

**DEPARTMENT OF CONSUMER & INDUSTRY SERVICES**

**DIRECTOR'S OFFICE**

**BOARD OF NURSING - GENERAL RULES**

(By authority conferred on the director of the department of consumer and industry services by section 17201 of 1978 PA 368, MCL 333.17201 et seq. and Executive Reorganization Order Nos. 1996-1 and 1996-2, MCL 330.3101 and 445.2001)

**PART 1. GENERAL PROVISIONS**

**R 338.10101 Definitions.**

Rule 101. (1) As used in this part:

- (a) "Act" means 1978 PA 368, MCL 333.1101 et seq.
  - (b) "Authorized representative" means the chairperson, vice chairperson, or such other member of the board or staff as the board may formally designate.
  - (c) "Board" means the Michigan board of nursing.
- (2) Terms defined in the act have the same meanings when used in these rules.

History: 1989 AACCS; 2003 AACCS.

**R 338.10102 Request for board action.**

Rule 102. (1) A person who desires to submit a request for declaratory ruling under 1969 PA 306, MCL 24.201 et seq. shall make that request in writing. The request shall be filed with the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) The board or its authorized representative may require the person to submit additional information necessary to make an appropriate resolution of the matter.

History: 1989 AACCS; 2001 AACCS; 2003 AACCS.

**R 338.10103 Assessment of fines.**

Rule 103. (1) The board shall make a determination as to the amount of a fine based on the following factors:

- (a) The extent to which the licensee obtained financial benefit from any conduct comprising part of the violation found by the board.
- (b) The willfulness of the conduct found to be part of the violation determined by the board.
- (c) The cost incurred in investigating and proceeding against the licensee.

(2) A fine shall not exceed the sum of \$2,500.00 for each violation found to have been committed by the licensee.

History: 1989 AACCS.

**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 such 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.

History: 1989 AACCS; 2003 AACCS.

**R 338.10199 Rescission.**

Rule 199. R 338.1201 of the Michigan Administrative Code, appearing on page 2479 of the 1979 Michigan Administrative Code, is rescinded.

History: 1989 AACCS.

**PART 2. LICENSURE**

**R 338.10201 Definitions.**

Rule 201. (1) As used in this part:

(a) "Act" means 1978 PA 368, MCL 333.1101 et seq.

(b) "Board" means the Michigan board of nursing.

(c) "Completed a practical nurse education program acceptable to the board" means 1 of the following:

(i) That the applicant is a graduate of a practical nurse education program which is located in this state and which is approved by the board.

(ii) That the applicant is a graduate of a practical nurse education program which is located in another state or territory of the United States, as required by § 333.16186, and that program is substantially equivalent to the program requirements of article 15 of the act and the rules promulgated by the board.

(iii) That the applicant is a graduate of a nurse education program that is substantially equivalent to a practical nurse education program approved by the board. The applicant has completed the core curriculum for practical nurse applicants in a nurse education program which is not less than 30 weeks in duration and which includes courses in both theory and clinical practice.

(d) "Completed a registered nurse education program acceptable to the board" means 1 of the following:

(i) That the applicant is a graduate of a registered nurse education program which is located in this state and which is approved by the board.

(ii) That the applicant is a graduate of a registered nurse education program which is located in another state or territory of the United States, as required by § 333.16186, and that program is substantially equivalent to the program requirements of article 15 of the act and the rules promulgated by the board.

(iii) That the applicant is a graduate of a nurse education program which is located outside of the United States and that the applicant is in compliance with the requirements for a certificate from the commission on graduates of foreign nursing schools (cgfns) pursuant to the requirements set forth in the document entitled "Path to CGFNS Certification: Applicant Handbook, Edition 29" August, 2001. A copy of the guidebook can be obtained, at no cost, from the Commission on Graduates of Foreign Nursing Schools, 3600 Market Street, Suite 400, Philadelphia, PA 19104-2651 or from the commission's website at <http://www.cgfns.org>. A copy of the handbook is available for inspection or distribution at cost from the Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(A) If the applicant is a graduate of a nurse education program that is located outside of the United States, has passed the NCLEX examination, and has maintained an active license, with no disciplinary sanctions in this country for at least 5 years immediately preceding the application for a Michigan license, then the applicant shall be exempt from completing the requirements for a certificate from the commission on graduates of foreign nursing schools.

(iv) That the applicant is a graduate of a Canadian registered nurse program that is approved by a province in Canada and is taught in English. The applicant shall hold a license to practice nursing in Canada that is active and has not been sanctioned.

(e) "Core curriculum for practical nurse applicants" means courses in both didactic instruction and planned clinical learning in each of the following 4 areas of nursing:

(i) Medical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is in the acute or chronic phases of a medical illness.

(ii) Obstetrical nursing, which consists of the study of nursing care for women in the antepartum, labor/delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant and may be referred to as maternal-child nursing. Gynecological nursing alone does not fulfill this obstetric nursing education requirement.

(iii) Pediatric nursing, which consists 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. This education does not include newborn nursing education.

(iv) Surgical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is receiving nursing care for a surgical procedure.

(f) "Core curriculum for registered nurse applicants" means courses in both didactic instruction and planned clinical learning in each of the following 5 areas of nursing:

(i) Medical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is in the acute or chronic phases of a medical illness.

(ii) Obstetrical nursing, which consists of the study of nursing care for women in the antepartum, labor/delivery, and postpartum phases of pregnancy, and includes the care of the newborn infant and may be referred to as maternal-child nursing. Gynecological nursing alone does not fulfill this obstetric nursing education requirement.

(iii) Pediatric nursing, which consists 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. This education does not include newborn nursing education.

(iv) Psychiatric nursing, which consists of the nursing care of patients who are receiving nursing care for an acute or chronic psychiatric disorder. It may also be referred to as mental health nursing. Education that covers only areas of mental retardation, organic brain syndromes, or neurological diseases does not fulfill the psychiatric nursing education requirement.

