for patient safety; and regulating the largest number of licensed professionals of any agency in the State of Ohio.

The Board is nationally recognized through the National Council of State Boards of Nursing (NCSBN) for its regulatory excellence and public protection work. The Board is a proud recipient of the NCSBN Regulatory Achievement Award, presented annually to the board that demonstrates significant contributions in promoting public policy related to the safe and effective practice of nursing in the interest of public welfare.

Contributions to Statewide Initiatives

Ohio's Fight Against Prescription Drug Abuse

The Board collaborated with the Administration, legislators, law enforcement, drug task forces, and other state boards and agencies in the continued fight against prescription drug abuse. The Board supported and contributed to the work of the Governor's Cabinet Opiate Action Team (GCOAT) and collaborated with the State of Ohio Board of Pharmacy to identify and investigate prescribers to determine abusive prescribing patterns and take disciplinary action as needed. Educational and investigatory actions were taken for prescribers prescribing opioid analgesics and benzodiazepines who did not review patient information in OARRS if treatment continued for over ninety days.

Veterans, Service Members and Spouses

The Board collaborated with representatives of the Ohio National Guard, the Office of Workforce Transformation, and the Military and Veteran Affairs Department to address a pathway for medics to become licensed practical nurses in Ohio. When it was determined that further analysis was needed, the Board requested that NCSBN conduct a Gap Analysis to identify the similarities and differences in military medic training and practical nursing education based on high-level military training courses. This Gap Analysis is expected to identify options that could accelerate education and nursing licensure of military personnel, while at the same time, protecting the public by assuring that education and training will prepare individuals for entry into nursing practice.

Human Trafficking

The Board continued the fight against human trafficking, encouraging nurses to be informed and understand human trafficking issues. The Board encouraged the use of the State Human Trafficking training video; recognized continuing education credit for the video and Human Trafficking coursework; maintained a permanent home for human trafficking materials on the Board website under the RN, LPN, and APRN practice pages; and disseminated information on the website, through eNews, Twitter and Facebook.

Patient Centered Medical Homes (PCMHs)

The Board was involved in supporting the curriculum work group in developing a patient-centered medical home curriculum for use in medical and nursing schools to educate physicians and nurses how to deliver care in the PCMH model. Following the conclusion of the practice transformation portion of the project, members of the Education Advisory Group, including the Board, agreed to continue to work on the scholarship and curriculum components of the project. This has now become the Workforce Learning Center of the Ohio Patient-Centered Primary Care Collaborative (OPCPCC). Patricia Sharpnack, Board member and Dean and Strawbridge Associate Professor at The Breen School of Nursing Ursuline College, is a member of the Office of Health Transformation led PCMH Model Design Team.

The Nursing Workforce

To support job growth and meet the growing health care workforce demand, the Board funds two programs through nursing license renewal fees.

- Nurse Education Grant Program (NEGP): Grants are awarded to Ohio pre-licensure and post-licensure nursing education programs for the purpose of increasing their student enrollment capacity.
- Nurse Education Assistance Loan Program (NEALP): Tuition assistance is provided for educating nursing students and future nursing faculty.

Workforce Data

Data collection is a vital component of workforce planning and policymaking. The Board has been collecting comprehensive nursing workforce data each year since 2013. All Data Reports and the raw data collected by the Board are made available to interested parties and the public through the Board website.

