



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

May 24, 2022

NOTICE OF FILING

ADMINISTRATIVE RULES

To: Secretary of the Senate
Clerk of the House of Representatives
Joint Committee on Administrative Rules
Michigan Office of Administrative Hearings and Rules (Administrative Rule #20-070-LR)
Legislative Service Bureau (Secretary of State Filing #22-05-03)
Department of Licensing and Regulatory Affairs

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2020-070-LR (Secretary of State Filing #22-05-03) on this date at 2:15 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Board of Nursing – General Rules".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,

Jocelyn Benson
Secretary of State

Sue Sayer, Departmental Supervisor
Office of the Great Seal

Enclosure



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
SUZANNE SONNEBORN
EXECUTIVE DIRECTOR

ORLENE HAWKS
DIRECTOR

May 24, 2022

The Honorable Jocelyn Benson
Secretary of State
Office of the Great Seal
Richard H. Austin Building – 1st Floor
430 W. Allegan
Lansing, MI 48909

Dear Secretary Benson:

Re: Administrative Rules – Michigan Office of Administrative Hearings and Rules
Administrative Rules #: 2020-70 LR

The Michigan Office of Administrative Hearings and Rules received administrative rules, dated March 17, 2022 for the Department of Licensing & Regulatory Affairs “**Board of Nursing – General Rules**”. We are transmitting these rules to you pursuant to the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6.

Sincerely,

Michigan Office of Administrative Hearings and Rules

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2022 DEC 12 PM 2:19
ELECTIONS/GREAT SEAL



THE LEGISLATURE
JOINT COMMITTEE ON ADMINISTRATIVE RULES

**Waiver of Remaining
Session Days**

TO: Adam Fracassi, Regulatory Manager
Michigan Office of Administrative Hearings and Rules (MOAHR)
Secretary of the Senate
Clerk of the House

FROM: Senator Jon Bumstead, Chair
Representative Luke Meerman, Alternate Chair


DATE: May 24, 2022

Pursuant to MCL 24.245a(1)(d), the Joint Committee on Administrative Rules has, by a concurrent majority vote, waived the remaining session days for the following rule sets:

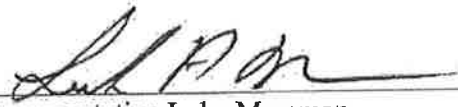
JCAR No. 22-18
MOAHR No. 2020-70 LR
Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
Board of Nursing – General Rules

According to MCL 24.245a(3), if the Committee waives the remaining session days, the Michigan Office of Administrative Hearings and Rules may immediately file the rule.

Sincerely,



Senator Jon Bumstead
Chair



Representative Luke Meerman
Alternate Chair



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

ORLENE HAWKS
DIRECTOR

LEGAL CERTIFICATION OF RULES

I certify that I have examined the attached administrative rules, dated March 17, 2022, in which the Department of Licensing and Regulatory Affairs proposes to modify a portion of the Michigan Administrative Code entitled “**Board of Nursing-General Rules**” by:


- ◆ Adding R 338.10208a and R 338.10212a.
- ◆ Amending R 338.10101, R 338.10104, R 338.10202, R 338.10204, R 338.10206, R 338.10207, R 338.10208, R 338.10210, R 338.10211, R 338.10212, R 338.10213, R 338.10301, R 338.10303, R 338.10303b, R 338.10303c, R 338.10305a, R 338.10305b, R 338.10307, R 338.10308, R 338.10309, R 338.10310, R 338.10311, R 338.10312, R 338.10404c, R 338.10405, R 338.10405a, R 338.10405b, R 338.10405c, R 338.10601, R 338.10602, R 338.10702, R 338.10704, and R 338.10705.

The Legislative Service Bureau has approved the proposed rules as to form, classification, and arrangement.

I approve the rules as to legality pursuant to the Administrative Procedures Act, MCL 24.201 *et seq.* and Executive Order No. 2019-6. In certifying the rules as to legality, I have determined that they are within the scope of the authority of the agency, do not violate constitutional rights, and are in conformity with the requirements of the Administrative Procedures Act.

Dated: April 13, 2022

Michigan Office of Administrative Hearings and Rules

By: 
Ashlee N. Lynn,
Attorney



Since 1941

Legal Division

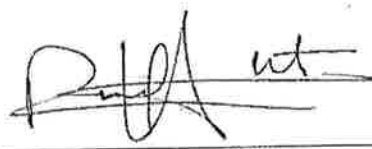
Kevin H. Studebaker, Director

CERTIFICATE OF APPROVAL

On behalf of the Legislative Service Bureau, and as required by section 45 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.245, I have examined the proposed rules of the Department of Licensing and Regulatory Affairs dated March 17, 2022, amending R 338.10101, R 338.10104, R 338.10202, R 338.10204, R 338.10206, R 338.10207, R 338.10208, R 338.10210, R 338.10211, R 338.10212, R 338.10213, R 338.10301, R 338.10303, R 338.10303b, R 338.10303c, R 338.10305a, R 338.10305b, R 338.10307, R 338.10308, R 338.10309, R 338.10310, R 338.10311, R 338.10312, R 338.10404c, R 338.10405, R 338.10405a, R 338.10405b, R 338.10405c, R 338.10601, R 338.10602, R 338.10702, R 338.10704, and R 338.10705, and adding R 338.10208a and R 338.10212a of the Department's rules entitled "Board of Nursing – General Rules." I approve the rules as to form, classification, and arrangement.

Dated: April 13, 2022

LEGISLATIVE SERVICE BUREAU

By 
Rachel M. Hughart,
Legal Counsel

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

BOARD OF NURSING - GENERAL RULES

Filed with the secretary of state on May 24, 2022.

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by section 16141, 16145, 16148, 16174, 16175, 16178, 16181, 16182, 16184, 16186, 16186a, 16201, 16204, 16205, 16206, 16215, 16287, 17210, 17213, and 17241 of the public health code, 1978 PA 368, MCL 333.16141, 333.16145, 333.16148, 333.16174, 333.16175, 333.16178, 333.16181, 333.16182, 333.16184, 333.16186, 333.16186a, 333.16201, 333.16204, 333.16205, 333.16206, 333.16215, 333.16287, 333.17210, 333.17213, and 333.17241, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.10101, R 338.10104, R 338.10202, R 338.10204, R 338.10206, R 338.10207, R 338.10208, R 338.10210, R 338.10211, R 338.10212, R 338.10213, R 338.10301, R 338.10303, R 338.10303b, R 338.10303c, R 338.10305a, R 338.10305b, R 338.10307, R 338.10308, R 338.10309, R 338.10310, R 338.10311, R 338.10312, R 338.10404c, R 338.10405, R 338.10405a, R 338.10405b, R 338.10405c, R 338.10601, R 338.10602, R 338.10702, R 338.10704, and R 338.10705 of the Michigan Administrative Code are amended, and R 338.10208a and R 338.10212a are added, as follows:

PART 1. GENERAL PROVISIONS

R 338.10101 Definitions.

Rule 101. (1) As used in these rules:

- (a) "Board" means the Michigan board of nursing.
 - (b) "Code" means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
 - (c) "Department" means the department of licensing and regulatory affairs.
- (2) Terms defined in the code have the same meanings when used in these rules.

R 338.10104 Delegation.

Rule 104. (1) Only a registered nurse may delegate nursing acts, functions, or tasks. A registered nurse who delegates nursing acts, functions, or tasks shall do all of the following:

- (a) Determine whether the act, function, or task delegated is within the registered nurse's scope of practice.
 - (b) Determine the qualifications of the delegatee before the delegation.
 - (c) Determine whether the delegatee has the necessary knowledge and skills for the acts, functions, or tasks to be carried out safely and competently.
 - (d) Supervise and evaluate the performance of the delegatee.
 - (e) Provide or recommend remediation of the performance when indicated.
- (2) The registered nurse shall bear ultimate responsibility for the performance of nursing acts, functions, or tasks performed by the delegatee within the scope of the delegation.

PART 2. LICENSURE

R 338.10202 Examination; adoption; passing scores.

Rule 202. The board approves and adopts the examinations developed by the National Council of State Boards of Nursing, Inc., identified as the "NCLEX-RN" for the registered nurse and the "NCLEX-PN" for the practical nurse. Examinees shall achieve a score of pass on the NCLEX computerized adaptive test. The passing score is determined by the National Council of State Boards of Nursing (NCSBN).

R 338.10204 Examinations; registered professional nurse; eligibility; reexaminations.

Rule 204. (1) To determine eligibility for the NCLEX-RN examination, an applicant shall submit a completed application on forms provided by the department, together with the requisite fee.

(2) To be eligible to take the NCLEX-RN examination, an applicant must establish that he or she has successfully completed a registered nurse education program that satisfies 1 of the following:

(a) The applicant has successfully completed a registered professional nurse education program that is located in this state and is approved by the board.

(b) The applicant has successfully completed a registered professional nurse education program that is located in another state of the United States, and that program complies with either of the following:

(i) The program is accredited by a nursing education accrediting agency listed in R 338.10303d(2).

(ii) If the program is not accredited by a nursing education accrediting agency listed in R 338.10303d(2), the applicant shall provide both of the following:

(A) The applicant's official transcripts from the academic institution where the nursing education program was completed.