(v) Surgical nursing, which consists of the study of nursing care for the adult patient, both male and female, who is receiving nursing care for a surgical procedure.

(g) "Department" means the Michigan department of consumer and industry services.

(2) Terms defined in the act have the same meanings when used in these rules.

History: 1990 AACCS; 1994 AACCS; 2003 AACCS.

### **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., hereafter 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 (cat).

History: 1990 AACCS; 1994 AACCS; 2003 AACCS.

### **R 338.10203 Licensure by examination; requirements.**

Rule 203. (1) An applicant for licensure by examination shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the act and the administrative rules promulgated pursuant thereto, an applicant shall satisfy the requirements of this rule.

(2) An applicant for a registered nurse license shall establish that he or she meets the eligibility requirements to sit for the NCLEX-RN set forth in R 338.10204 and shall pass the NCLEX-RN.

(3) An applicant for a practical nurse license shall establish that he or she meets the eligibility requirements to sit for the NCLEX-PN set forth in R 338.10204 and shall pass the NCLEX-PN.

(4) Notwithstanding the provisions of section 16307(3) of the act, the fees paid by an applicant who has not completed all requirements for licensure by examination within 3 years after receipt of the application by the department shall be forfeited to the department and the application shall be void.

History: 1990 AACCS.

**R 338.10204 Examinations; eligibility; reexaminations.**

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

(2) To be eligible to sit for the NCLEX-RN, an applicant shall establish that he or she has completed a registered nurse education program that is acceptable to the board.

(3) To be eligible to sit for the NCLEX-PN, an applicant shall establish that he or she has completed a practical nurse education program that is acceptable to the board.

(4) To be eligible to sit for the NCLEX-PN, an applicant whose nursing education was taught in a language other than English shall demonstrate a working knowledge of the English language in addition to meeting the other requirements of this rule. To demonstrate a working knowledge of English, an applicant shall document that he or she has obtained a scaled score of not less than 550 on the paper-based test or a scaled score of not less than 213 on the computer-based test of English as a foreign language that is administered by the educational testing service and obtained a score of not less than 50 on the test of spoken English that is administered by the educational testing service.

(5) An applicant shall complete the NCLEX-RN within 12 months of his or her first attempt at the test in this state or another state. The first attempt at the test shall occur within 2 years of graduation from a registered nurse education program. An applicant who has not achieved a passing score on the examination within the 12-month period shall not be eligible to sit again for the NCLEX-RN until the applicant has completed a registered nurse education program that is acceptable to the board. Thereafter, an applicant may sit for the examination an additional cycle of 3 times after repeating the required registered nurse education program. An applicant may sit for the NCLEX-RN a maximum of 6 times total.

(6) If an applicant is a graduate of a Canadian registered nurse program that is approved by a province in Canada and is taught in English and the applicant holds a current license in Canada, the first attempt at taking the NCLEX-RN will not have to occur within 2 years of graduation.

(7) An applicant shall complete the NCLEX-PN within 12 months of his or her first attempt at the test in this state or another state. The first attempt at the test shall occur within 2 years of graduation from a practical nurse education program. An applicant who has not achieved a passing score on the examination within the 12-month period shall not be eligible to sit again for the NCLEX-PN until the applicant has completed a practical nurse education program that is acceptable to the board. Thereafter, an applicant may sit for the examination an additional cycle of 3 times after repeating the required practical nurse education program. An applicant may sit for the NCLEX-PN a maximum of 6 times total.

History: 1990 AACCS; 1994 AACCS; 1996 AACCS; 2003 AACCS.

**R 338.10206 Licensure by endorsement; requirements.**

Rule 206. (1) An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the act and the administrative rules promulgated pursuant thereto, an applicant who satisfies the requirements of this rule shall be deemed to meet the requirements of section 16186(l)(a) and (d) of the code.

(2) An applicant for a registered nurse license shall meet both of the following requirements:

(a) The applicant shall establish that he or she has completed a registered nurse education program that is acceptable to the board as defined in R 338.10201 or that he or she meets all of the following requirements:

(i) Was first licensed in another state before the effective date of this amendatory rule.

(ii) Is a graduate of a nurse education program that is located outside the United States.

(iii) Is a graduate of a nurse education program which is not less than 60 weeks in duration and which includes courses in both theory and clinical practice for registered nurse applicants.

(iv) Has completed the core curriculum for registered nurse applicants.

(b) An applicant shall establish 1 of the following:

(i) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken before July 13, 1982.

(ii) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken on or after July 13, 1982, but before February 14, 1989, and achieved a score of not less than 1600 on the NCLEX-RN.

(iii) That he or she was first licensed as a registered nurse in another state pursuant to an examination that was taken on or after February 14, 1989, and achieved a score of pass on the NCLEX-RN.

(3) An applicant for a practical nurse license shall meet both of the following requirements:

(a) The applicant shall establish that he or she has completed a practical nurse education program that is acceptable to the board.

(b) An applicant shall establish 1 of the following:

(i) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken before October 19, 1982.

(ii) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken on or after October 19, 1982, but before October 18, 1988, and achieved a score of not less than 350 on the NCLEX-PN.

(iii) That he or she was first licensed as a practical nurse in another state pursuant to an examination that was taken on or after October 18, 1988, and achieved a score of pass on the NCLEX-PN.

History: 1990 AACCS; 1994 AACCS; 1996 AACCS; 2003 AACCS.

**R 338.10299 Rescission.**

Rule 299. R 338.1201 to R 338.1235 of the Michigan Administrative Code, appearing on pages 2479 to 2482 of the 1979 Michigan Administrative Code, are rescinded.

History: 1990 AACCS.