Ohio Action Coalition/The IOM Future of Nursing Report

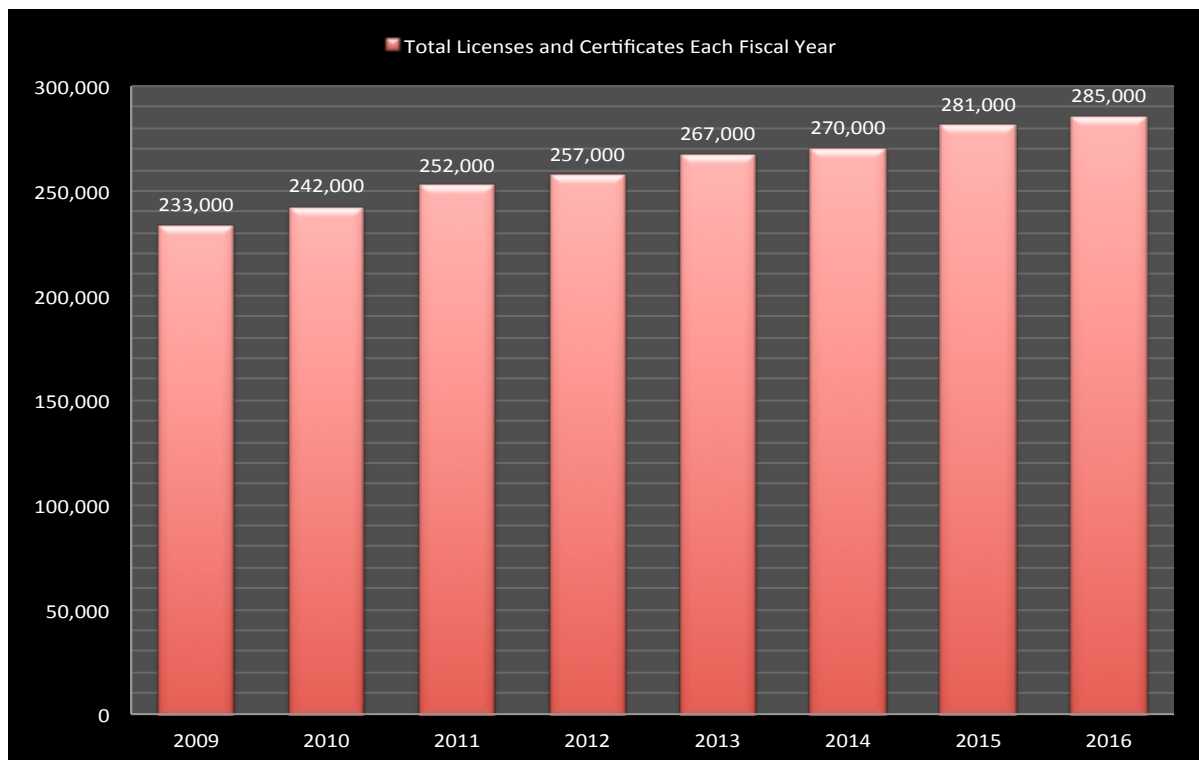
The Institute of Medicine (IOM) report, *The Future of Nursing: Leading Change, Advancing Health* set forth eight recommendations for nursing. The Ohio Action Coalition was established for the advancement of the IOM recommendations and to promote nursing collaboration throughout Ohio. Board member Patricia Sharpnack and Executive Director Betsy Houchen represent the Board on the Coalition Steering Committee. Director Houchen is one of the Co-Chairs for the Data and Research Work Group.

Program Area Highlights and Statistics

Licensure and Certification

Strategic Initiative: Assure licensees and certificate holders meet statutory and regulatory requirements to be licensed or certified to practice in Ohio and are appropriately credentialed to practice, while maintaining an efficient and effective system to license or certify applicants as quickly as possible to enter or remain in the workforce.

- Regulated over 285,000 licenses and certificates
- Prioritized 1,006 license applications for service members, veterans, and spouses
- Issued 20,084 new licenses and certificates

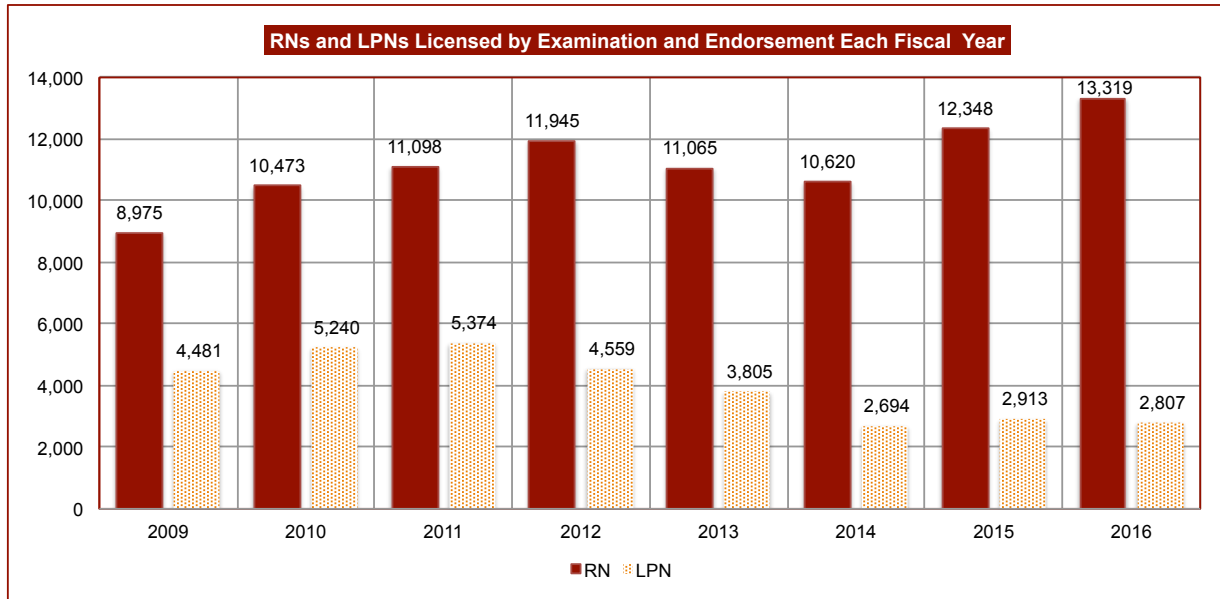


- Renewed 202,454 licenses/certificates during the last renewal cycle
- Maintained 100% online renewal
- Re-registered 3,761 applicants who failed and applied to re-take the examination

