



Ohio Board of Nursing

www.nursing.ohio.gov

17 S. High Street, Suite 660 • Columbus, Ohio 43215-3466 • 614-466-3947

June 8, 2020

The Honorable Scott Wiggam
Ohio House of Representatives
Chair, House State and Local Government Committee
77 South High Street, 13th Floor
Columbus, Ohio 43215

Dear Chair Wiggam,

The Nursing Board appreciated the opportunity to participate in the interested party call on Monday June 1st with Rep. Roemer, Caucus health policy staff and the Ohio Nurses Association to discuss our questions and concerns regarding nursing related language in HB 673.

The Board recognizes that HB 197 permits applicants to obtain temporary nursing licensure after showing they meet all the qualifications for full licensure, but for successfully completing the NCLEX, standardized, national licensing examination for nursing. This temporary grant was apparently due in part to closure of testing sites because of COVID-19. The testing sites have already re-opened, though not yet to full capacity. Following successful completion of the licensing examination, these temporary license holders will be eligible and granted full licensure, with no requirement that they show additional work or training achieved while being temporarily licensed.

In the "As Introduced" version of HB 673 in lines 165-171 language proposes to require the Board to "recognize any hours" nurses who work on an HB 197 temporary license accumulate on the job and count them toward "any outstanding clinical hours" required to take the NCLEX licensing examination. We questioned why this language is considered necessary. We explained that nurses who obtained the temporary license created by HB 197 were required to get their "clinical education" **prior to** graduating nursing school which is a requirement for licensure under the provisions of HB 197 and not addressed by any language in the bill. The NCLEX examination does not require a certain number of clinical hours for a nursing graduate to be

eligible to take the exam. Moreover, the number of hours of “clinical education” that an HB 197 temporary licensee took to graduate is not reviewed by the Board to determine initial eligibility for the temporary license to practice. At this point, there is no further reason to count clinical hours of a licensee’s education. In short, who does this language benefit and for what reason? To date, we have not heard an answer to that question or been informed that this language will be amended or taken out of the bill in its entirety.

In addition, H.B. 197 of the 133rd General Assembly initially provided a temporary suspension to the requirement that an applicant pass a nurse license examination to receive a license to practice as a registered nurse or licensed practical nurse. The bill changes the duration of the suspension to July 1, 2021, rather than during the emergency declared by Executive Order 2020-01D as under current law. We understand that authorizing nursing licensure on a temporary basis prior to passing the NCLEX was a unique legislative grant based on a lack of available testing sites during COVID-19 and also on an expectation that hospitals would be inundated with patients shortly after passage of HB 197. It does not appear that the need was as great as expected.

Successfully completing a standardized, national examination is a core aspect of the licensing process. Testing acts as an assurance to employers and the public that the nurse is ready and competent to practice. As an interested party, the Board would be interested in seeing more data as to how these students were utilized in the past several months to justify the need for a potentially longer time period for the exception to continue. The current exemption is specified to last through the declared emergency and was designed to address the predicted surge of hospital admissions. Because NCLEX testing is a core aspect of assuring entry-level safe nursing practice, we respectfully request the July 1, 2021 date be removed.

I have attached the same materials on nursing education programs and the Board's communications to show the Board’s transparency and depth of response to questions and communications involving nursing and education practice during the COVID-19 state of emergency.

On the Nursing Board's website (www.nursing.ohio.gov), we have COVID related updates on HB 197 provisions, practice, licensing, APRN prescribing,

and nursing education programs and training programs. Here are the education links provided:

NURSING EDUCATION PROGRAMS AND TRAINING PROGRAMS

- [Click here](#) for numerous Guidance and Communication documents and see “COVID-19 Communications to Program Administrators” on that page.

- [Extension of Approvals: Education Programs, Training Programs, OBN Approvers of CE](#)

- [NCLEX Examinations: Update](#)

- See <https://home.pearsonvue.com/> for reopening of limited numbers of NCLEX testing centers

- [Practice-Academic Partnerships During COVID-19 Emergency Policy Brief by U.S. Nursing Leaders](#)

- [Board Statement on Practice-Academic Partnership Policy Brief](#)

- Scholarship Opportunities for Nurse Practitioner Students Specializing in Psychiatric Mental Health. [Click here: https://bhw.hrsa.gov/loans-scholarships/nurse-corps/scholarship](https://bhw.hrsa.gov/loans-scholarships/nurse-corps/scholarship)

Here are direct links to communications sent directly to program administrators and posted:

- [3-24-20 Communications to Program Administrators](#)
- [3-25-20 Communications to Program Administrators](#)
- [3-26-20 Communications to Program Administrators](#)
- [3-27-20 Communications to Program Administrators](#)
- [3-31-2020 Education Approval Extensions](#)
- [OCDD Response – April 2020](#)

The Board's response to a letter from the Ohio Council of Deans and Directors of Baccalaureate and Higher Degree Nursing Programs (OCDD) in April 2020 is the last communication to my knowledge with that association dealing with clinical education (please see link directly above, OCDD Response—April 2020). I encourage you to read the other correspondence as well (links directly above) as they repeatedly address laws and rules

governing the programs and the ample discretion they provide. In the Board's March 25, 2020 communication, the Board states, "The Board will not penalize programs in the future based on your decisions to adapt your nursing education curriculum to address these unprecedented times. No law or administrative rule change is needed for the Board to do this." These communications are specific, responsive, and encompassing.

The Board will always remain open to hearing the concerns of the legislature on behalf of Ohio's patients, nursing students, licensees, and programs; hearing everyone's questions and concerns is especially important during this state of emergency. Toward that end, faculty and Deans from Ohio nursing schools are members of the Board and we have an Advisory Group on Nursing Education with members who are education program administrators, faculty, and nursing practice representatives.

We appreciate that no one's life is made easier by the threat of COVID-19 and are thankful that our law and rules as they apply to our licensees and programs provide the necessary discretion to operate and make necessary adjustments when necessary.

If there are any questions, we are happy to answer them.

Sincerely,

Thomas A. Dilling
Public and Governmental Affairs Officer
Ohio Board of Nursing

c: Representative Bill Roemer, Ohio House of Representatives