**PART 3. NURSING EDUCATION PROGRAMS**

**R 338.10301 Definitions.**

Rule 301. As used in this part:

(a) "Act" means 1978 PA 368, MCL 333.1101 et seq.

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

(c) "Clinical laboratory hours" means those hours of the curriculum which are assigned to laboratory practice, simulated learning, and observational experiences which offer the student the opportunity to meet educational objectives.

(d) "Conceptual framework" means the distinct, systematic organization of concepts which is derived from the philosophy and purposes of the program and gives direction to the curriculum.

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

(f) "Curriculum" means implementation of the philosophy, purposes, program objectives, and conceptual framework of the nursing program through the systematic arrangement of courses, including objectives stated in measurable terms and accomplished through appropriate learning experiences planned for a clearly defined group of students and extending over a period of time.

Systematic and ongoing evaluation within the context of measurable objectives is inherent in the curriculum.

(g) "Director of the nursing program" means a qualified nurse who is delegated the authority and accountability for the nursing program by the sponsoring agency.

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

(i) "Initial approval" means approval which is granted by the board to inaugurate a program of nursing education.

(j) "Instruction" means educational methodology for achieving curriculum objectives in a classroom.

(k) "Learning experiences" means planned learning situations, which may include clinical experiences, clinical laboratory hours, or classroom instruction.

(l) "Major program change" means revision of the program's philosophy, conceptual framework, or objectives; curriculum revision relating to a revision of the program's philosophy, conceptual framework, or objectives or change in primary instructional method; the elimination of separate course content for an integrated approach; or a permanent expansion in the number of students served.

(m) "Nursing process" means the ongoing assessment, analysis, planning, implementation, and evaluation of nursing care.

(n) "Observational experience" means a planned learning situation which is nonparticipatory and does not require intervention by the student. Experience shall meet preplanned stated objectives and provide for faculty and student evaluation.

(o) "Philosophy" means the stated beliefs of a faculty about nursing education and practice which determine the design of the curriculum and the evaluation of the program and which are consistent with the educational philosophy of the sponsoring agency.

(p) "Practical nurse program" means a nursing program to prepare students for practical nurse licensure. The program is approximately 1 year in duration and awards a certificate of completion.

(q) "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 act.

(r) "Progress report" means a document to be submitted to the board at a specified interval to respond to definitive questions and requirements of the board as outlined in written form by the board to the sponsoring agency.

(s) "Registered nurse program" means a nursing program to prepare students for initial registered nurse licensure.

(t) "Self-study report" means a report of all aspects of a program of nursing education based upon the requirements of this part and prepared by the sponsoring agency. The report follows thorough review of all aspects of the program of nursing education by persons who are knowledgeable about the program.

(u) "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.

(v) "Sponsoring agency" means the organization or institution of which the nursing program is a component.

History: 1989 AACCS; 2003 AACCS.

### **R 338.10302 Applicability.**

Rule 302. (1) An applicant for a license to practice as a registered nurse shall have completed an approved registered nurse program or a program deemed by the board to be equivalent thereto.

(2) An applicant for a license to practice as a practical nurse shall have completed an approved practical nurse program or a program deemed by the board to be equivalent thereto.

History: 1989 AACCS.



**R 338.10303 Program approval; procedure.**

Rule 303. (1) 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) Evidence that the mission of the sponsoring agency is consistent with provision of a program to prepare students for the practice of nursing as defined in the act.

(iii) Evidence that the sponsoring agency will provide funding and other support for a nursing education program which meets the requirements defined in this part.

(iv) If the sponsoring agency is an institution requiring approval of the Michigan department of career development to conduct a nursing education program or to confer a particular degree or certificate upon the graduates of the program, a copy of the Michigan department of career development approval shall be submitted to the board.

(v) Evidence of the availability of sufficient cooperating agencies which meet the requirements of R 338.10307(5), (6), (7), and (8) to provide clinical experiences for the program.

(vi) Proposed number of students to become enrolled in the program annually.

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

(viii) Plans to recruit and employ a qualified director for the program and other faculty members sufficiently in advance of admitting students to the nursing sequence to assure 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 shall be provided.

(b) The board shall require a site visit to the program by the nurse consultant of the board in advance of considering initial approval. A report of the site visit shall be prepared by the nurse consultant and provided to the board and the sponsoring agency.

(c) Following initial approval from the board and before initiating the nursing sequence, the program shall submit a self-study report which is approved by the board. The report shall set forth evidence of plans for compliance with the educational requirements of this part.

(d) Annually, the program director shall submit a progress report during the period of initial approval. When applicable, the progress report shall include information about each of the following:

(i) Admission, progression, and retention of students.

(ii) Student achievement on the required licensure examination.

(iii) Program evaluation.

(iv) Program changes.

(2) The sponsoring agency may apply to the board for full approval of the program after graduation of the second class, but shall apply not later than graduation of the fourth class. One class shall be counted for each 12-month period. The following requirements are established for full approval of a program of nursing education:

(a) The sponsoring agency shall make application to the board in the form

of a letter.

(b) The sponsoring agency shall submit a self-study report. The report shall set forth evidence of compliance with the educational requirements of this part.

(c) The board shall require a site visit to the program by the nurse consultant of the board before considering full approval. A report of the site visit shall be prepared by the nurse consultant and provided to the board and the sponsoring agency.

(d) When granted full approval for the program of nursing education, the sponsoring agency shall continue to meet all of the requirements of this rule. Every 4 years the sponsoring agency shall submit a report to the board which is accepted by the board. The report will alternate a self-study report with an abbreviated report on a form prepared by the board so that a self-study report is submitted every 8 years for non-accredited programs and at least every 10 years for accredited programs. A self-study report prepared for accreditation or re-accreditation by a nationally recognized accrediting agency of nursing education programs may be submitted in place of the self-study report prepared for the board. The schedule for submission of self-study reports for accredited programs shall

follow the schedule of the nationally recognized accrediting agency. These reports shall be submitted to the board within 1 month following receipt of the nationally recognized accrediting agency's decision on accreditation of the nursing education program.