(B) A letter to the department from the program, on official program letterhead, signed by the director of nursing, attesting that the program curriculum complies with both of the following:

(1) The registered nurse education program is at least 60 weeks in duration and includes courses providing theory and clinical practice that comply with R 338.10303d and R 338.10306 to R 338.10308.

(2) The registered nurse education program curriculum contains the core curriculum as defined in R 338.10301(h).

(c) The applicant is a graduate of a registered professional nurse education program or an equivalent education program that is outside the United States and, the applicant submits 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:

(i) A Credentials Evaluation Service (CES) professional report from the Commission on Graduates of Foreign Nursing Schools (CGFNS) or its successor agency.

(ii) A certification from the CGFNS Certification Program (CP) or its successor agency.

(iii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from Josef Silny & Associates, Inc. International Education Consultants (JS&A).

(3) The department shall evaluate the proof of substantially equivalent education credentials in this subrule before the applicant receives authorization from the department to take the NCLEX-RN examination. Information about the CES professional report and CGFNS CP can be obtained from the CGFNS website at www.cgfns.org. Information about the Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A can be obtained from the JS&A website at <https://www.jsilny.org/>.

(4) An applicant who did not pass the NCLEX-RN examination within 3 years after 1 of the following events is not eligible to repeat the NCLEX-RN examination until he or she receives a written certification of skills competency covering the subjects in subrule (5) of this rule, from a nurse education program approved pursuant to R 338.10303a:

(a) Graduation from a board-approved registered nurse education program under subrule (2)(a) of this rule.

(b) Satisfying the requirements of subrule 2(b) of this rule.

(c) Obtaining 1 of the required evaluations or the certification in subrule (2)(c) of this rule.

(5) A certification of skill competency must cover the following skills:

(a) Head-to-toe physical assessment, including vital signs.

(b) Medication administration.

(c) Documentation.

(d) Surgical asepsis and infection control.

(e) Safety, including fall prevention, body mechanics, and transfers.

(6) Upon written application and documentation to support the request to the board, an applicant may request an extension to the time requirement in subrule (4) of this rule to sit for the NCLEX-RN examination if the board finds the failure of the licensee to sit for the NCLEX-RN examination was due to the applicant's disability, military service, absence from the continental United States, or a circumstance beyond the applicant's control that the board considers good and sufficient.

R 338.10206 Licensure by endorsement from another state or reciprocity from Canada; registered professional nurse; requirements.

Rule 206. (1) An applicant who currently holds an active registered professional nurse license in good standing in another state and who has never been licensed as a registered professional nurse in this state may apply for a license by endorsement and is presumed to meet the requirements of section 16186 of the code, MCL 333.16186, if he or she meets the requirements of section 16174 of the code, MCL 333.16174; submits a

completed application, on a form provided by the department, together with the requisite fee; and complies with all of the following requirements:

(a) Completes a registered nurse education program that meets either of the following requirements:

(i) The program is located in this state and is approved by the board.

(ii) The program is located in another state of the United States and complies with either of the following:

(A) The program is accredited by a nursing education accrediting agency listed in R 338.10303d(2).

(B) If the program is not accredited by a nursing education accrediting agency listed in R 338.10303d(2), the applicant shall provide all the following:

(1) The applicant's official transcripts.

(2) A letter to the department from the program, on official program letterhead, signed by the director of nursing, attesting that the program curriculum complies with both of the following:

(a) The registered nurse education program is not less than 60 weeks or more in duration and that includes courses providing theory and clinical practice that comply with R 338.10303d and R 338.10306 to R 338.10308.

(b) The registered nurse education program curriculum contains the core curriculum as defined in R 338.10301(h).

(b) Is currently licensed in good standing in another state and was initially licensed by taking the NCLEX-RN examination in another state.

(c) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(d) Satisfies the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(2) An applicant who currently holds an active professional nurse license in Canada who has never been licensed as a registered professional nurse in this state may apply for a license by reciprocity and is presumed to meet the requirements of section 16186 of the code, MCL 333.16186, if he or she meets the requirements of section 16174 of the code, MCL 333.16174, submits a completed application, on a form provided by the department, together with the requisite fee, and complies with all of the following:

(a) Meets the requirements of section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the Federal Bureau of Investigation (FBI).

(b) Is currently licensed in good standing in Canada and was initially licensed by passing the NCLEX-RN or the Canadian Registered Nurse Examination before 2015.

(c) Completes a nursing education program accredited by a nursing education accrediting agency listed in R 338.10303d(2) or by the Canadian Association of Schools of Nursing (CASN).

(d) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) Satisfies the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

R 338.10207 Lapsed registered professional nurse license; relicensure requirements.

Rule 207. (1) An applicant for relicensure whose registered professional nurse license has lapsed in this state, under section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements as noted by (√):

(a) For a registered professional nurse who has let his or her license lapse in this state and who is not currently licensed in another state or a Canadian province:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
(i) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including not less than 2 hours in pain and symptom management, all of which were earned within the 2-year period immediately before the date of the application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application must be held and the license must not be issued until the continuing education requirements have been met.	√		
(v) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including not less than 2 hours in pain and symptom management, with a minimum of 3 hours in each of the following areas, all of which were earned within the 2-year period immediately before the date of the application for relicensure: (A) Safe documentation for nurses. (B) Critical thinking skills for nurses.		√	√

<p>(C) Pharmacology. (D) Preventing medication errors. (E) Professional and legal accountability for nurses. (F) Delegation. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application must be held and the license must not be issued until the continuing education requirements have been met.</p>			
<p>(vi) Certification of skill competency: Within 3 years immediately before the application for relicensure, receive written certification of skill competency from a nurse education program approved pursuant to R 338.10303a. Certification of competency must cover the following skills utilizing nursing process: (A) Head-to-toe physical assessment, including vital signs. (B) Medication administration. (C) Documentation. (D) Surgical asepsis and infection control. (E) Safety, including fall prevention, body mechanics, and transfers.</p>		√	√
<p>(vii) NCLEX-RN Examination: Within 2 years immediately after approval of the application for relicensure, retake and pass the NCLEX-RN examination.</p>			√
<p>(viii) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>	√	√	√

(b) For a registered professional nurse who has let his or her license lapse in this state, but who holds a current and valid registered professional nurse license in good standing in another state or a Canadian province:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
(i) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(iv) Continuing education: Submit proof of completion of 25 hours of continuing education, including not less than 2 hours in pain and symptom management, earned within the 2-year period immediately before the date of the application for relicensure. However, if the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The application must be held and the license must not be issued until the continuing education requirements have been met.		√	√
(v) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.	√	√	√

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.10208 Graduate from registered professional nurse education program outside of the United States or Canada; licensure requirements.

Rule 208. (1) An applicant for a registered nurse license who graduated from a registered professional nurse education program from a country outside of the United States or Canada, shall submit a completed application on a form provided by the department, together with the requisite fee, and comply with the following requirements:

(a) Meets section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.

(b) If the applicant has not passed the NCLEX-RN examination, the applicant shall establish that he or she meets the eligibility requirements to sit for the NCLEX-RN examination set forth in R 338.10204 and must pass the NCLEX-RN examination.

(c) Except as provided in subrule (2) of this rule, if the applicant is a graduate of a registered professional nurse education program that is located outside of the United States or Canada, has passed the NCLEX-RN examination, and is not licensed in another state or is licensed in another state for less than 5 years, he or she shall submit 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:

(i) A CES professional report from the CGFNS or its successor agency.

(ii) A certification from the CGFNS CP or its successor agency.

(iii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.

(d) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) Satisfies the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(2) Pursuant to section 17213(2) of the code, MCL 333.17213, if the applicant is a graduate of a registered professional nurse education program, that is located outside of the United States or Canada, he or she is exempt from obtaining an evaluation or certification of his or her educational credentials as required in subrule (1)(c) of this rule if he or she meets both of the following requirements:

(a) The applicant has passed the NCLEX-RN examination.

(b) The applicant has maintained an active license in good standing with no disciplinary sanctions in the United States for 5 years or more immediately before the application for a license in this state.

R 338.10208a Graduate from registered professional nurse education program in Canada; licensure requirements.

Rule 208a. An applicant for a registered nurse license in this state, who graduated from a registered professional nurse education program in Canada, and is not licensed in Canada, shall submit a completed application on a form provided by the department, together with the requisite fee, and comply with the following requirements:

(a) Meet section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.

(b) If the applicant has not passed the NCLEX-RN examination, the applicant shall establish that he or she meets the eligibility requirements to sit for the NCLEX-RN examination set forth in R 338.10204 and shall pass the NCLEX-RN examination.

(c) If the applicant has passed the NCLEX-RN examination, the applicant shall submit 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:

(i) Proof of program accreditation by the Canadian Association of Schools of Nursing.

(ii) A CES professional report from the Commission on CGFNS or its successor agency.

(iii) A certification from the CGFNS CP or its successor agency.

(iv) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.

(d) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

R 338.10210 Examinations; licensed practical nurse; eligibility; reexaminations.

Rule 210. (1) To determine eligibility for the NCLEX-PN examination, an applicant shall submit a completed application on forms provided by the department, together with the requisite fee.

