

**Ohio Board of Nursing
Budget Testimony
Fiscal Years 2022-2023**

March 2, 2021

House Finance Subcommittee on Health and Human Services



**Ohio Board of Nursing
17 S. High Street, Suite 660
Columbus, Ohio 43215
www.nursing.ohio.gov**

"By virtue of its numbers and capacity, the nursing profession has the potential to effect wide-reaching changes in the health care system...Nurses thus are poised to help bridge the gap between coverage and access, to coordinate increasingly complex care for a wide range of patients, to fulfill their potential as primary care providers to the full extent of their education and training, and to enable the full economic value of their contributions across practice settings to be realized." The Future of Nursing: Leading Change, Advancing Health, Institute of Medicine (US), 2011.

Chairman Roemer, Ranking Member West, and members of the Finance Subcommittee on Health and Human Services, my name is Betsy Houchen, and I am the Executive Director of the Ohio Board of Nursing (Board). Thank you for the opportunity to testify on behalf of the Board. By way of background, I have served as Executive Director since 2005, and I am a registered nurse and attorney.

Overview

The Board regulates over 303,000 licenses and certificates. This includes registered nurses (RNs), licensed practical nurses (LPNs) Advanced Practice Registered Nurses (APRNs), Dialysis Technicians, Community Health Workers and Medication Aides. The Board also regulates 241 nursing education programs and training programs. Annually, the Board receives about 8,000 complaints regarding alleged diversion of drugs, criminal offenses, substance use disorder, sub-standard practice, patient abuse and neglect, and other violations of the Nurse Practice Act and administrative rules.

Our public protection role is critical, nursing touches virtually every citizen of Ohio. Ohioans expect nurses to obtain an adequate level of educational preparation, follow established practice standards, and provide competent nursing care. They also expect the Board to address unsafe practitioners so vulnerable populations are protected. Board operations are designed to meet these expectations.

Self-Sufficient Funding

The Board receives no General Revenue funds. The Board of Nursing is totally funded by license fees paid by those regulated by the Board. The current fees have not changed in over 17 years (since 2004).

Budget Request

The Board requests the funding in the proposed budget. Funding for payroll should allow the Board to maintain the current level of staffing, although maintaining that personnel at current levels could become a challenge over the next biennium. The Board will continue to closely monitor expenditures and personnel costs.

COVID-19 Challenges/Achieving the Board's Mission

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

The Board remains committed to timely issuing licenses for the workforce needed to address patient care during the pandemic. From the start, we prioritized licensing for those newly licensed and for others re-entering the workforce. The current Nurse Practice Act, ORC Chapter 4723., fortunately includes mechanisms for nurse mobility; under the Act, during a declared emergency, out-of-state licensed nurses can work in Ohio without obtaining a license in Ohio.

At the outset of the declared emergency nearly one year ago, the Board began issuing temporary licenses following the passage of HB 197. Students who had completed nursing education programs were eligible to obtain the HB 197 license prior to taking and passing the NCLEX national competency licensing examination due to COVID-related testing site closures.

The HB 197 temporary licenses resulted in an increase of at least 35% in the Board's licensure workload. Not only was the Board flooded with thousands of applicants from other states who had not passed the NCLEX exam, resulting in a large volume of applications to review and process, but due to the unique nature of the licenses, the applications could not be auto processed in the Ohio elicense system, resulting in significantly more staff time per application. Finally, because the licenses are issued without the competency exam, Ohio employers require on-going notification from the Board regarding whether HB 197 licensees have passed the exam. With only 7 FTEs processing applications, the Board has worked diligently to meet the challenge during these unique times.

To provide a snapshot of the scope of work from March 1, 2020 to February 26, 2021, below are highlights of the total applications submitted and the percentage of those processed and/or licensed:

- 18,939 RN/LPN applications received for licensure by examination: 18,081 (95.5%)
- 2,525 APRN applications received: 2,387 (95%)
- 10,669 RN/LPN reciprocity applications: 9,845 (92%)
- 1,824 applications for reinstatement or reactivation: 1,587 (87%)

Along with the increase in applications, the Board experienced an unprecedented number of calls and emails. Approximately 90% of the calls have been due to the application being incomplete or fees not paid. While we work hard to respond, due to staffing limitations, there are no easy answers in establishing a balance between spending time responding to calls or getting the licenses issued.

The Board is aware of the increase in calls and emails received by legislative offices regarding licensure applicants and appreciates the patience and cooperation your staffs have provided.

Social media and the increased use of technology heightens expectations for licensing to be immediate. For the Board, this expectation is balanced with completing all processes required by Ohio law for public protection. When evaluating timelines, it is also important to recognize that licensing is often dependent on other entities outside the Board office, including BCI (which processes FBI and BCI criminal records checks) and Pearson Vue (which handles NCLEX registration).

Throughout the year, the Board has prioritized licensing; as permitted, started the hiring process for temporary project staffing; provided overtime; and addressed issues that delayed licensing. The Board continues to identify ways to streamline processes.

- To streamline the processing of reinstatement and reactivation applications, the Board initiated an administrative rule change, effective February 1, 2021, which eliminates staff review of large numbers of CE documents accompanying the application. A review process that took hours is now taking 15 minutes. In addition, nurses no longer need to submit CE documents with the application.
- This month the Board funded an enhancement in the Ohio eLicense system so that Program Completion Letters (PCLs) for new graduates are automatically uploaded and matched to the application to reduce the manual work to match the documents.

As part of licensing, the Board is required by law to investigate information regarding violations in conjunction with the application process. The Board receives over 8,000 complaints per year. Of the applicants who apply for a new nursing license in Ohio, approximately 2,000 or more per year are referred for compliance unit investigation due to criminal offenses or other issues.

While the overwhelming majority of nurses practice with high standards, the actions or deficient practice of some have the potential to compromise patient safety and the public's confidence in the profession. As important a regulatory function as licensing is, the Board's compliance unit continues to protect Ohio's patients through the efficient investigation of complaints. During the COVID-19 declared emergency all investigative and disciplinary processes have remained in place and are being completed in a timely manner.

Summary

Over the years, the Board has a demonstrated track record of ensuring an excellent level of public protection, funding initiatives to combat the nursing shortage, and effectively regulating an extremely large number of licensed professionals in the State of Ohio. We thank you and our licensees for patience and understanding during this declared emergency, and recognize nurses are on the front lines of providing care under difficult circumstances. We look forward to our continued work with the Administration and the General Assembly. The Board appreciates your support on behalf of our licensees and the public for whom they care.