(3) Major program changes shall be submitted to the board in writing and shall be approved by the board before implementation. The type of approval, initial or full, under which a program is conducted shall not be altered when the board approves major program changes. All of the following information shall 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) Any supporting documents.

History: 1989 AACCS; 2003 AACCS.

### **R 338.10304 Program approval; decision.**

Rule 304. (1) Within 90 days after all materials requested by the board have been received, the board shall do either of the following:

(a) Grant initial or full approval of the program or approve the program change when the board finds that the requirements of this part are substantially met.

(b) Deny initial or full approval or approval of the program change when the board finds that the requirements of this part are not substantially met.

(2) The board shall issue its decision in writing.

(3) If approval is denied, the sponsoring agency may request a hearing which shall be conducted pursuant to the provisions of 1969 PA 306, MCL 24.201 et seq.

History: 1989 AACCS; 2003 AACCS.

**R 338.10305 Program requirements; generally.**

Rule 305. (1) Programs of nursing education shall meet all of the following requirements:

(a) Comply with the curriculum requirements established by the board and with other requirements set forth in this part.

(b) Contribute to the safe practice of nursing by including the standards of practice, nursing behaviors, and other skills and knowledge in the curriculum to prepare persons for the practice of nursing as defined in the act.

(c) Prepare students to meet the requirements for eligibility to take the required licensure examination.

(2) The director of the program of nursing education and the faculty who provide the nursing sequence shall comply with the following requirements as applicable:

(a) Hold current licenses to practice as registered nurses in Michigan.

(b) For registered nurse programs, the following requirements shall be complied with by September 1, 1989:

(i) The director of the nursing program shall hold a minimum of a master's degree with a major in nursing.

(ii) Every member of the nursing faculty providing didactic instruction shall hold a minimum of a master's degree, the majority of which shall hold a master's degree with a major in nursing. If the master's degree is not in nursing, the faculty member shall hold a minimum of a baccalaureate degree in nursing science.

(iii) Every member of the nursing faculty who provides instruction in the clinical laboratory or cooperating agencies shall hold a minimum of a baccalaureate degree in nursing science.

(c) For practical nurse programs, the following requirements shall be complied with by September 1, 1989:

(i) The program director shall hold a minimum of a baccalaureate degree in nursing science.

(ii) Every member of the nursing faculty shall hold a minimum of a baccalaureate degree in nursing science.

(d) The director of the nursing program and full-time nursing faculty who were employed on or before May 4, 1989, shall be exempt from meeting the requirements of subdivisions (b) and (c) of this subrule.

(3) Any exception made to the provisions of subrule (2) of this rule for full-time or part-time nursing faculty 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. A maximum of 5 yearly exceptions shall be granted to any 1 full-time or part-time faculty member.

(4) Nursing faculty shall be sufficient in number to prepare students to achieve the objectives of the program. The maximum ratio of students to faculty in clinical areas involving direct care of patients shall be not more than 10 students to 1 faculty member.

(5) Requirements for admission, progression, and graduation shall be established and shall be made known and available in written form to prospective and current students.

(6) A system for the permanent maintenance of records shall be established and shall include all of the following:

(a) Course outlines.

(b) Minutes of faculty and committee meetings.

(c) Student files, which shall be maintained in the nursing offices for each student.

(d) Student and graduate transcripts, which shall be retained for each student and graduate by the sponsoring agency in perpetuity and which shall evidence achievement and, when accomplished, program completion.

History: 1989 AACNS; 1996 AACNS.

### **R 338.10306 Curriculum requirements generally.**

Rule 306. (1) A statement of philosophy shall be established which is consistent with the philosophy of the sponsoring agency and which is implemented in the program of nursing education.

(2) There shall be course, level, and terminal objectives to serve as a guide in the development, implementation, and evaluation of the curriculum. The objectives shall be reviewed periodically and revised as necessary.

(3) The stated conceptual framework for the curriculum shall reflect the philosophy of the educational program and shall be identifiable in the objectives of the program of nursing education.

(4) Learning experiences and methods of instruction shall be selected to fulfill the stated objectives of each nursing course.

(5) Related clinical experiences and clinical laboratory hours shall be provided concurrently with, or immediately after, the theoretical presentation of the course content.

(6) Evaluation methods and tools to be used for measuring student achievement shall be determined by the faculty in keeping with the assessment methods of the sponsoring agency. These methods and tools shall be known to the students in the program.

(7) The director and faculty shall evaluate all aspects of the curriculum on a systematic basis. Records of the results of the evaluation shall be maintained for board review, if requested.

History: 1989 AACNS.

### **R 338.10307 Curriculum; organization, development, implementation, control, and evaluation.**

Rule 307. (1) The curriculum shall be organized, developed, implemented, controlled, and evaluated on a regularly scheduled basis by the director and the faculty within the framework of the philosophy, purposes, and objectives of the sponsoring agency and those approved by the board.

(2) The curriculum objectives shall identify the behavioral expectations of the graduate of the program and shall be used for the following purposes:

(a) Developing, organizing, implementing, and evaluating the curriculum.

- (b) Identifying objectives 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 so as 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 statement of the conceptual framework or rationale for the program shall be the basis for the organization of the nursing content of the curriculum.
- (4) The course content and other learning experiences shall 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, including all of the following:
    - (i) Communications.
    - (ii) Problem solving.
    - (iii) Understanding legal and professional responsibilities.
    - (iv) The working relationships with other health care providers.
  - (h) Understanding and protecting the rights of patients or clients.
- (5) All cooperating agencies selected for clinical and laboratory experiences shall have standards of nursing care which demonstrate concern for the patient or client and evidence the skillful application of all measures of safe 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 site visit is made, cooperating agencies may be surveyed as a part of the review process to determine the contribution each makes to the course and program objectives. Selection shall be made by the site visitor.
- (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 resource shall provide experiences of a quality and quantity which will enable the student to meet the objectives established for the clinical experience.