Active Licenses and Certificates as of June 30, 2016	
Registered Nurses (RNs)	200,320
Licensed Practical Nurses (LPNs)	57,836
Advanced Practice Registered Nurses (APRNs) Certified Registered Nurse Anesthetist - 2,988 Certified Nurse Midwife - 378 Certified Nurse Practitioner - 8,739 Clinical Nurse Specialist - 1,651	14,627
Certificates To Prescribe (CTP)	9,851
Dialysis Technician – Ohio Certified (OCDTs)	1,582
Dialysis Technician Intern Certificates	316
Community Health Worker Certificates	401
Medication Aide Certificates	164
Total	285,097

Newly Issued Licenses/Certificates in Fiscal Year 2016	
Registered Nurses (RNs)	13,319
Licensed Practical Nurses (LPNs)	2,807
Advanced Practice Registered Nurses (Certificates of Authority)	1,791
Certificates To Prescribe (CTP)	1,462
Dialysis Technician – Ohio Certified (OCDTs)	176
Dialysis Technician Intern Certificates	263
Community Health Worker Certificates	215
Medication Aide Certificates	51
Total	20,084

Nurses Licensed By Examination or Endorsement in Fiscal Year 2016				
Type	Licensed by Examination	Licensed by Endorsement	Temporary Permits Issued	Total
LPN	2,388	300	119	2,807
RN	8,003	3,943	1,373	13,319
Total	10,391	4,243	1,492	16,126



- Regulated 401 community health worker certificates as compared to 50 in fiscal year 2009

Community Health Worker Certificates

	2009	2010	2011	2012	2013	2014	2015	2016
New	13	23	13	33	13	41	111	215
Active	50	73	61	95	83	122	190	401

- Regulated 1,898 dialysis technician, “temporary” or “intern” certificates as compared to 1,587 in fiscal year 2009

Dialysis Technician, Temporary, or Intern Certificates

	2009	2010	2011	2012	2013	2014	2015	2016
New	453	378	368	396	324	394	429	439
Active	1,587	1,680	1,637	1,802	1,670	1,824	1,723	1,898

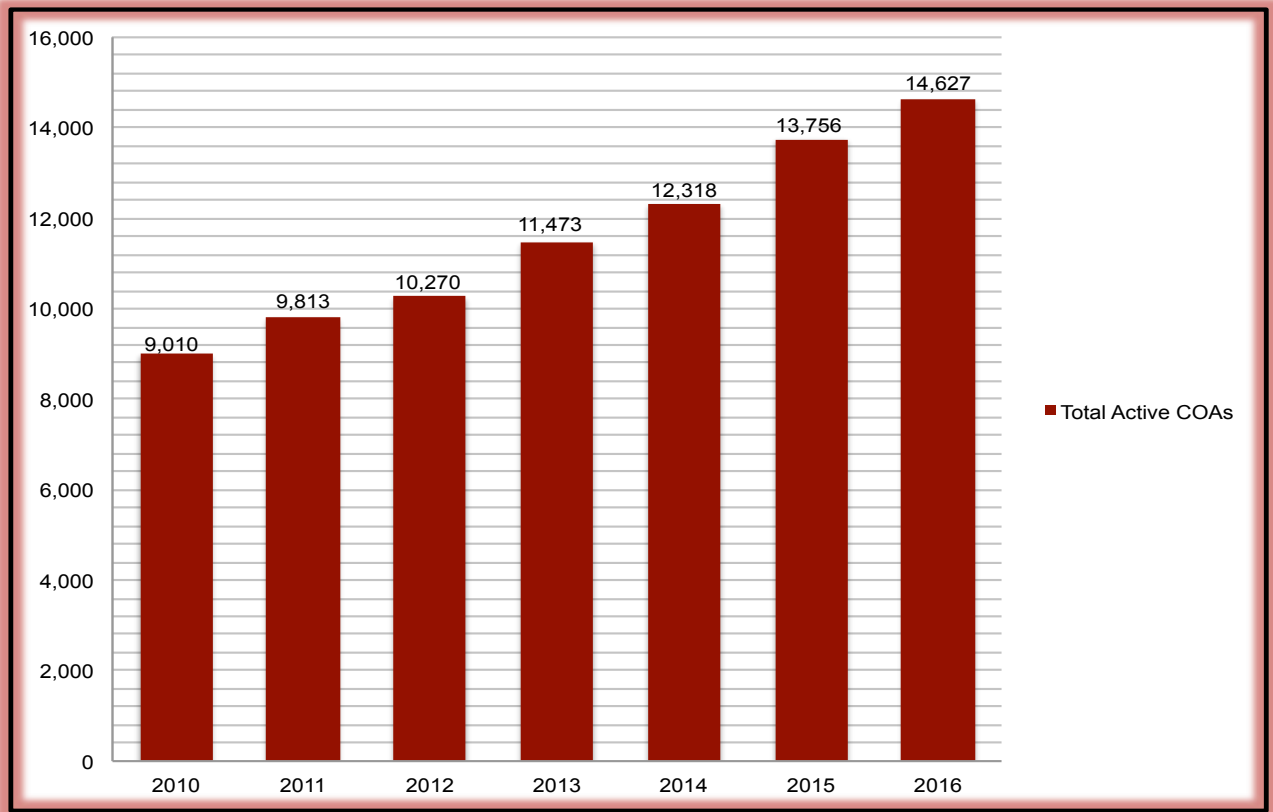
- Regulated 164 medication aide certificates as compared to 66 in fiscal year 2009