(2) To be eligible to take the NCLEX-PN examination, an applicant shall establish that he or she has successfully completed a licensed practical nurse education program that satisfies 1 of the following:

(a) The applicant has successfully completed a practical nurse education program that is located in this state and is approved by the board.

(b) The applicant has successfully completed a practical nurse education program that is located in another state of the United States and that program complies with either of the following:

(i) The program is accredited by a nursing education accrediting agency listed in R 338.10303d(2).

(ii) If the program is not accredited by a nursing education accrediting agency listed in R 338.10303(d)(2), the applicant must provide all the following:

(A) The applicant's official transcripts from the academic institution where the nursing education program was completed.

(B) A letter to the department from the program, on official program letterhead, signed by the director of nursing, attesting that the program curriculum complies with both of the following:

(1) The practical nursing education program is not less than 40 weeks in duration and includes courses in both theory and clinical practice that comply with R 338.10303d, R 338.10306, R 338.10307, and R 338.10309.

(2) The practical nursing education program curriculum contains the core curriculum as defined in R 338.10301(g).

(c) The applicant is a graduate of a practical nurse education program or an equivalent education program that is outside the United States and the applicant submits 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:

(i) A CES professional report from the CGFNS, or its successor agency.

(ii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.

(iii) A certification from the National Association of Credential Evaluation Services (NACES), or its successor agency.

(d) The applicant has completed a registered nurse education program and requests to sit for the NCLEX-PN examination. The applicant shall comply with both of the following:

(i) The applicant has completed a registered nurse education program that meets the requirements of R 338.10204(2).

(ii) The applicant is certified to take the NCLEX-PN examination by a practical nurse program from the same institution as the registered nurse education program that has been approved by the board pursuant to subdivision (a) of this subrule.

(3) The department shall evaluate the proof of substantially equivalent education credentials in subrule (2)(c) of this rule before the applicant receives authorization from the department to take the NCLEX-PN examination. Information about the CES professional report can be obtained from the CGFNS website at www.cgfns.org. Information about the Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A can be obtained from the JS&A website at <https://www.jsilny.org/>. A list of NACES approved credentialing agencies can be found on its website at www.naces.org.

(4) An applicant who did not pass the NCLEX-PN examination within 3 years after 1 of the following events is not eligible to repeat the NCLEX-PN examination until he or she receives a written certification of skills competency covering the subjects in subrule (5) of this rule, from a nurse education program approved pursuant to R 338.10303a:

(a) Graduation from a board-approved practical nurse education program under subrule (2)(a) of this subrule or meet the requirements of subrule (2)(b) of this rule.

(b) Graduation from a board approved registered nurse education program under subrule (2)(d) of this rule.

(c) Obtaining 1 of the required evaluations or certifications in subrule (2)(c) of this rule.

(5) Certification of skills competency must cover the following skills:

(a) Head-to-toe physical assessment, including vital signs.

(b) Medication administration.

(c) Documentation.

(d) Surgical asepsis and infection control.

(e) Safety, including fall prevention, body mechanics, and transfers.

(6) Upon written application and documentation to support the request to the board, an applicant may request an extension to the time requirements in subrule (4) of this rule to sit for the NCLEX-PN examination if the board finds the failure of the licensee to sit for the NCLEX-PN examination was due to the applicant's disability, military service,

absence from the continental United States, or a circumstance beyond his or her control which the board considers good and sufficient.

R 338.10211 Licensure by endorsement from another state; licensure by reciprocity from Canada; licensed practical nurse; requirements.

Rule 211. (1) An applicant who currently holds an active practical nurse license in good standing from another state and who has never been licensed as a practical nurse in this state may apply for a license by endorsement and is presumed to meet the requirements of section 16186 of the code, MCL 333.16186, if he or she meets the requirements of section 16174 of the code, MCL 333.16174; submits a completed application, on a form provided by the department, together with the requisite fee; and complies with all of the following:

(a) Completes a practical nurse education program that meets either of the following requirements:

(i) The program is located in this state and is approved by the board.

(ii) The program is located in another state of the United States and the program complies with either of the following:

(A) The program is accredited by a nursing education accrediting agency listed in R 338.10303d(2).

(B) If the program is not accredited by a nursing education accrediting agency listed in R 338.10303(d)(2), the applicant shall provide all of the following:

(1) The applicant's official transcripts.

(2) A letter to the department on official program letterhead, signed by the director of nursing, attesting that the program curriculum complies with both of the following:

(a) The practical nursing education program is not less than 40 weeks in duration and includes courses in both theory and clinical practice that comply with R 338.10303d, R 338.103036, R 338.10307, and R 338.10309.

(b) The practical nursing education program curriculum contains the core curriculum as defined in R 338.10301(g).

(b) Is licensed in good standing in another state and was initially licensed by taking the NCLEX-PN examination in another state.

(c) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(d) Satisfies the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(2) An applicant who currently holds an active practical nurse license in Canada who has never been licensed as a practical nurse in this state may apply for a license by reciprocity and is presumed to meet the requirements of section 16186 of the code, MCL 333.16186, if he or she meets the requirements of section 16174 of the code, MCL 333.16174, submits a completed application, on a form provided by the department, together with the requisite fee, and complies with all of the following:

(a) Meets section 16174 of the code, MCL 333.16174, and submits his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.

(b) Is currently licensed in good standing in Canada and was initially licensed by passing the NCLEX-PN or the Practical Nurse Registration Examination.

(c) Completes a nursing education program accredited by a nursing education accrediting agency listed in R 338.10303d(2) or by the CASN.

(d) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

R 338.10212 Graduate of nurse education program outside of the United States and Canada; licensure requirements.

Rule 212. (1) An applicant for a practical nurse license who graduated from a nurse education program from a country outside of the United States or Canada, shall submit a completed application on a form provided by the department, together with the requisite fee, and comply with the following requirements:

(a) Meet section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.

(b) If the applicant has not passed the NCLEX-PN examination, the applicant shall establish that he or she meets the eligibility requirements to sit for the NCLEX-PN examination set forth in R 338.10210 and shall pass the NCLEX-PN examination.

(c) Except as provided in subrule (2) of this rule, if the applicant is a graduate of a licensed practical nurse education program that is located outside of the United States, or Canada, has passed the NCLEX-PN examination, and is not licensed in another state or is licensed in another state for less than 5 years, the applicant shall submit 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:

(i) A CES professional report from the CGFNS, or its successor agency.

(ii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.

(iii) A certification from the NACES or its successor agency.

(d) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

(e) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

(2) If the applicant is a graduate of a licensed practical nurse education program that is located outside of the United States or Canada, the applicant is exempt from obtaining an evaluation or certification as required in subrule (1)(c) of this rule if he or she meets both of the following requirements:

- (a) The applicant has passed the NCLEX-PN examination.
- (b) The applicant has maintained an active license in good standing with no disciplinary sanctions in this country for 5 years or more immediately before the application for a license in this state.

R 338.10212a Graduate from practical nurse education program in Canada; licensure requirements.

Rule 212a. An applicant for a practical nurse license who graduated from a practical nurse education program in Canada, and is not licensed in Canada, shall submit a completed application on a form provided by the department, together with the requisite fee, and comply with the following requirements:

- (a) Meet section 16174 of the code, MCL 333.16174, and submit his or her fingerprints to the department of state police to have a criminal background check conducted by the department of state police and the FBI.
- (b) If the applicant has not passed the NCLEX-PN examination approved by the board, the applicant shall establish that he or she meets the eligibility requirements to sit for the NCLEX-PN examination set forth in R 338.10210 and shall pass the NCLEX-PN examination.
- (c) If the applicant has passed the NCLEX-PN examination, the applicant shall submit 1 of the following to the department that shows he or she graduated from a program with substantially equivalent education credentials as a program approved by the board:
 - (i) Proof of program accreditation by the College of Nurses of Ontario.
 - (ii) A CES professional report from the CGFNS, or its successor agency.
 - (iii) An Evaluation of Foreign Educational Credentials for Boards of Nursing from JS&A.
 - (iv) A certification from the NACES or its successor agency.
- (d) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.
- (e) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

R 338.10213 Lapsed licensed practical nurse license; relicensure requirements.