History: 1989 AACCS; 2003 AACCS.

**R 338.10308 Registered nurse program; curriculum; implementation.**

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

(a) Select courses and assure teaching concepts for basic content in the biological, physical, behavioral, and other courses supportive of the nursing major which shall assist the student to improve abilities in all of the following areas:

(i) Communication.

(ii) Interviewing.

(iii) Problem solving.

(iv) Interpersonal relationships.

(v) Using scientific principles in providing individualized nursing care to the patient or client. Such courses shall have credits conferred consistent with the policies of the sponsoring agency.

(b) Provide courses and clinical experiences in the care of all age groups and sexes in medical, surgical, pediatric, geriatric, obstetrical, and psychiatric nursing. Opportunities for learning experiences in community aspects of nursing shall be made available. The elements of the nursing process shall be emphasized in all nursing courses. Clinical laboratory and clinical experience hours shall be sufficient in number to meet the course and program objectives.

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

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

(ii) The standards of conduct for members of the nursing profession.

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

(iv) Licensure requirements.

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

History: 1989 AACCS; 2003 AACCS.

**R 338.10309 Practical nurse program; curriculum; implementation.**

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

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

(b) Provide courses and clinical experiences in the care of all age groups and both sexes in medical, surgical, pediatric, obstetrical, and geriatric nursing and provide supervised practice in the administration of medications, exclusive of intravenous medications. Clinical laboratory and clinical experience hours shall be sufficient to meet the objectives of the curriculum.

(c) Assure 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 which meet the requirements of R 338.10307(5), (6), and (8).

History: 1989 AACCS.

**R 338.10310 Board evaluation of nursing education program.**

Rule 310. (1) 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 failure rate on the required licensure examination reaches or exceeds 25% for any 1 year of compiled statistics or reaches or exceeds 15% for any 2 of 3 years of compiled annual statistics. A program of nursing education shall report compiled annual data on NCLEX pass rates to the board at the meeting following the end of the first quarter of the calendar year.
  - (e) Complaints regarding the conduct of the program are received and it is necessary to validate the complaints.
- (2) Evaluation processes may include any combination of the following:
- (a) A self-study report.
  - (b) A site visit.
  - (c) A progress report.
  - (d) A follow-up study of graduates and employers.

History: 1989 AACCS; 1998-2000 AACCS.

**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 act if the board determines that a program of nursing education does not meet the requirements of this part.

(2) The board shall offer consultation with the nurse consultant of the board for guidance in correcting nursing education program deficiencies identified by the board.

(3) 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 licensure examination upon satisfactory completion of that program or another program of nursing education which has been approved by the board.

(4) 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 which maintains substantially equivalent requirements shall be deemed in compliance with these rules.

History: 1989 AACCS.

**R 338.10312 Program termination; interruption or reduction of admissions.**

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

(2) The board shall be informed regarding the system of retention of student records which are needed for endorsement purposes and proof of scholastic achievement. The board shall retain this information in the closed program files so that graduates may be given the source of information upon request.

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

History: 1989 AACCS; 2003 AACCS.

#### **PART 4. NURSE SPECIALTY CERTIFICATION**

**R 338.10401 Temporary certification.**

Rule 401. Temporary certification in a nursing specialty field is not available in Michigan.

History: 1986 AACCS.

**R 338.10402 Automatic suspension or revocation of specialty certification.**

Rule 402. The suspension or revocation of a license as a registered nurse shall automatically cause the suspension or revocation of the specialty certification.

History: 1986 AACCS.

**R 338.10403 Advertisement of services.**

Rule 403. Only nurses certified in a nursing specialty field may hold themselves out to the public as nurse specialists using the title nurse anesthetist, nurse midwife, or nurse practitioner. Conduct contrary to this rule is deemed a violation of section 16221(g) of the act.

History: 1986 AACCS.



**R 338.10404 Certification qualifications; nurse anesthetist, nurse midwife, and nurse practitioner.**

Rule 404. (1) A specialty certification for a nurse anesthetist shall be granted to a registered nurse who satisfies all of the following requirements:

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

(b) Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.

(c) Meets the standards set forth by either the American association of nurse anesthetists council on certification of nurse anesthetists or the council on recertification of nurse anesthetists. The standards are adopted by reference in these rules and are set forth in the publications entitled "Certification Examination for Nurse Anesthetists, Candidate Handbook," 2003, and "Council on Recertification of Nurse Anesthetists Criteria for Recertification," 2002. These publications may be obtained from the American Association of Nurse Anesthetists 222 South Prospect Avenue, Suite 202, Park Ridge, IL 60068, or from the association's website at <http://www.bookstore@aana.com>, at no cost. A copy of the standards is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) A specialty certification for nurse midwife shall be granted to a registered nurse who satisfies all of the following requirements:

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

(b) Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.

(c) Meets the standards set forth by the American college of nurse midwives certification council, inc. The standards are adopted by reference in these rules and are set forth in the publication entitled "Information for Candidates Handbook," effective October 2002. The standards may be obtained at no cost from the American College of Nurse Midwives Certification Council, 8201 Corporate Drive, Suite 550, Landover, MD 20785 or at <http://www.accmidwife.org>. A copy of the standards is available for inspection or distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(3) A specialty certification for nurse practitioner shall be granted to a registered nurse who satisfies all of the following requirements:

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

(b) Submits an application for certification in a specialty area of nursing, on a form provided by the department, and the required fee.