Medication Aide Certificates

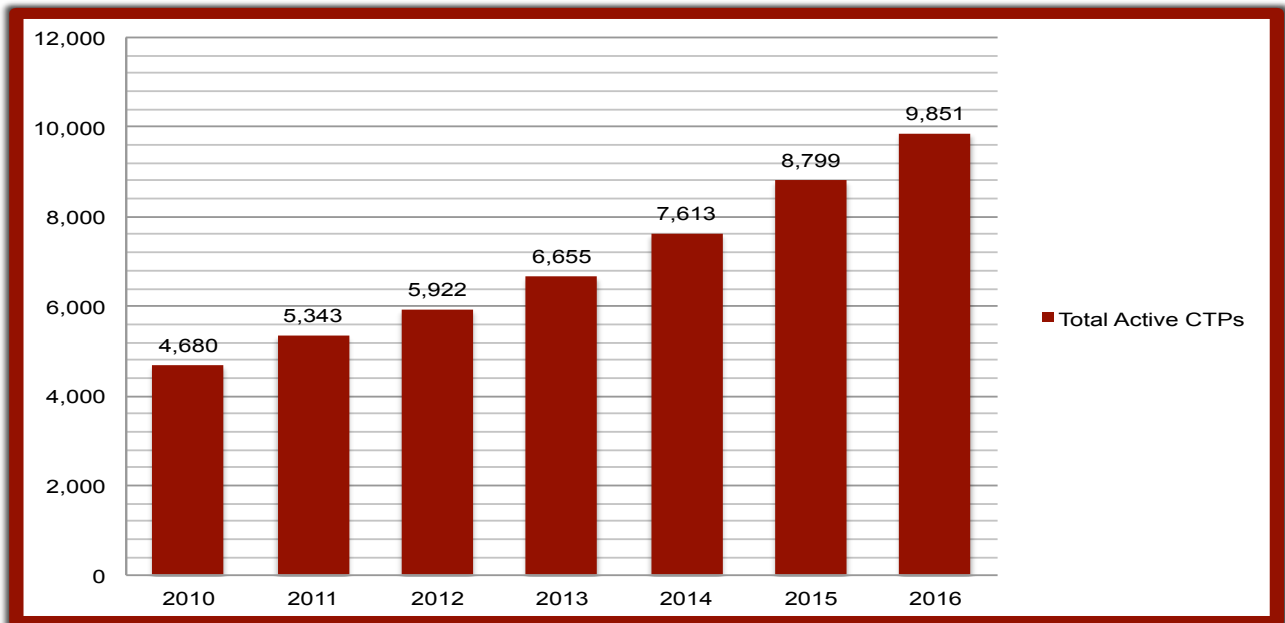
	2009	2010	2011	2012	2013	2014	2015	2016
New	22	55	38	46	46	30	40	51
Active	66	94	133	112	163	192	184	164

Advanced Practice Registered Nurses (APRNs) Comparisons

Certificates of Authority (COAs) for APRNs



APRN Certificates to Prescribe (CTPs)



Nursing Education

Strategic Initiative: Approve pre-licensure education programs to assure the programs maintain academic and clinical standards for the preparation of entry-level nurses.

Competent and safe nursing practice begins with education programs that prepare individuals for nursing practice. The Board determines whether existing programs are maintaining educational requirements and reviews new programs to determine if they meet the requirements for approval.

