



BOARD OVERVIEW AND GUIDE TO RULE-MAKING PROCESS

MISSION

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

BACKGROUND

The Board is a government agency created by Ohio law to regulate the practice of nursing in Ohio for the safety of the public. The Ohio legislature enacted the Nurse Practice Act (NPA) set forth in Chapter 4723. of the Ohio Revised Code. Based on the NPA, the Board adopts rules, Chapters 4723-1 through 4723-27 of the Ohio Administrative Code, that establish regulations for licensure and certification, standards of practice, discipline, and pre-licensure nursing education. The NPA and administrative rules are on the Board website at www.nursing.ohio.gov under the “Law and Rules” link.

Licensees and certificate holders regulated by the Board include registered nurses, advanced practice registered nurses (certified nurse practitioners, clinical nurse specialists, certified nurse midwives, and certified registered nurse anesthetists), licensed practical nurses, dialysis technicians, medication aides and certified community health workers.

Eight registered nurses, four licensed practical nurses and one consumer make up a thirteen-member Board appointed by the Governor. Of the eight registered nurses on the Board, two must be authorized to practice as an advanced practice registered nurse. The consumer member of the Board, who is not a nurse, is appointed to represent the interests of consumers of health care. The Board elects one of its registered nurse members to serve as the supervising member for disciplinary matters.



BOARD FUNCTIONS

The public expects that licensees will provide safe nursing care and that the Board will appropriately deal with unsafe or incompetent practitioners. The Board provides these assurances through the following functions.

Licensure, Certification and Continuing Education

The Board assures that 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. The Board also assures that licensees and certificate holders maintain competency based on the continuing education requirements set forth in the NPA and rules.

Education and Training Programs

The Board approves pre-licensure nursing education programs to assure programs maintain academic and clinical standards for the preparation of entry-level nurses. The Board provides grant funding through the Nurse Education Grant Program (NEGP) for the purpose of increasing nursing student capacity and funds the Nurse Education Assistance Loan Program (NEALP) for tuition assistance. In addition, the Board approves training programs for dialysis technicians, medication aides, and community health workers.

Nursing Practice

The Board addresses pertinent nursing regulatory issues for licensees and certificate holders and provides greater clarity about the requirements to those regulated by the Board and to the general public. The Board receives and responds to practice questions; convenes Committees on Practice, the Advisory Group on Dialysis and the Committee on Prescriptive Governance; prepares Interpretive Guidelines for practice guidance; and maintains the Formulary that establishes the parameters for drugs prescribed by advanced practice registered nurses.



Compliance, Discipline and Monitoring

The Board efficiently handles complaints, investigations, and adjudications to safeguard the health of the public and, in cases involving substance use disorders or practice issues, provides alternatives to discipline programs to eligible applicants. All complaints are confidential and investigated to determine whether a violation has occurred. Ohio law requires mandatory reporting which means that employers are required to report to the Board those licensees and certificate holders whom they have reason to believe may have violated the NPA or the administrative rules adopted by the Board.

RULE MAKING PROCESS

By law, the Board is authorized to adopt, amend, and rescind rules to carry out the provisions of the NPA and implement the Board's regulatory mission. Ohio law requires the Board to review its administrative rules at least once every five years. In addition to the five-year review, the Board may consider new rules or revisions to the rules at various times.

Each year at the beginning of the rule making process, the Board seeks public participation through interested party meeting(s), Advisory Groups, and Open Forums during Board meetings, and may convene Committees to review particular issues. Interested parties may attend Board Committee meetings convened to consider specific issues or tasks. All meetings of the Board, Advisory Groups and Board Committees are open to the public and governed by the Ohio Open Meetings Act. Upcoming meeting information is contained on the Board website at www.nursing.ohio.gov (click on "Upcoming Events"). To confirm dates, locations, and times, please call (614) 466-6940 or email board@nursing.ohio.gov. Rule making or legislative questions, comments or issues may be sent to rules@nursing.ohio.gov.

When the Board begins the public hearing process to consider new rules or modifications to existing rules, the rules or changes will be filed initially with Ohio's Common-Sense Initiative (CSI) Office and will be posted on the Board's website. CSI explains its role of review and comment as creating "a regulatory framework that promotes economic development, is transparent and responsive to regulated businesses, makes compliance as easy as possible, and provides predictability for businesses."



Following CSI review, the Board issues a public notice to inform interested parties that the Board will hold a hearing on proposed rules at a specific place, date and time to hear public comment, and files the rules with the Joint Committee on Agency Rule Review (JCARR), a bi-partisan committee of legislators. The public hearing notice and copies of the proposed or amended rules will be available on the Board's website and the register of Ohio's website: <http://www.registerofohio.state.oh.us/>. As part of the JCARR and rule making process, the Board holds its public hearing 30-41 days after the rules have been filed with JCARR. After receiving written and oral testimony at the public rules hearing, the Board considers the testimony and determines whether to make changes to the rules as proposed. JCARR then conducts a final review of all Ohio rules prior to the Board adopting the rules and establishing their effective date.

INFORMATION AND CONTACTING THE BOARD

Detailed information about the Board can be found in the Ohio Board of Nursing Annual Report on the Board website. In addition, all issues of *Momentum*, a quarterly publication of the Board, are also available on the website. The Annual Reports and *Momentum* are located under "Forms and Publications."

Also, please visit the web site to sign up for eNews, Twitter, and Facebook in order to receive updates and information about the NPA and administrative rules, proposed statutory and administrative rule changes, and other issues relating to the regulation of nursing.

Contact information for specific questions is located on the Board's website under the "Contact Us" link.

DISCLAIMER: This publication is intended to provide an overview of the Board functions and/or the statutes and rules regulating the practice of nursing in the state of Ohio, and a guide to public participation in rule-making. The publication is informational only and is not intended to provide legal advice. Please refer to Ohio Revised Code Chapter 4723 and Ohio Administrative Code Chapters 4723-1 through 4723-27 at <http://codes.ohio.gov/orc/4723> and <http://codes.ohio.gov/oac/4723> as an additional resource for current statutes and rules.