(c) Meets the advanced practice certification standards of 1 of the following certification organizations:

(i) The American nurses credentialing center, whose standards are adopted by reference and are set forth in the publication entitled "American Nurses Credentialing Center (ANCC) Certification, Advanced Practice and Informatics Nurse, Computer-Based Testing" 2002, which may be obtained at no cost from the American Nurses Credentialing Center, 600 Maryland Avenue SW, Suite 100 West, Washington, DC 20024-2571 or at <http://www.nursecredentialing.org>.

(ii) The national certification board of pediatric nurse practitioners and nurses, inc. whose standards are adopted by reference in these rules and are set forth in the publication entitled "National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc. National Qualifying Exam and Certification Maintenance Program, 2003" which may be obtained at no cost from the National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc., 800 South Frederick Avenue, Suite 104, Gaithersburg, MD 20877 or at <http://www.pnpcert.org>.

(iii) The national certification corporation (ncc) for obstetric, gynecologic, and neonatal nursing specialties, whose standards are adopted by reference in these rules and are set forth in the publication entitled "NCC Registration Catalog" 2003 edition, which may be obtained at no cost from the National Certification Corporation, P.O. Box 11082, Chicago, IL 60611 or at <http://www.nccnet.org>.

(iv) The American academy of nurse practitioners, whose standards are adopted by reference in these rules and are set forth in the publication entitled "American Academy of Nurse Practitioners Report on Certification Methodologies 1997," which may be obtained at no cost from the Academy of Nurse Practitioners, Certification Program, Capitol Station, P.O. Box 12926, Austin, TX 78711.

(v) Oncology nursing certification corporation, whose standards are adopted by reference in these rules and are set forth in the publication entitled "The 2003 Oncology Nursing Certification Corporation Certification Bulletin," which may be obtained at no cost from The Oncology Nursing Certification Corporation, 125 Enterprise Drive, Pittsburgh, PA 15275-1214 or at <http://www.oncc.org>.

(4) The standards listed in subrules (i), (ii), (iii), (iv), and (v) also are available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

History: 1986 AACCS; 1990 AACCS; 1998-2000 AACCS; 2003 AACCS.

**R 338.10405 Certification renewal or reregistration; schedule; requirements; maintenance of evidence of compliance.**

Rule 405. (1) Certification renewal shall correspond with the same schedule as the license renewal.

(2) An applicant for renewal who held a specialty certification for the 2-year period immediately preceding license renewal or an applicant for reregistration of a specialty certification pursuant to section 16201(3) or (4) of the code shall meet the following requirements, as applicable:

(a) For the nurse anesthetist, the applicant shall have obtained recertification, within the 2-year period immediately preceding the application, that meets the requirements of the council on recertification of nurse anesthetists set forth in the publication entitled "Council on Recertification of Nurse Anesthetists Criteria for Recertification," 2002. The publication is adopted by reference in this rule and may be obtained at no cost from either the Council on Recertification of Nurse Anesthetists, 222 South Prospect Avenue, Park Ridge, IL 60068, or from the Michigan Board of Nursing, Department of

Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(b) For the nurse midwife, the applicant shall meet 1 of the following requirements:

(i) If initially certified before 1996, have completed, within the 2-year period immediately preceding the application, the continuing competency assessment requirements of the American College of Nurse-Midwives set forth in the publication entitled "The Continuing Competency Assessment Program of The American College of Nurse-Midwives, 1999." The publication is adopted by reference in this rule and may be obtained at no cost from the American College of Nurse Midwives, 818 Connecticut Avenue, NW, Suite 900, Washington, DC 20006 or at <http://www.midwife.org>. The publication also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P. O. Box 30670, Lansing, MI 48909.

(ii) If initially certified after January 1, 1996, have obtained recertification or maintained certification, within the 2-year period immediately preceding the application, that meets the requirements of the American College of Nurse-Midwives Certification Council, Inc.

(ACC) set forth in the publication entitled "Certificate Maintenance,"

December 2002. The publication is adopted by reference in this rule and may be obtained at

no cost from the ACC, 8201 Corporate Drive, Suite 550, Landover, MD 20785 or at <http://www.accmidwife.org>. The publication also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(iii) Have completed 20 continuing education units in the nursing specialty field within the 2-year period immediately preceding the application. The board approves and adopts by reference in this rule the standards listed in paragraphs (i) and (ii) of this subdivision for approving continuing education offerings for the nurse midwife.

(c) For the nurse practitioner, the applicant shall meet the following requirements appropriate to his or her current source of certification:

(i) Those holding national certification as a nurse practitioner shall have obtained recertification or maintained certification, within the 2-year period immediately preceding the application that meets the requirements of the following organizations. The following publications are adopted by reference in this rule and may be obtained from the specific organization, as listed below. These publications also are available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(A) The American nurses credentialing center as set forth in the publication entitled "Recertification Catalog", 2003. This publication is adopted by reference in this subrule and may be obtained at no cost from the American Nurses Credentialing Center, 600 Maryland Avenue, SW, Suite 100 West, Washington, DC 20024-2571 or at <http://www.nursecredentialing.org>.

(B) The national certification board of pediatric nurse practitioners and nurses as set forth in the publication entitled "National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc. National Qualifying Exam and Certification Maintenance Program, 2003". This publication is adopted by reference in this subrule and may be obtained at no cost from the National Certification Board of Pediatric Nurse Practitioners and Nurses, Inc., 800 South Frederick Avenue, Suite 104, Gaithersburg, MD or at <http://www.pnpcert.org>.

(C) The national certification corporation (ncc) for obstetric, gynecologic, and neonatal nursing specialties set forth in the publication entitled "NCC Certification Maintenance Program" 2003 Edition. This publication is adopted by reference in this subrule and may be obtained at no cost from the National Certification Corporation, P.O. Box 11082, Chicago, IL 60611 or at <http://www.nccnet.org>.