Rule 213. (1) An applicant for relicensure whose licensed practical nurse license in this state has lapsed under section 16201(3) or (4) of the code, MCL 333.16201, may be relicensed by complying with the following requirements as noted by (√):

(a) For a licensed practical nurse who has let his or her licensed practical nurse license in this state lapse and who is not currently licensed in another state or a Canadian province:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
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(i) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii) Submit fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.		√	√
(iv) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including not less than 2 hours in pain and symptom management, all of which were earned within the 2-year period immediately before the application for relicensure.	√		
(v) Continuing education: Submit proof of having completed 25 hours of continuing education in courses and programs approved by the board, including not less than 2 hours in pain and symptom management, with a minimum of 3 hours in each of the following areas, all of which were earned within the 2-year period immediately before the application for relicensure: (A) Safe documentation for nurses. (B) Critical thinking skills for nurses. (C) Pharmacology. (D) Preventing medication errors. (E) Professional and legal accountability for nurses.		√	√
(vi) Certification of skill competency: Within 3 years immediately before the application for relicensure, receive written certification of skill competency from a nurse education program approved pursuant to R 338.10303a. Certification of competency must cover the following skills: (A) Head-to-toe physical assessment, including vital signs. (B) Medication administration. (C) Documentation. (D) Surgical asepsis and infection control. (E) Safety, including fall prevention, body mechanics, and transfers.		√	√
(vii) NCLEX-PN Examination: Within 2 years immediately after approval of the application for relicensure, retake and pass the NCLEX-PN examination.			√

<p>(viii) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following:</p> <p>(A) Disclose each license, registration, or certification on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>	√	√	√
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(b) For a licensed practical nurse who has let his or her license in this state lapse, but who holds a current and valid licensed practical nurse license in good standing in another state or a Canadian province:	Lapsed 0-3 Years	Lapsed more than 3 years, but less than 7 years	Lapsed 7 or more years
(i) Application and fee: Submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(iii) Submit fingerprints as set forth in section 16174(3) of the code, MCL 333.16174.		√	√
(iv) Continuing education: Submit proof of completion of 25 hours of continuing education, including not less than 2 hours in pain and symptom management, all of which was earned within the 2-year period immediately before the application for relicensure.		√	√
<p>(v) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following:</p> <p>(A) Disclose each license, registration, or certification on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>	√	√	√

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

PART 3. NURSING EDUCATION PROGRAMS

R 338.10301 Definitions.

Rule 301. As used in this part:

(a) "Capstone course" means a clinical experience completed in the final year of the nursing education program that synthesizes the cognitive, affective, and psychomotor skills acquired throughout the program to prepare the student for professional nursing practice.

(b) "Clinical experience" means direct nursing care experiences with patients or clients that offer students the opportunity to integrate, apply, and refine specific skills and abilities that are based on theoretical concepts and scientific principles. Clinical experience may include simulated nursing experiences.

(c) "Clinical laboratory hours" means those hours of the curriculum that are assigned to laboratory practice, basic skills training, and observational experiences that offer the student the opportunity to meet educational outcomes.

(d) "Cohort" means a group of students admitted in the same academic semester or term with the intention of completing the nursing program at the same graduation date. Cohort includes students who transfer into the program at the same academic level.

(e) "Conceptual framework" means the distinct, systematic organization of concepts and planned student outcomes of the program that are consistent with relevant professional nursing standards and the mission, goals, philosophy, and purposes of the sponsoring institution, and which gives direction to the curriculum.

(f) "Cooperating agency" means an individual, organization, or institution that, by written agreement or letter of intent, accepts students and faculty for nursing educational experiences.

(g) "Core curriculum for licensed practical nurse applicants" means courses in didactic instruction and planned clinical experience, which encompass the LPN scope of practice, in each of the following areas of nursing:

(i) Adult health nursing, which must consist of the study of nursing care throughout the adult lifespan; providing care for the acute and chronic phases of a medical illness; health promotion; and disease prevention.

(ii) Maternal and reproductive nursing, which must consist of the study of nursing care for women and their families in the gynecological, antepartum, labor and delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant.

(iii) Children's nursing, which must consist of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons.

(iv) Surgical nursing, which must consist of the study of nursing care throughout the adult lifespan, providing care before, during, and after a surgical procedure, health promotion, and disease prevention.

(h) “Core curriculum for registered professional nurse applicants” means didactic instruction and planned clinical experience, which encompass the RN scope of practice, in each of the following areas of nursing:

(i) Adult health nursing, which must consist of the study of nursing care throughout the adult lifespan; providing care for the acute or chronic phases of a medical illness; health promotion; and disease prevention.

(ii) Maternal and reproductive nursing, which must consist of the study of nursing care for women and their families in the gynecological, antepartum, labor and delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant.

(iii) Children’s nursing, which must consist of the study of nursing care for children whose ages range from birth through adolescence and who are receiving nursing care for both medical and surgical reasons.

(iv) Psychiatric/mental health nursing, which must consist of the study of nursing care of individuals with an acute or chronic mental health or psychiatric disorder.

(v) Surgical nursing, which must consist of the study of nursing care throughout an adult lifespan, providing care before, during, and after a surgical procedure, health promotion, and disease prevention.

(i) “Course student learning outcomes” means statements of educational expectations written in measurable terms for the knowledge, skills, or behaviors students shall demonstrate by the end of the course. The statements must reflect contemporary evidence-based nursing practice and enhance achievement of end of program student learning outcomes.

(j) “Curriculum” means implementation of appropriate learning experiences that accomplish measurable course and program outcomes, which incorporate the nursing program’s purpose, philosophy, and conceptual framework of the nursing program through the systematic arrangement of courses. This includes outcomes stated in measurable terms and accomplished through appropriate learning experiences planned for a clearly defined group of students and extending over a defined period of time depending on the type of nursing education program. Systematic and ongoing evaluation within the context of measurable outcomes is inherent in the curriculum.

(k) “End of program student learning outcomes” means statements of educational expectations written in measurable terms for the knowledge, skills, or behaviors students shall demonstrate by the end of the program. The statements must reflect professional standards, guidelines, contemporary nursing practice, guide the curriculum, and increase in complexity as students progress through the curriculum.

(l) “Final program approval report” means a self-study done after the graduation of the second cohort and before the graduation of the fourth cohort that is submitted to the board when the program is seeking full program approval.

(m) “Full program approval” means approval of a program granted after satisfactory demonstration to the board of compliance with these rules.

(n) “Initial approval” means approval that is granted by the board to inaugurate a program of nursing education.

(o) “Instruction” means educational methodology for achieving curriculum outcomes.

(p) “Learning experiences” means planned learning situations, which may include clinical experiences, clinical laboratory hours, or classroom instruction.

(q) “National accreditation” means a self-regulatory process that meets or exceeds educational quality standards and criteria set forth by a national nursing accreditation organization.

(r) “Nurse education consultant” means a nurse with expertise in curriculum development and nursing program administration or education that independently examines a nursing program under disciplinary review.

(s) “Nursing education program report” means a report completed and submitted between the self-study submissions. It provides the board with information as to the program’s admissions, attrition, courses, clinical experience, faculty program evaluation, and outcomes and is submitted as follows:

(i) For programs that have received initial approval pursuant to R 338.10303, the report must be submitted each year during the program approval phase.

(ii) For programs that have received full approval pursuant to R 338.10303a, the report must be completed and submitted at the halfway point between the self-study submissions.

(t) “Nurse site reviewer” means a nurse with expertise in curriculum development and nursing program administration or education that independently examines a nursing program applying for program approval.

(u) “Nursing process” means the ongoing assessment, analysis, nursing diagnosis, planning, implementation, and evaluation of nursing care.

(v) “Observational experience” means a planned learning situation that is not direct patient care, does not require intervention by the student, meets preplanned stated outcomes, and provides for student evaluation.

(w) “Philosophy” means the stated beliefs of faculty about nursing education and practice that determine the design of the curriculum and the evaluation of the program and that are consistent with the educational philosophy of the sponsoring agency.

(x) “Practical nurse program” means a nursing program to prepare students for practical nurse licensure.

(y) “Preceptor” means an experienced nurse, paired in a 1-to-1 relationship with a nursing student, who actively participates in the education, mentoring, and evaluation of the nursing student in a clinical setting.

(z) “Probationary status” means the period when a program is under disciplinary action by the board.

(aa) “Program director” means a nurse who is delegated the authority and accountability for the nursing program by the sponsoring agency.

(bb) “Program of nursing education” means a plan or design indicating the relationship of the components necessary to achieve the goal of preparing persons for licensure as registered or practical nurses under the code.

(cc) “Program outcomes” means documented and measurable indicators that reflect the program’s overall effectiveness.

(dd) “Registered professional nurse program” means a nursing program to prepare students for initial registered nurse licensure.

(ee) “Self-study report” means an in-depth written review of all aspects of a nursing education program that contains evidence of the program’s compliance with all the requirements of these rules.

(ff) “Simulation laboratory” means activities that replicate patient care scenarios and are designed to foster clinical decision-making and critical thinking. Scenarios may include the use of medium or high-fidelity mannequins, standardized patients, role playing, skills stations, and computer-based critical thinking simulations.

(gg) “Site visit” means a physical inspection of an institution and all the components of its program of nursing education for the purpose of determining compliance with the requirements of this part.

(hh) “Sponsoring agency” means the organization or institution of which the nursing program is a component.

R 338.10303 Initial program approval; procedure.

Rule 303. The following requirements are established for initial approval of a program of nursing education:

(a) The sponsoring agency shall submit all of the following to the board:

(i) A letter of intent to initiate a program of nursing education.

(ii) A feasibility study that clearly demonstrates all of the following, with supporting documentation relative to the proposed program location:

(A) Need for the program.

(B) Need for graduates of the proposed program.

(C) Availability of students.

(D) Impact on all existing nursing education programs in a 50-mile radius of the proposed program.