- Continued approval of 182 nursing education programs
- Approved 5 new nursing education programs, one of which closed after approval

Number of Education Programs Each Fiscal Year								
Type	2009	2010	2011	2012	2013	2014	2015	2016
RN	79	86	94	102	106	108	109	113
PN	66	73	74	72	72	70	69	69
Total	145	159	168	174	178	178	178	182

- Sanctioned 20 nursing education programs for not meeting minimum educational requirements
 - Provisional approval – 16
 - Provisional or Conditional approval with Consent (settlement) Agreements – 1
 - Notice of Opportunity for Hearing with a pending Adjudication Hearing – 1
 - Notice of Opportunity for Hearing resulting in Consent Agreements – 2
- Convened the Advisory Group on Nursing Education to provide recommendations regarding nursing education and the administrative rules
- Appointed Board Member Patricia Sharpnack as Board Nursing Education Liaison

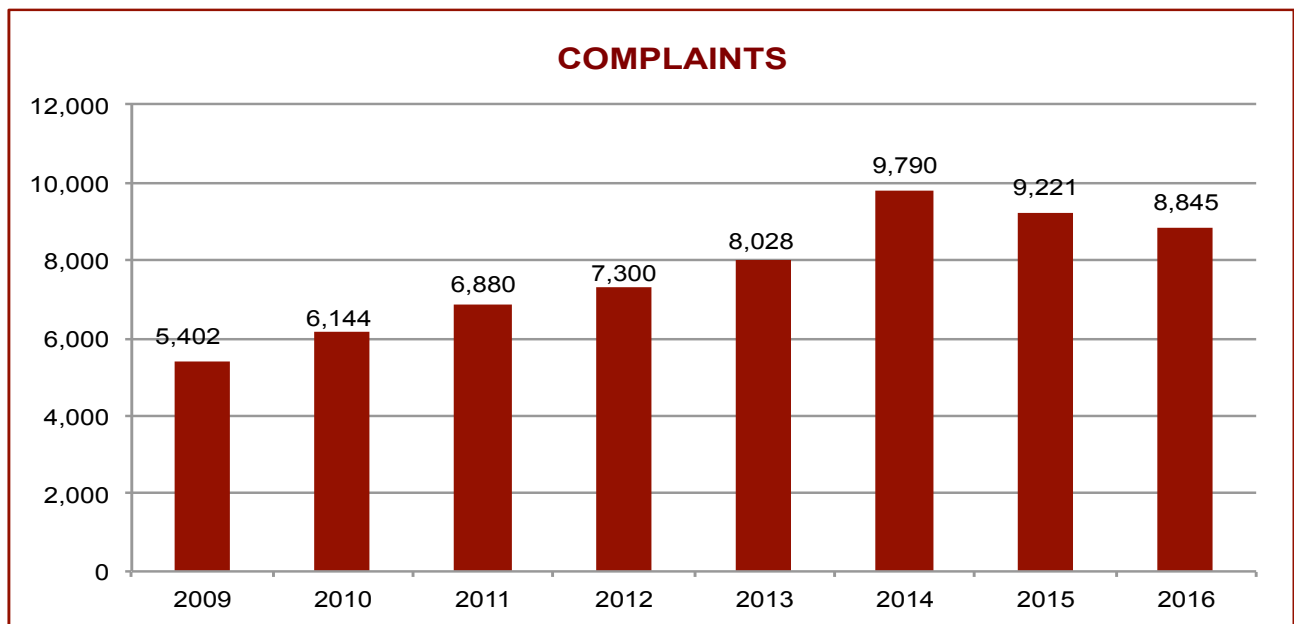
Training Programs Approved Each Fiscal Year					
	2012	2013	2014	2015	2016
Dialysis Technician	24	29	25	24	21
Medication Aide	21	18	15	16	15
Community Health Worker	3	4	6	9	12
Total	48	51	46	49	48

Compliance, Discipline and Monitoring

Strategic Initiative: Efficiently handle complaints, investigations, and adjudications to safeguard the health of the public and, in cases involving chemical dependency or practice issues, provide alternatives to discipline programs, if determined appropriate.

Complaints and Applicants for Initial Licensure

- Received 8,845 complaints
- Employed 12 investigators for complaint investigation and contracted with an APRN consultant
- Elected Board Member Judith Church as Board Supervising Members for Disciplinary Matters
- Targeted prescription drug abuse through collaboration with law enforcement and other state agencies and the use of OARRS data



Licensure Applicants Referred To Compliance For Review		
Type	Total Number	Referred to Compliance
Licensure by Examination	10,391	1,784
Licensure by Endorsement	4,243	473
Total	14,634	2,257 (15%)