(ii) Those applicants who obtained Michigan board certification as a nurse practitioner before 1991, shall have completed 40 continuing education units in the nursing specialty field within the 2-year period immediately preceding the application. The board approves and adopts by reference in this rule the standards listed in paragraph (i) of this subdivision for approving continuing education offerings 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 such evidence for audit.

History: 1986 AACCS; 1991 AACCS; 2003 AACCS.

### **R 338.10406 Expired certification.**

Rule 406. (1) If the nursing license has expired, the requirements for a registered nurse license shall be satisfied before applying for certification in a specialty field.

(2) The board shall certify a licensee who has allowed certification to expire if the applicant submits evidence that the current initial certification requirements have been met.

History: 1986 AACCS.

## **PART 6. CONTINUING EDUCATION**

### **R 338.10601 License renewals; relicensure; requirements; applicability.**

Rule 1. (1) This part applies to applications for renewal of a nursing license and applications for relicensure pursuant to 333.16201(3) that are filed 2 years or more after the effective date of these rules.

(2) An applicant for license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license or an applicant for relicensure shall accumulate not less than 25 continuing education contact hours

that are approved by the board pursuant to these rules during the 2 years preceding an application for renewal or relicensure.

(a) An applicant for license renewal shall complete at least 1 continuing education contact hour in pain and pain symptom management in each renewal period. Continuing education contact hours in pain and pain symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions. This subrule will take effect with the April 1, 2005 renewal cycle.

(3) Submission of an application for renewal or relicensure shall constitute 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 or relicensure. Failure to comply with this rule is a violation of section 16221(g) of the act.

History: 1996 AACCS; 2003 AACCS.

### **R 338.10602 Acceptable continuing education; limitations.**

Rule 2. The board shall consider any of the following as acceptable continuing education:

(a) One continuing education contact hour, without limitation, may be earned for each 50 or 60-minute attendance at a continuing education program that is in compliance with the standards set forth in R 338.10603(1),(2),(3), (4),(5), and (6).

(b) Three continuing education contact hours may be earned for each 50 or 60-minute presentation of a continuing education program that is not a part of the licensee's regular job description that is in compliance with the standards set forth in R 338.10603(1), (2), (3), (4), and (5). Credit may be earned for the same program only once in each renewal period. A maximum of 6 continuing education contact hours may be earned pursuant to this subdivision.

(c) Five continuing education contact hours may be earned for each semester credit earned for academic courses related to nursing practice offered in an educational program approved by the board pursuant to R 338.10201(1)(c)(i) and (ii) and (d)(i) and (ii).

(d) Three continuing education contact hours may be earned for each quarter credit earned for academic courses related to nursing practice offered in an educational program approved by the board pursuant to R 338.10201(1)(c)(i) and (ii) and (d)(i) and (ii).

(e) Twenty-five continuing education contact hours may be earned by specialty certification or recertification as 1 of the following:

- (i) nurse midwife
- (ii) nurse anesthetist
- (iii) nurse practitioner.

(f) One continuing education contact hour may be granted for each 50 or 60 minutes of program attendance, without limitation, at a continuing education program which has been granted approval by another state board of nursing.

(g) One continuing education contact hour may be granted for each 50 or 60-minute attendance, without limitation, at a continuing education program related to nursing practice offered by an educational program approved by the board pursuant to R 338.10201(1)(c)(i) and (ii) and (d) (i) and (ii).

(h) Ten continuing education contact hour may be granted for publication, in a nursing or health care journal or textbook, of an article or chapter related to the practice of nursing or allied health.

(i) One continuing education contact hour may be granted for each documented hour of reading articles or viewing or listening to media devoted to nursing practice. A maximum of 4 hours may be credited pursuant to this subdivision.

(j) Ten continuing education contact hours may be granted in the year in which an applicant is advised he or she successfully completed a national nursing specialty examination.

(k) One continuing education contact hour may be granted for each 50 or 60 minutes of participation documented in a health care organization committee dealing with patient care related issues. A maximum of 4 credit hours may be earned.

(l) A maximum of 10 continuing education contact hours may be earned for participation in a workshop dealing with patient care issues, with 1 continuing education contact hour granted for each 50 to 60-minute segment offered by a health care organization or a professional organization that falls outside the methods of approval references specified in R 338.10603.

(m) One continuing education contact hour may be granted for each 50 to 60 minutes of reading a journal and completing a test which has been developed for continuing nursing practice education.

History: 1996 AACCS.

Editor's Note: An obvious error in R 338.10602 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Annual Administrative Code Supplement*, 1996. The memorandum requesting the correction was published in *Michigan Register*, 2012 MR 17.