(E) Ability of proposed clinical education sites to provide students with clinical experiences that meet course outcomes, provide students the opportunity to practice skills with individuals or groups across the life span and meet the requirements of R 338.10307(5), (6), (7), and (8). Evidence must also include documentation of the effect on other schools utilizing the proposed clinical facilities and letters of intent from the proposed clinical education sites, signed by the chief nursing officer, or an equivalent position, outlining the plan to accommodate all of the sponsoring agency’s students.

(iii) Evidence that the mission of the sponsoring agency is consistent with the philosophy and purpose of a program to prepare students for the practice of nursing as defined in section 17201(1)(c) of the code, MCL 333.17201.

(iv) Evidence that the sponsoring agency will provide funding and other support for the nursing education program that meets all of the following requirements:

(A) A 5-year budget in which the first 2 years of the budget do not include tuition and the remaining 3 years of the budget includes tuition.

(B) A financial statement prepared by an independent certified public accountant or auditor, a bank line of credit, or a surety bond that equals the total tuition for all students who have been enrolled for 2 years.

(C) Submission of evidence that the sponsoring agency will provide appropriate physical facilities and other support services for the nursing education program, in conjunction with other departments in the sponsoring agency, including faculty, administration, and student participation in governance of the sponsoring agency, a grievance or complaint process, counseling, academic advising, career placement, financial aid, and learning resource centers or library.

(v) Evidence of approval to provide financial aid for students, under Title IV of the Higher Education Act of 1965, 20 USC 1070 to 1099d.

(vi) A sponsoring agency that is an institution requiring approval from the department's proprietary schools unit, or its successor agency, to conduct a nursing education program or to confer a particular degree or certificate upon the graduates of the program shall submit to the board a copy of the approval. A proprietary school shall possess a state-issued license, be in operation for 2 years, offer health-related courses, and demonstrate student success by certifying that NCLEX exam results meet or exceed state or national averages.

(vii) Proposed number of students to be enrolled in the program annually, the number of times that enrollment periods will be held per year, and the dates when enrollment periods will be held annually.

(viii) Proposed first date of admission of students to the nursing sequence of the program.

(ix) Plans to recruit and employ a program director and other faculty members sufficiently in advance of admitting students to the nursing sequence to ensure consistency in the planning and implementation of the curriculum. If already appointed, the names and qualifications of the director of the program and other faculty members must be provided.

(x) The sponsoring agency shall provide evidence of a tuition policy in which students pay as they proceed through the program either by semesters, terms, units, or other time frame as specified by the sponsoring agency. The sponsoring agency shall also provide evidence of a refund policy that adheres to the refund policies of applicable state, federal, and accrediting agencies.

(xi) Evidence that students possess the necessary prerequisite education before admissions to the program. The program shall not be the provider of the prerequisite education, unless it is a state-approved higher educational institution or has the approval of the state to offer prerequisite courses.

(xii) A student contract or enrollment application that outlines the nursing education program's admission requirements, a tuition refund policy that complies with paragraph (x) of this subdivision, a withdrawal and failure policy, and academic progression and program completion requirements.

(xiii) History of sponsoring agency.

(b) Following initial approval from the board and before admitting the first cohort, the program director shall submit a self-study report to be approved by the board. The report must set forth evidence of plans for and compliance with the following:

(i) History of sponsoring agency.

(ii) Philosophy.

(iii) Conceptual framework.

(iv) Curriculum to include end of program student learning outcomes and course student learning outcomes.

(v) Course descriptions and outlines.

(vi) Signed clinical contracts or letters of commitment for clinical placements.

(vii) Evaluation methods and tools.

(viii) Program outcomes.

(ix) Director and faculty credentials.

- (x) Student policies and support services.
- (c) The board shall require a site visit to the program by a board-approved nurse site reviewer. The report of the site visit must be prepared by the nurse site reviewer and provided to the board and the sponsoring agency.
- (d) After the first cohort has been admitted and during the initial approval period, the program director shall submit an annual nursing education program report to the board. The nursing education program report must include information about each of the following:
 - (i) Admission, progression, and retention of students.
 - (ii) Student achievement on the required licensure NCLEX examination.
 - (iii) Systematic program evaluation results, including, but not limited to, student evaluations, faculty reviews, NCLEX evaluation results, and attrition rates.
 - (iv) Program changes.
 - (v) Faculty qualifications, assignments, and any faculty exceptions.

R 338.10303b Continued program approval; requirements.

Rule 303b. (1) After full approval has been granted under R 338.10303a, a sponsoring agency shall submit a comprehensive self-study report every 8 years for a non-accredited program or at the designated reporting times directed by the national accrediting organization for accredited programs. The report must include all the following information for all of the years since the last self-study report was approved by the board.

- (a) History of sponsoring agency.
 - (b) Philosophy.
 - (c) Conceptual framework.
 - (d) Curriculum to include end of program student learning outcomes and course student learning outcomes.
 - (e) Course descriptions and outlines.
 - (f) Signed clinical contracts or letters of commitment for clinical placements.
 - (g) Evaluation methods and tools.
 - (h) Program outcomes.
 - (i) Director and faculty credentials.
 - (j) Student policies and support services.
- (2) An accredited program may submit a letter of accreditation or reaccreditation, from a nationally recognized accrediting organization of nursing education programs as defined in R 338.10303d, instead of submitting a self-study report prepared for the board if the accrediting body found no deficiencies that require a submission of a supplemental report to the accrediting body. If deficiencies were found that require a follow-up visit, the program shall submit the entire self-study prepared for the accrediting body along with any follow-up reports mandated by the accrediting body. The schedule for submission of a self-study report for accredited programs must follow the schedule of the nationally recognized accrediting organization. The accreditation letter must include documentation of decisions, deficiencies, and recommendations from the accrediting organization and be submitted to the board within 1 month following receipt of the nationally recognized accrediting organization's final decision on accreditation of the nursing education program. The board may request further documentation regarding accreditation from the

sponsoring agency. Programs that have accreditation date changes shall notify the board of nursing to determine a submission date.

(3) After a program has been granted full approval under R 338.10303a, the sponsoring agency shall submit a nurse education program report to the board every 4 years for a non-accredited program or at the midpoint of the accreditation cycle for nationally accredited programs. The nursing education program report must include all of the following information for all of the years since the last self-study report was approved by the board:

- (a) Admission, progression, and retention of students.
 - (b) Student achievement on the required licensure NCLEX examination.
 - (c) Systematic program evaluation results and action plan, including but not limited to, student evaluations, faculty reviews, NCLEX evaluation results, and attrition rates.
 - (d) Program changes.
 - (e) Faculty qualifications, assignments, and any faculty exceptions.
- (4) The board shall notify the program director of the date by which a nursing education program report must be submitted.

R 338.10303c Program changes; requirements.

Rule 303c. (1) A major program change means any of the following:

- (a) Revision of the program's philosophy, conceptual framework, curriculum, program outcomes, student learning outcomes, or changes that increase the use of simulation more than 10% of the current total clinical hours in a program.
- (b) Change in primary instruction delivery methods for more than 50% of the program.
- (c) Elimination of separate course content for an integrated approach.
- (d) A permanent expansion in the number of students served.
- (e) Increase or decrease in overall program credits.
- (f) Providing the theory portion of the curriculum at an additional location that is separate from the primary campus using the same curriculum as the primary campus. Initial approval under R 338.10303 must be obtained if anything other than theory is taught at the additional location.

(2) A nursing education program shall submit major program changes to the board in writing and the major program changes must be approved by the board before implementation. All of the following information must be submitted when requesting approval of a major program change:

- (a) A comparative description of the current and proposed program or portion of the program which is proposed for change.
- (b) Rationale for the change.
- (c) Plans to evaluate the effect of the change.
- (d) Documents evidencing support for the requested change.

(3) A minor program change means a temporary expansion of students. After 1 year, if the program desires to make the temporary increase in seats permanent, a major program change must be submitted pursuant to subrule (1) of this rule.

(4) A nursing education program shall submit minor program changes to the board in writing before implementation.

(5) A nursing education program shall submit all of the following information if requesting approval of a minor program change:

- (a) A comparative description of the current and proposed program or portion of the program that is proposed for change.
- (b) Rationale for the change.
- (c) Plans to evaluate the effect of the change.
- (6) If a program closure occurs, the department or board may grant a temporary seat increase to another program to assist displaced students if the following criteria are met:
 - (a) Additional seats that are needed are identified.
 - (b) Documentation that there is sufficient faculty on staff to handle the increase in students is provided.
 - (c) Documentation that there is sufficient classroom and laboratory space to handle the increase in students is provided.
 - (d) Documentation from clinical sites that they can handle the increase of students in the program is provided.
- (7) The type of program approval, initial or full, under which a program is conducted, shall not be altered when program changes are approved.

R 338.10305a Registered professional nursing education program; program requirements; faculty requirements.

Rule 305a. (1) Subject to subrule (2) of this rule, the program director and all nurse faculty members shall hold a current unrestricted license to practice as a registered professional nurse in this state.

(2) If clinical experiences are offered by the nursing education program at sites that are not located in this state, then any nurse faculty members at those sites shall hold a current unrestricted license to practice as a registered nurse in the state or Canadian province where the clinical experience is located.