Complaints	
Type of Complaint	Number
Action Taken in Another State or Jurisdiction	876
Addendum to Board Actions	74
APRN Practice Issues	116
APRN Lapses (certification, licensure, CTP)	99
APRN Prescribing	98
Boundaries	25
COA/CTP Applicant	149
Community Health Worker Applicant	35
Confidentiality	24
Criminal	391
Default/Child Support	3
Dialysis Applicant	65
Drugs/Alcohol	783
Endorsement Applicant	473
Fraud (Theft)	74
Fraud (Medicare/Medicaid)	9
Imposter/Never Licensed	35
Invalid License (lapsed/inactive)	121
Medication Aide Applicant	6
Multiple Allegations	448
NCLEX Test Applicant	1,784
Non-compliance with Board Actions	500
Nursing Student	3
Patient Abuse	90
Practice	1,123
Physical Impairment	2
Psychiatric Impairment	5
Renewal Applicant	1,214
Reinstatement Applicant	220
Total	8,845

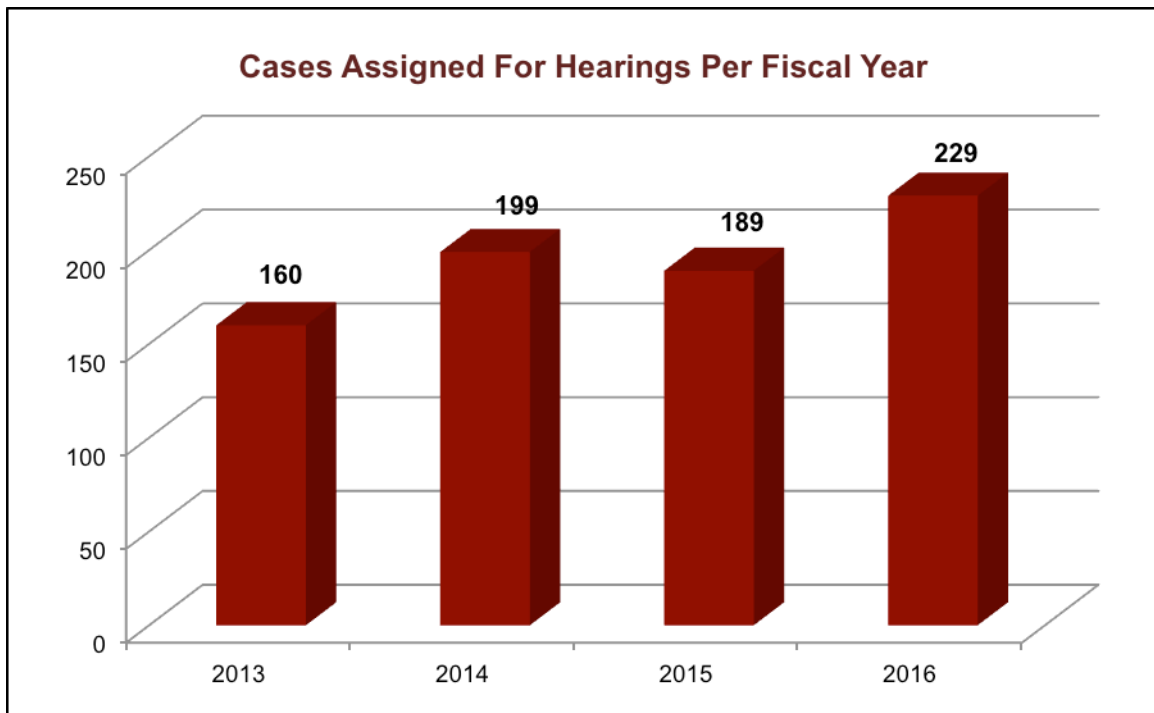
Board Disciplinary Actions

The Board is authorized to revoke and suspend licenses and certificates; impose probationary requirements, reprimands, fines, or practice restrictions; and deny initial or renewal licenses or certificates. The Board issued 384 Board Orders and 665 Consent Agreements that imposed reprimands, suspension of practice (Suspension without Stay), or practice with Probation (Stayed Suspension) for violations of the Nurse Practice Act and/or administrative rules.

While the overwhelming majority of Ohio nurses practice with high standards, the actions or deficient practice of some have the potential to compromise patient safety and the public's confidence in the profession.