### **R 338.10603 Continuing nursing education programs; methods of approval.**

Rule 3. (1) The board approves and adopts by reference the standards of the American nurses credentialing center's commission on accreditation that are set forth in the publications entitled "The 2001-2002 American Nurses Credentialing Center's Manual for Accreditation as a Provider of Continuing Nursing Education" and "The 2001-2002 American Nurses Credentialing Center's Manual for Accreditation as an Approver of Continuing Nursing Education." A copy of these publications may be purchased from the American Nurses Credentialing Center, Accreditation Program, 600 Maryland Avenue, Suite 100W, Washington, DC 20024, or at <http://www.nursingworld.org/ancc> at a cost of \$50.00 per manual as of the adoption of these rules. A copy of these publications also is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) The board approves and adopts by reference the standards and criteria of the national association for practical nurse education and service, inc. that are set forth in the publication entitled "NAPNES Criteria for Approval of Continuing Education," January 2003. A copy of the publication may be obtained from the National Association for Practical Nurse Education and Service, Inc., 8607 2nd Avenue, Suite 404A, Silver Spring, MD 20910, at a cost of \$3.00 as of the adoption of these rules or at <http://www.napnes.org> at no cost. A copy of this publication is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(3) The board approves and adopts by reference the guidelines adopted by the national league for nursing in September 2001 and set forth in the document entitled "National League for Nursing (NLN) Continuing Education Provider Program." A copy of the guidelines may be obtained at no cost from the National League for Nursing, 61 Broadway, 33rd floor, New York, NY 10006 or at <http://www.nln.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(4) The board approves and adopts by reference the standards, criteria, and guidelines adopted by the American College of Nurse-Midwives in March 1988 and set forth in the publication entitled "The Continuing Education Unit Criteria and Guidelines," 2002, from the International Association for Continuing Education and Training. A copy may be obtained at no cost from the American College of Nurse-Midwives, 818 Connecticut Ave., NW, Suite 900, Washington, DC 20006 or at <http://www.midwife.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(5) The board approves and adopts by reference the standards and criteria of the American association of nurse anesthetists as set forth in the "American Association of Nurse Anesthetists (AANA) Continuing Education Program 2002" which is available at no cost from the American Association of Nurse Anesthetists, 222 S. Prospect Avenue, Park Ridge, IL 60068 or at <http://www.aana.com>. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(6) The board approves and adopts by reference the requirements and guidelines adopted in January 1989 by the committee on continuing medical education of the American osteopathic association that are set forth in the publication entitled "Continuing Medical Education Guide for Physicians 2001-2003." A copy of the publication may be obtained at no cost from the American Osteopathic Association, 142 East Ontario Street, Chicago, IL 60611 or at <http://www.aoa-net.org>. A copy of this document is available for inspection and distribution at cost at the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(7) The board approves and adopts by reference the standards for commercial support for continuing medical education of the accreditation council for continuing

medical education's "Essential Areas, Elements, and Decision-Making Criteria, July 1999" in accrediting providers of continuing medical education. The standards may be obtained at no cost from the Accreditation Council for Continuing Medical Education, 515 N. State Street, Suite 2150, Chicago, IL 60610-4377 or at <http://www.accme.org>. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(8) The board approves and adopts by reference the standards for credentialing in basic and advanced life support set forth by the American heart association in the guidelines for cardiopulmonary resuscitation and emergency cardiac care for professional providers and published in "Guidelines 2000 for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care (70-2041). A copy of the guidelines for cardiopulmonary resuscitation and emergency cardiac care may be obtained from the American Heart Association, 7272 Greenville Avenue, Dallas, TX 75231 or at <http://www.americanheart.org>, at a cost of \$20.00 as of the adoption of these rules. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Nursing, Department of Consumer and Industry Services, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(9) The board may deny approval of programs offered by institutions and organizations if it appears to the board that the programs offered by those institutions or organizations fail to demonstrate compliance with the legislative intent to further educate licensees on subjects related to the practice of nursing.

History: 1996 AACCS; 2003 AACCS.

## **PART 7. Nursing Scholarship Program**

### **R 338.10701 Definitions.**

Rule 701. As used in this part:

- (a) "Board" means the board of nursing.
- (b) "Code" means Act No. 368 of the Public Acts of 1978, as amended, being §333.1101 et seq. of the Michigan Compiled Laws.
- (c) "Department" means the Department of Consumer and Industry Services.
- (d) "Nurse Professional Fund" means the fund established under Section 16315(6) of the Code.

History: 1998-2000 AACCS.

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



Rule 702. (1) The board shall biennially 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 data provided by the division of health statistics, Michigan department of community health.

(b) National nursing statistical data and trends that have identified nursing shortages.

(c) Data identifying medically underserved areas (mua), medically underserved populations (mup), or health professional shortage areas (hpsa).

(2) The department shall communicate the board's determination as to categories and areas of need to approved nursing education programs in Michigan.

(3) The department shall provide applications to approved programs of nursing that meet the established eligibility criteria in R 338.10703.

History: 1998-2000 AACCS.

### **R 338.10703 Schools; eligibility; awards.**

Rule 703. (1) To be eligible for a scholarship award, a school shall meet all of the following criteria:

(a) Be approved by the Michigan Board of Nursing or the United States department of education approved accrediting agency.

(b) Have a primary campus located within the State of Michigan.

(c) Offer a program of nursing that meets the predetermined category and area of need as established by the board.

(2) A school shall file an application setting forth the information requested on the form establishing eligibility.

(3) The department shall annually disburse a designated number of awards not to exceed \$5,000 for each student to eligible schools that meet the predetermined criteria set forth by the board.

History: 1998-2000 AACCS.

### **R 338.10704 School awards to eligible students; requirements, procedures.**

Rule 704. (1) An eligible school, upon receiving an award, shall award a scholarship to a student who meets all of the following criteria:

(a) Resides in the State of Michigan.

(b) If licensed as a nurse, holds an unencumbered Michigan license to practice nursing.

(c) Intends to practice within the State of Michigan in an underserved area, with an underserved population, or in a health professional shortage area as identified by the board.

(d) Is not in receipt of a full scholarship from another source.

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

(3) The school shall notify the department, in writing, of its intent to award a scholarship. The notice shall set forth all of the following information:

(a) The name of recipient.

(b) Course of study or program in which enrolled.

(c) Validation that all criteria have been met.

(4) A school shall make a scholarship award to a student on a one-time basis.

(5) The school shall notify the department, in writing, when a scholarship recipient completes the nursing program.

(6) If a recipient withdraws from the nursing program, then the school shall notify the department of its intent to award the remaining scholarship monies in accordance with subrule (3) of this rule.

History: 1998-2000 AACCS.

**R 338.10705 School ineligibility; notification; hearing.**

Rule 705. (1) If a school is deemed 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 Act No. 306 of the Public Acts of 1969, as amended, being §24.201 et seq. of the Michigan Compiled Laws.

History: 1998-2000 AACCS.