(3) The program director shall hold a minimum of a graduate degree with a major in nursing. Written notification of a change in director must be provided to the board within 30 days and include a copy of the new director's curriculum vitae and school contact information.

(4) A member of the nursing faculty who provides didactic/theory instruction shall hold a minimum of a graduate degree, and the program shall ensure that the majority of the didactic/theory faculty hold a graduate degree with a major in nursing, unless an exception is granted under subrule (7) of this rule. If the graduate degree is not in nursing, the faculty member shall hold a minimum of a baccalaureate degree in nursing or an equivalent standing in a nationally nursing accredited Associate's Degree in Nursing to Master's of Science in Nursing (ADN to MSN) nursing education program with attestation of baccalaureate level competency from that educational program. Courses that are non-nursing in content but are health-related are exempt from the requirements of this subrule and may be taught by non-nurse faculty.

(5) A member of the nursing faculty who provides instruction in either the clinical or simulation laboratory shall hold a minimum of a baccalaureate degree in nursing or an equivalent standing in a nationally nursing accredited ADN to MSN nursing education program with attestation of baccalaureate level competency from that educational program.

(6) Notwithstanding section 16148(6) of the code, MCL 333.16148, all nursing faculty shall meet the requirements of subrules (4) and (5) of this rule by January 6, 2022.

(7) An exception may be made to the requirements of subrule (4) of this rule for full-time or part-time nursing faculty and shall be based on the faculty member's progress toward meeting the requirements of these rules during each year for which the exception is requested. Board approval for faculty exception requests must be received before the faculty member begins course instruction. A maximum of 5 yearly exceptions shall be granted to any full-time or part-time faculty member.

(8) Nursing faculty shall be sufficient in number to prepare students to achieve the outcomes of the program. The maximum ratio of students to faculty in clinical areas involving direct care of patients must be not more than 8 students to 1 faculty member. The maximum ratio of students to faculty in clinical areas involving non-direct and precepted patient care must meet the clinical affiliate's guidelines and maintain patient and community safety.

R 338.10305b Licensed practical nursing education program; program requirements; faculty requirements.

Rule 305b. (1) Subject to subrule (2) of this rule, the program director and all nurse faculty members shall hold a current unrestricted license to practice as a registered professional nurse in this state.

(2) If clinical experiences are offered by the nursing education program at sites that are not located in this state, then any nurse faculty members at those sites shall hold a current unrestricted license to practice as a registered professional nurse in the state or Canadian province where the clinical experience is located.

(3) The program director shall hold a minimum of a graduate degree in nursing. Written notification of a change in director must be provided to the board within 30 days and include a copy of the new director's curriculum vitae and school contact information.

(4) Every member of the nursing faculty shall hold a minimum of a baccalaureate degree in nursing, unless an exception is granted under subrule (6) of this rule. Courses that are non-nursing in content but are health-related are exempt from the requirements of this subrule and may be taught by non-nurse faculty.

(5) Notwithstanding section 16148(7) of the code, MCL 333.16148, all nursing faculty shall comply with the requirements of subrule (4) of this rule by January 6, 2022.

(6) An exception may be made to the requirements of subrule (4) of this rule for full-time or part-time nursing faculty and shall be based on the faculty member's progress toward meeting the requirements of these rules during each year for which the exception is requested. Board approval for faculty exception requests must be received before the faculty member begins course instruction. A maximum of 5 yearly exceptions may be granted to any full-time or part-time faculty member.

(7) Nursing faculty shall be sufficient in number to prepare students to achieve the outcomes of the program. The maximum ratio of students to faculty in clinical areas involving direct care of patients must be not more than 8 students to 1 faculty member. The maximum ratio of students to faculty in clinical areas involving non-direct patient care must meet the clinical affiliate's guidelines and maintain patient and community safety.

R 338.10307 Registered professional nursing and licensed practical nursing education programs; curriculum; organization, development, implementation, control, and evaluation.

Rule 307. (1) The program director and faculty shall organize, develop, implement, control, and evaluate the curriculum on a regularly scheduled basis within the framework of the philosophy, purposes, and outcomes of the sponsoring agency and those approved by the board.

(2) The curriculum outcomes must identify the behavioral expectations of the graduate of the program and must be used for all of the following purposes:

- (a) Developing, organizing, implementing, and evaluating the curriculum.
- (b) Identifying outcomes for levels of progression and course and program completion.
- (c) Providing to the student an organized pattern to follow in which the sequence of learning is from the simple to the complex and from the known to the unknown, with each learning experience built on previously learned information of nursing and related scientific knowledge.

(d) Organizing the courses to approximate, as closely as possible, the schedules of the sponsoring agency in terms, quarters, semesters, or trimesters.

(e) Distributing the courses throughout the curriculum so that an unreasonable overload does not exist in any segment of the sequence.

(3) The philosophy and conceptual framework or rationale for the program must be the basis for the organization of the nursing content of the curriculum.

(4) The course content and other learning experiences must promote student growth in all of the following areas:

- (a) The understanding of the roles and responsibilities of the members of the nursing profession.
- (b) The application of the principles of nursing and the sciences which are basic to nursing practice in the development of plans of care for the patient or client.
- (c) The provision of direct and indirect nursing care.
- (d) The understanding of effective human relations and demonstrating the ability to use these principles in nursing situations.
- (e) The recognition of physical, psychosocial, and spiritual needs of diverse patient/client populations in the provision of nursing care.
- (f) The understanding of health, including the manifestations of disease and the initiation, organization, and application of the principles underlying the nursing care provided.

(g) Developing skills and abilities in the administration of all aspects of nursing care using the nursing process, including all of the following:

- (i) Communications.
- (ii) Critical thinking, clinical reasoning, and problem solving.
- (iii) Understanding legal and professional responsibilities.
- (iv) Inter-professional relationships with other health care providers.
- (v) Evidence-based practice.
- (vi) Quality and safety.
- (h) Understanding and protecting the rights of patients or clients.

(5) All cooperating agencies selected for clinical laboratory and simulation laboratory experiences shall have standards of nursing care that demonstrate concern for the patient

or client and evidence the skillful application of all measures of quality and safe, evidence-based nursing practice.

(6) All cooperating agencies shall have a current license, if required, for their operation and adhere to the local zoning ordinances governing their operation.

(7) When a nurse site reviewer visits a site, he or she may survey cooperating agencies as a part of the review process to determine the contribution each makes to the course and program outcomes. Selection must be made by the nurse site reviewer.

(8) Each resource selected to provide clinical experience shall indicate a willingness to cooperate in the curriculum by providing a letter of intent, a written agreement, or a formal contract. Each cooperating agency shall provide experiences of a quality and quantity that enable all students to meet the outcomes established for the clinical experience pursuant to R 338.10303.

R 338.10308 Registered professional nursing education program; curriculum; implementation.

Rule 308. (1) The director and faculty of a program of nursing education leading to licensure as a registered professional nurse shall comply with all of the following provisions:

(a) Select courses and ensure teaching concepts for basic content in the biological, physical, behavioral, and other courses supportive of the nursing major which shall assist the student to succeed in the nursing sequence.

(b) Provide courses and clinical and simulation laboratory experiences in the care of individuals across diverse age groups, genders, races, and cultures, in medical, surgical, pediatric, geriatric, obstetrical, and psychiatric nursing. Opportunities for learning experiences in community aspects of nursing must be made available. The elements of the nursing process must be emphasized in all nursing courses. Clinical laboratory, simulation laboratory, and clinical experience hours must be sufficient in number to meet the course and program outcomes.

(c) Ensure that courses include content relating to all of the following:

(i) The legal scope of practice of a registered nurse.

(ii) The standards of practice and performance and code of ethics for the nursing profession.

(iii) Historical perspectives of nursing and current legal-ethical issues.

(iv) Licensure requirements.

(d) Select cooperating agencies that meet the requirements of R 338.10307(5), (6), and (8).

(2) A registered professional nurse program may substitute up to 50% of clinical hours per specialty content area within a course with simulation laboratory experiences. For simulation laboratory experiences, the board adopts by reference the standards of the International Nursing Association for Clinical Simulation and Learning, as specified in the publication entitled, "Standards of Best Practice: Simulation" 2016. The standards are available from the International Nursing Association for Clinical Simulation and Learning's website at <http://www.inacsl.org> at no cost. Copies of the standards are available for inspection and distribution at cost from the Board of Nursing, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 W. Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

R 338.10309 Licensed practical nursing education program; curriculum; implementation.

Rule 309. (1) The director and faculty of a program of nursing education leading to licensure as a licensed practical nurse shall comply with all of the following provisions:

(a) Select courses and ensure teaching concepts on which the theory and practice of practical nursing are based. The basic principles of the natural and applied sciences that are fundamental to the theory and practice of practical nursing and that are applied in the planning and implementation of nursing care must be included.

(b) Provide courses and clinical and simulation laboratory experiences in the care of individuals across diverse age groups, genders, races, and cultures, in medical, surgical, pediatric, obstetrical, and geriatric nursing and provide supervised practice in the administration of medications. Clinical laboratory, simulation laboratory, and clinical experience hours must be sufficient to meet the outcomes of the curriculum.

(c) Ensure that courses include content relating to all of the following:

(i) The legal scope of practice of a licensed practical nurse.