Board Actions	
Type of Action Taken	Number
Board Order	384
Permanent Surrender	42
Default Order	48
Consent Agreement	665
Notice of Opportunity for a Hearing	443
Immediate Suspension	115
Temporary Suspension	7
Summary Suspension	6
Automatic Suspension	114
Suspension Without Stay	528
Stayed Suspension (Probation)	305
Permanent Revocation/Denial	102
Reprimand with requirements	214
Permanent Withdrawal of Application	0
Non-Permanent Withdrawal of Application	2
Voluntary Retirement	16
Total	2,991

- A total of 229 cases were assigned for Chapter 119., ORC, Adjudication Hearings



Monitoring Compliance

- Provided monitoring and oversight to assure licensees fulfilled the terms and conditions of their disciplinary agreements, Board Orders, or Participant Agreements for the Alternative Program for Chemical Dependency or the Practice Intervention and Improvement Program

Cases	Number
Active cases	1,319
Inactive cases ¹	2,914
Monitoring ceased – issued Automatic Suspension and Notice of Opportunity for Hearing	113
Monitoring ceased – released from the terms and conditions of their Board Order/Consent Agreement	116
Total	4,462

¹ Cases on inactive monitoring status generally involve suspended licenses or certificates. The case is assigned to “active” monitoring status upon an individual’s request for reinstatement and/or entry into a post-suspension consent agreement.

Alternative Program For Chemical Dependency (AP)

- Provided AP, a confidential program offered to licensees in lieu of disciplinary action to 31 participants

Practice Intervention and Improvement Program (PIIP)

- Provided PIIP, a confidential alternative to discipline program for licensees with a practice deficiency that can be addressed through remedial nursing education, to 26 participants

Continuing Education

Strategic Initiative: Assure that licensees and certificate holders maintain competency based on continuing education requirements set forth in the Nurse Practice Act and the administrative rules.

- Approved 10 Ohio Board of Nursing (OBN) Approvers of Continuing Education who assure providers of continuing education met the requirements set forth in the administrative rules
- Conducted audits to monitor compliance with continuing education requirements

Regulatory Clarity and a Common Sense Approach

Strategic Initiative: Address pertinent nursing regulatory issues and requirements for licensees and certificate holders and provide greater clarity about the requirements to those regulated by the Board and to the general public.

Nursing Practice

- Responded to an average of 309 questions per month to provide guidance regarding the application of the Nurse Practice Act and administrative rules
- Published practice articles in each *Momentum*, wrote Frequently Asked Questions, and developed and updated Interpretive Guidelines to provide practice guidance
- Convened the Advisory Group on Dialysis to advise the Board about the regulation of dialysis technicians
- Convened the Committee on Prescriptive Governance (CPG) regarding APRN prescriptive authority and the APRN Formulary
- Submitted nursing practice breakdown data to a national patient safety database

Legislation

The Board monitors and advocates regarding proposed legislation that impacts the practice of nursing and Board operations. Bills of the 131st Ohio General Assembly related to the Board that became effective in fiscal year 2016 include:

- House Bill 4, effective July 16, 2015, allows a physician to authorize an individual to furnish naloxone pursuant to the physician's protocol to a person at risk of an opioid-related overdose or to another person in a position to assist that person.

The Nursing Board had previously adopted a Joint Regulatory Statement in April 2013 supporting the use of naloxone for those individuals at high risk for opioid drug overdose and promoting wider utilization of naloxone for high-risk individuals. Following the passage of House Bill 4, the Joint Regulatory Statement was updated.

- House Bill 64, effective September 29, 2015, included a provision that permits certain Advanced Practice Registered Nurses (APRNs) who apply for a Certificate To Prescribe-Externship (CTP-E) to take advanced pharmacology education through online instruction. This education is part of the coursework required to obtain a CTP-E.
- House Bill 39, effective February 1, 2016, allows school governing authorities and certain types of camps to procure and possess inhalers for use in emergency situations, including use to alleviate asthmatic conditions.
- House Bill 124, effective March 23, 2016, authorizes certified nurse practitioners, clinical nurse specialists, and certified nurse-midwives to treat their patients' sexual partners for certain diseases without having examined the partner. Section 4723.4810, ORC, allows these prescribing APRNs to issue a prescription or personally furnish a complete or partial supply of a drug to treat chlamydia, gonorrhea, or trichomoniasis, without having examined the individual for whom the drug is intended, if certain conditions are met. The APRN may also contact the patient's partner directly to inform the individual they may have been exposed to chlamydia, gonorrhea, or trichomoniasis.

With respect to certified nurse-midwives (CNM) with prescriptive authority, the new law authorizes the CNM to treat their female patients' male partners only to the extent of issuing or providing the prescription or the drug to treat chlamydia, gonorrhea, or trichomoniasis and to provide the related health care information. HB 124 and current law do not authorize CNMs to provide further evaluation, diagnoses or treatment of male patients. The CNM scope of practice, defined in Section 4723.43, ORC, is limited to treatment of female patients.

- House Bill 188, effective March 23, 2016, authorizes a pharmacist practicing under a consult agreement with a physician to manage a patient's drug therapy for specified diagnoses or diseases and order and evaluate blood and urine tests.

The Board successfully sought an amendment to the bill changing the renewal date for nurse licensure/certification. This change was to accommodate the implementation of the new State of Ohio eLicense system. If a license is not renewed or classified as inactive, the license lapses on the first day of November of the renewal year rather than September 1.