(ii) The standards of conduct for members of the nursing profession and, in particular, a licensed practical nurse.

(iii) Historical perspectives of nursing and current legal-ethical issues.

(iv) Licensure requirements.

(d) Select cooperating agencies that meet the requirements of R 338.10307(5), (6), and (8).

(2) A licensed practical nursing education program may substitute up to 50% of clinical hours per specialty content area within a course with simulation laboratory experiences, except for pediatric and obstetric clinical hours. A licensed practical nursing education program may substitute up to 100% of pediatric and obstetric clinical hours with simulation laboratory. For simulation laboratory experiences, the board adopts by reference the standards of the International Nursing Association for Clinical Simulation and Learning, as specified in the publication entitled, "Standards of Best Practice: Simulation" 2016. The standards are available from the International Nursing Association for Clinical Simulation and Learning's website at <http://www.inacsl.org> at no cost. Copies of the standards are available for inspection and distribution at cost from the Board of Nursing, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 W. Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

R 338.10310 Board evaluation of a nursing education program.

Rule 310. The board may evaluate a program of nursing education when any of the following occurs:

(a) A request for initiating a program of nursing education is submitted.

(b) A request for full approval of a program is submitted.

(c) A request for approval of a major program change is submitted.

(d) The pass rate for first-time test takers on the required licensure NCLEX examination is less than 80% for any 1 year of compiled statistics provided from the National Council of State Boards of Nursing.

(e) Complaints regarding the conduct of the program are received and it is necessary to validate the complaints, pursuant to section 17242 of the code, MCL 333.17242.

(f) Failure of a nursing education program to submit a nursing education program report, or self-study report pursuant to the time frames set forth in R 338.10303b.

(g) Finding of deficiencies by the national accrediting body that is listed in R 338.10303d.

(h) Failure of a nursing education program to submit faculty exception requests before the start date of the semester under R 338.10305a and R 338.10305b.

(i) Failure of a nursing education program to submit faculty exception requests before the start date of the semester under R 338.10305a and R 338.10305b.

(j) Program completion rate of less than 75% as submitted on a nursing education program report. The rate is calculated by determining the number of students who complete the nursing program in no more than 150% of the stated program length.

(k) Failure of a nursing education program to apply for full approval by the end of the fourth cohort.

(l) Failure of a nursing education program to submit an annual nursing education program report pursuant to the time frames set forth in R 338.10303(d).

(m) Any violation or inconsistency with the code or administrative rules.

R 338.10311 Failure of program to comply with rules; withdrawal of approval.

Rule 311. (1) The board shall proceed under section 17242 of the code, MCL 333.17242, if the board determines that a program of nursing education does not meet the requirements of this part.

(2) Withdrawal of board approval of the program of nursing education for stated deficiencies which were not remediated does not necessarily make any bona fide student enrolled in the program at the time of withdrawal of approval ineligible for the required NCLEX licensure examination upon satisfactory completion of that program or another program of nursing education which has been approved by the board.

(3) Failure of a nursing program to meet all of the requirements of this part shall not, in and of itself, make a graduate from the program ineligible for licensure in this state. Approval of the program in a jurisdiction that maintains substantially equivalent requirements shall be considered in compliance with these rules.

(4) Failure to comply with R 338.10303d will prohibit admittance of any new cohort.

R 338.10312 Program termination; interruption or reduction of admissions.

Rule 312. (1) The program director shall inform the board if a date is established for termination of the program of nursing education.

(2) The program director shall inform the board regarding the system of retention of student records which are needed for endorsement purposes and proof of scholastic achievement. The system of records retention must comply with all applicable federal and state laws and regulations. The board shall retain this information so that graduates may be given the source of information upon request.

(3) The program director shall inform the board if admissions to the program of nursing education are to be reduced, suspended, or interrupted.

(4) A licensed practical nursing program that has suspended admissions for 2 years shall apply for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.

(5) A registered professional nursing program that is 2 years in duration that has suspended admissions for 2 years shall apply for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.

(6) A registered professional nursing program that is 4 years in duration that has suspended admissions for 4 years shall apply for initial program approval pursuant to R 338.10303 and obtain board approval before resuming admissions.

(7) The board shall withdraw approval of any program that has suspended admissions for more than 4 years.

PART 4. NURSE SPECIALTY CERTIFICATION

R 338.10404c Specialty certification qualifications; clinical nurse specialist.

Rule 404c. (1) A specialty certification for a clinical nurse specialist must be granted to a registered professional nurse who satisfies all of the following requirements:

(a) Holds a current and valid license to practice nursing in this state.

(b) Submits an application for certification as a clinical nurse specialist, on a form provided by the department with the required fee.

(c) Possesses either of the following:

(i) An advanced practice certification from either of the following certification organizations, or successor organizations:

(A) The American Nurses Credentialing Center.

(B) The American Association of Critical Care Nurses Certification Corporation.

(ii) If an applicant is unable to take a national certification exam due to graduation from an accredited clinical nurse specialist master's or doctoral nursing program before the development of clinical nurse specialist core competencies and the requirement of 500 clinical practice hours, he or she may be granted a specialty certification as a clinical nurse specialist based upon submission of a portfolio of evidence that demonstrates knowledge and skill competence in the clinical nurse specialist role and population focus. The portfolio must include all of the following:

(A) Transcripts from an accredited master's or doctoral level educational program in clinical nursing with preparation as a clinical nurse specialist.

(B) Curriculum vitae demonstrating work history in a clinical nurse specialist position before April 9, 2017.

(C) Three letters of recommendation, including 1 from a clinical nurse specialist with national board certification and 2 letters from nursing administrators, nursing supervisors, or advanced practice nurses attesting that the applicant has not less than 3,000 hours of practice as a clinical nurse specialist before April 9, 2017. These letters must provide evidence that the applicant engaged in practice consistent with the standards for a clinical nurse specialist as described by the National Association of Clinical Nurse Specialists (NACNS) in the publication entitled "Clinical Nurse Specialist and Core Competencies" 2010, which is adopted by reference. A copy of the standards and requirements is available at no cost from the association's website at www.nacns.org. A copy of the standards and requirements also is available for inspection and distribution at no cost from the Board of Nursing, Michigan Department of Licensing and Regulatory Affairs, 611 West Ottawa, Lansing, Michigan 48909.

(2) Application for certification as a clinical nurse specialist granted under the criteria set forth in subrule (1)(c)(ii) of this rule is not permitted after March 8, 2020.

R 338.10405 Nurse anesthetist specialty certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.

Rule 405. (1) Specialty certification renewal must correspond with the same schedule as the license renewal.

(2) An applicant for renewal or reregistration of a lapsed certification shall have obtained recertification or maintained certification, within the 2-year period immediately before the application, from the National Board on Certification and Recertification of Nurse Anesthetists (NBCRNA), or a successor organization.

(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit the evidence for audit.

R 338.10405a Nurse midwife specialty certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.

Rule 405a. (1) Specialty certification renewal must correspond with the same schedule as the license renewal.

(2) An applicant for specialty certification renewal or reregistration of a lapsed certification shall have obtained recertification or maintained certification within the 2-year period immediately before the application, from the American Midwifery Certification Board (AMCB), or a successor organization.

(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit the evidence for audit.

R 338.10405b Nurse practitioner specialty certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.

Rule 405b. (1) Specialty certification renewal must correspond with the same schedule as the license renewal.

(2) An applicant for renewal or reregistration of a lapsed certification shall meet the following requirements appropriate to his or her current source of certification:

(a) An applicant who holds national certification as a nurse practitioner shall have obtained recertification or maintained certification within the 2-year period immediately before the application from 1 of the following organizations or successor organizations:

(i) The American Nurses Credentialing Center.

(ii) The Pediatric Nursing Certification Board.

(iii) The National Certification Corporation for Women's Health Care Nurse Practitioner and Neonatal Nurse Practitioner.

(iv) The American Academy of Nurse Practitioners.

(v) The Oncology Nursing Certification Corporation.

(vi) The American Association of Critical Care Nurses Certification Corporation.

(vii) The American Association of Nurse Practitioners.

(b) An applicant who obtained board certification as a nurse practitioner in this state before 1991 shall have completed 40 continuing education hours in the nursing specialty

field within the 2-year period immediately before the application. The board approves and adopts by reference in this rule the standards listed in R 338.10602 for approving continuing education activities for the nurse practitioner.

(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit the evidence for audit.

R 338.10405c Clinical nurse specialist specialty certification renewal; schedule; requirements; maintenance of evidence of compliance.

Rule 405c. (1) Specialty certification renewal must correspond with the same schedule as the license renewal.

(2) An applicant for renewal of a certification shall meet the following requirements appropriate to his or her current source of certification:

(a) An applicant who holds national certification as a clinical nurse specialist shall have obtained recertification or maintained certification within the 2-year period immediately before the application from either of the following organizations or successor organizations:

(i) American Nurses Credentialing Center.

(ii) American Association of Critical Care Nurses Certification Corporation.

(b) An applicant who does not possess national certification as a clinical nurse specialist shall have met the continuing education requirements for his or her role and population focus consistent with the recertification standards as established by the American Nurses Credentialing Center or the American Association of Critical Care Nurses Certification Corporation for the 2-year period immediately before the certification renewal.

(3) An applicant or licensee shall maintain evidence of his or her compliance with the requirements of this rule for a period of 4 years after the date of application, during which time the board may require the licensee to submit this evidence for audit.

PART 6. CONTINUING EDUCATION

R 338.10601 License renewals; requirements; applicability.

Rule 601. (1) Pursuant to section 16201 of the code, MCL 333.16201, an applicant for license renewal who has been licensed for the 2-year period immediately before the expiration date of the license, shall accumulate not less than 25 hours of continuing education that are approved by the board pursuant to these rules during the 2 years before the expiration of the license.

(2) An applicant for license renewal shall complete not less than 2 hours, of the 25 required hours, of continuing education in pain and pain symptom management in each renewal period pursuant to section 16204(2) of the code, MCL 333.16204. Continuing education in pain and pain symptom management may include, but is not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interventions as they relate to professional practice.

(3) Submission of an application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. A nurse shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal. The board may require an applicant to submit evidence to demonstrate compliance with this rule. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(4) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

(5) The requirements of this part do not apply to an applicant during an initial licensure cycle.

R 338.10602 Acceptable continuing education; requirements; limitations.

Rule 602. (1) The 25 hours of continuing education required pursuant to R 338.10601(1) for the renewal of a license must comply with the following, as applicable:

(a) No more than 12 credit hours may be earned during a 24-hour.

(b) An applicant may not earn credit for a continuing education program or activity that is identical to a program or activity the applicant has already earned credit for during that renewal period.

(2) The board shall consider the following as acceptable continuing education:

ACCEPTABLE CONTINUING EDUCATION ACTIVITIES		
(a)	Completion of an approved continuing education program or activity related to the practice of nursing or any non-clinical subject relevant to the practice of nursing. A continuing education program or activity is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following: The American Association of Nurse Anesthetists (AANA). The American Association of Nurse Practitioners (AANP). The Accreditation Council for Continuing Medical Education (ACCME). The American College of Nurse-Midwives (ACNM). The American Medical Association (AMA). The American Nurses Credentialing Center (ANCC). The American Osteopathic Association (AOA). The National Association of Clinical Nurse Specialists.	The number of hours approved by the sponsor or the approving organization. If the activity was not approved for a set number of hours, then 1 credit hour for each 60 minutes of participation may be earned.

	<p>The National Association for Practical Nurse Education and Service, Inc. (NAPNES). The National League for Nursing (NLN). Another state or provincial board of nursing. A continuing nursing education program offered by a nursing education program that is approved by the board under R 338.10303a.</p> <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.</p>	
(b)	<p>Completion of academic courses related to nursing practice offered by a nursing education program in this state approved by the board under part 3 of these rules or a post-licensure or graduate nursing program that is nationally accredited by a nursing education accrediting organization included in R 338.10303d(2).</p> <p>If audited, an applicant shall submit an official transcript that reflects completion of the academic course and number of semester or quarter credit hours earned.</p>	<p>Five hours of continuing education may be earned for each semester credit hour earned.</p> <p>Three hours of continuing education may be earned for each quarter credit hour earned.</p>
(c)	<p>Obtaining specialty certification or maintaining certification as 1 of the following: Clinical nurse specialist. Nurse anesthetist. Nurse midwife. Nurse practitioner.</p> <p>If audited, an applicant shall submit proof of certification or recertification.</p>	<p>Twenty-five hours, which includes 2 hours for pain and symptom management, may be credited for obtaining or maintaining specialty certification during the renewal period.</p>
(d)	<p>Successful completion of a national nursing specialty examination.</p> <p>If audited, an applicant shall submit proof of a passing score on the examination.</p>	<p>Ten hours may be earned in the year in which the applicant achieves a passing score.</p> <p>A maximum of 20 hours may be earned in each renewal period. Credit must not be given for</p>

		repeating the same examination in a renewal period.
(e)	<p>Initial publication of a chapter or an article related to the practice of nursing or allied health in any of the following:</p> <ul style="list-style-type: none"> A nursing or health care textbook. A peer-reviewed textbook. A nursing or health care peer-reviewed journal. <p>If audited, an applicant shall submit a copy of the publication that identifies the applicant as the author or a publication acceptance letter.</p>	<p>Ten hours per publication.</p> <p>A maximum of 10 hours may be earned in each renewal period.</p>
(f)	<p>Independent reading of articles or viewing or listening to media related to nursing practice that do not include a self-assessment component.</p> <p>If audited, an applicant shall submit an affidavit attesting to the number of hours the applicant spent participating in these activities and that includes a description of the activity.</p>	<p>One hour for each 50 to 60 minutes of participation.</p> <p>A maximum of 4 hours may be earned in each renewal period.</p>
(g)	<p>Participation on a health care organization committee dealing with quality patient care or utilization review.</p> <p>If audited, an applicant shall submit a letter from an organization official verifying the applicant's participation and the number of hours the applicant spent participating on the committee.</p>	<p>One hour for each 60 minutes of participation.</p> <p>A maximum of 4 hours may be earned in each renewal period.</p>
(h)	<p>Presentation of an academic or continuing education program that is not a part of the applicant's regular job description.</p> <p>If audited, an applicant shall submit a copy of the curriculum and a letter from the program sponsor verifying the length and date of the presentation.</p>	<p>Three hours may be earned for each 60 minutes of presentation.</p> <p>A maximum of 6 hours may be earned in each renewal period.</p>
(i)	<p>Participation as a preceptor for at least 1 nursing student or a new employee undergoing orientation.</p> <p>A preceptorship must be for a minimum of 120 hours and have a 1 student/employee to 1</p>	<p>A maximum of 5 hours of continuing education may be earned in each renewal period.</p>

	<p>preceptor ratio. This may involve more than 1 student or employee.</p> <p>If audited, an applicant shall submit written documentation from the educational institution or preceptor's supervisor verifying the dates and hours of the preceptorship.</p>	
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PART 7. NURSING PROFESSIONAL FUND SCHOLARSHIP PROGRAM

R 338.10702 Board determination of categories and areas of need for designating awards; department shall communicate board's determination of need to nursing programs; applications.

Rule 702. (1) The board shall annually determine categories and areas of need for designating scholarship awards to eligible programs of nursing. The board may consider any of the following in establishing categories and areas of need:

- (a) Data generated from licensure renewal information and nursing surveys in this state.
 - (b) National and state trends that have identified nursing shortages.
 - (c) Data identifying medically underserved areas, medically underserved populations, or health professional shortage areas.
 - (d) Health status and nursing care needs of the state's residents.
- (2) The department shall communicate the board's determination as to categories and areas of need to approved nursing education programs in this state.
- (3) The department shall provide applications to approved programs of nursing that meet the established eligibility criteria in R 338.10703.

R 338.10704 Nursing education program awards to eligible students; requirements; procedures.

Rule 704. (1) An eligible nursing education program, upon receiving an allocation, shall award a scholarship to a full-time or part-time student who meets all of the following criteria:

- (a) Is a permanent resident of this state.
- (b) If licensed as a nurse, holds an unencumbered license in this state to practice nursing.
- (c) Is not in receipt of a full scholarship from another source.
- (d) Maintains satisfactory progress as determined by the eligible nursing education program.

(2) A nursing education program shall apply a scholarship award first to the cost of tuition, books, and fees associated with the program. A nursing program shall then provide the remainder of the award, if any, to the student in the form of a stipend.

(3) The nursing education program shall complete the notice of intent to award the board of nursing scholarship form supplied by the department. The notice must contain all of the following information:

- (a) The name, address, and date of birth of the recipient.
 - (b) Course of study or program in which the recipient is enrolled.
 - (c) Attestation that all criteria of subrule (1) of this rule have been met.
 - (d) Information regarding electronic funds transfer from the department to the program.
 - (e) Signature of the program director and financial aid director or other employee employed by the financial aid office who can attest to accuracy of the information on the form.
- (4) If a recipient withdraws from the nursing education program, then within 30 days of withdrawal, the nursing education program shall notify the department, in writing, of its intent to do 1 of the following:
- (a) Award the scholarship funds to a recipient who has been chosen to receive the scholarship for the current scholarship year.
 - (b) Select a new applicant and submit the recipient's application and the notice of intent to award the board of nursing scholarship form to the department.
 - (c) Return the unused funds to the department.
- (5) The nursing education program shall account for all of the funds disbursed by the department no later than February 15 of the academic year in which the funds were distributed. Both of the following apply:
- (a) The department shall supply the accounting form to each program that is participating in the nurse professional fund scholarship program.
 - (b) Failure of a program to submit an accounting statement to the department under this subrule must result in the department withholding future scholarship funds from the program until all past due accounting statements have been submitted and approved.

R 338.10705 School ineligibility; notification; hearing.

Rule 705. (1) If a school is considered ineligible for a nursing scholarship award, then the department shall notify the school in writing.

(2) Upon receipt of notification of ineligibility, a school may request a hearing. The department shall conduct a hearing under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

FILED WITH SECRETARY OF STATE

ON 5/24/22 AT ~~3:45~~P.M.

2:15 P.M. CK