- Amended Senate Bill 110, effective October 15, 2015, grants APRNs authority to delegate drug administration under specified circumstances to unlicensed persons. Prior to delegating, the APRN is required to assess the patient and determine the drug is appropriate for the patient. The APRN must also determine that the person to whom the authority will be delegated has successfully completed education based on a recognized body of knowledge concerning drug administration and demonstrates to the person's employer the knowledge, skills, and ability to administer the drug safely.

In addition, the bill contained language that added Physician Assistants to the list of providers named in statute who may direct care of LPNs.

Administrative Rules

The Board timely completed its five-year review of applicable administrative rules as required by Ohio Revised Code Section 119.032. These rules became effective on February 1, 2016 and included the following Ohio Administrative Code (OAC) Chapters:

- 4723-8, Advanced Practice Nurse Certification and Practice
- 4723-9, Prescriptive Authority
- 4723-23, Dialysis Technicians

Individual rules not slated for five-year review were also amended to comply with recent legislative changes or for technical or non-substantive reasons. Since 2005, as part of rule review, the Board conducts a “plain English” review of its rules and amends or rescinds rule language that is obsolete, ineffective, contradictory or redundant, in accordance with Executive Order 2011-01K, “Establishing the Common Sense Initiative” (EO). Individual rules became effective on February 1, 2016 within the following OAC Chapters:

- 4723-1, Board Organization and Records
- 4723-5, Nursing Education Program
- 4723-7, Examination and Licensure
- 4723-14, Continuing Nursing Education
- 4723-16, Hearings

The Board also adopted Rule 4723-8-11, OAC, "Youth concussion assessment and clearance," effective September 30, 2015. The rule sets basic standards that allow Clinical Nurse Specialists (CNSs) and Certified Nurse Practitioners (CNPs) with the proper training and education to assess and treat youths with sports concussions and head injuries. The rule requires that a CNP or CNS who assesses and clears a youth to return to play or competition maintain competency and complete appropriate continuing education.

Communication and Collaboration

- Published *Momentum*, a magazine issued quarterly at no cost to the taxpayers or the Board, to provide regulatory information
- Used the website, eNews (3,026 listserv subscribers), Twitter (2,045 followers), and Facebook (10,526 “likes”) to deliver Board updates
- Provided over 1,767 records to the public in response to public records requests, with over 95% provided in five business days or less

- Maintained the Ohio Center for Nursing website, in conjunction with the Ohio Network for Nursing Workforce
- Provided two Nursing Education Program Administrator Workshops
- Presented regulatory updates at meetings of the Ohio Council of Associate Degree Nursing Education Administrators, the Ohio Council of Deans and Directors of Baccalaureate and Higher Degree Nursing Programs, and the Ohio Organization of Practical Nurse Educators

**APPENDIX A - Board Member Roster
(Members for All or Part of Fiscal Year 2016)**

Name/Position	City	End of Term
Maryam W. Lyon, RN President Chair, Advisory Group on Dialysis	Sidney	2017
Janet Arwood, LPN Vice-President	Hilliard	2017
Judith A. Church, RN Supervising Board Member for Disciplinary Matters	Miamisburg	2016
Brenda Boggs, LPN	Germantown	2019
Nancy Fellows, RN	Willoughby Hills	2016
Lisa Klenke, RN	Coldwater	2015
Lauralee Krabill, RN	Sandusky	2017
J. Jane McFee, LPN Chair, Advisory Group on Continuing Education	Perrysburg	2017
Sandra Ranck, RN	Ashtabula	2018
John Schmidt, RN	Cleveland	2018
Patricia Sharpnack, RN Board Nursing Education Liaison Chair, Advisory Group on Nursing Education	Chardon	2017
Sheryl Warner, JD, Consumer Member	Canal Winchester	2019

APPENDIX B - Fiscal Report

FY 2016 Appropriations	
Operational Budget (4K90)	\$7,843,958
Special Issues (5P80)	\$2,000
Nurse Education Grant (5AC0)	\$1,523,506
Total Appropriations	\$9,369,464

FY 2016 Revenue	
Income from Fees	\$7,227,863
Total Revenue	\$7,227,863

FY 2016 Expenditures	
Payroll & Personal Services	
Payroll	\$6,443,929
Personal Services	\$245,562
Subtotal	\$6,689,491

Maintenance	
Subtotal	\$1,111,516

Equipment	
Subtotal	\$6,725

Refunds	
Subtotal	\$730

Operational Costs Grand Total	\$7,808,462
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Special Issues Fund	
Total	\$3,500

NEGP Fund	
Actual Disbursed	\$1,493,506
Administrative Expenses	\$6,975
Total	\$1,500,481