



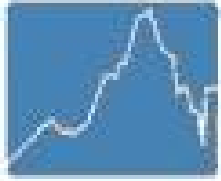
Department of Health Professions

Regulations Governing the Practice of Nursing

Virginia Board of Nursing

Title of Regulations: 18 VAC 90-20-10 et seq.

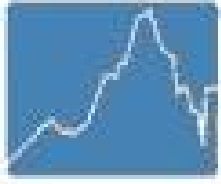
Revised Date: November 18, 2015



Department of Health Professions

PREAMBLE

- The registered nurse is responsible and accountable for making decisions that are based upon educational preparation and experience in nursing. The registered nurse shall be held accountable for the quality and quantity of nursing care given patients by himself or others who are under his supervision.
- The licensed practical nurse shall be held accountable for the quality and quantity of nursing care given to patients by himself based upon educational preparation and experience.



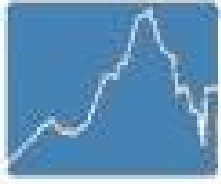
Department of Health Professions

Part I. General Provisions

Revisions to the Definitions

18 VAC 90-20-10

“Accreditation” means having been accredited by the Accreditation Commission for Education in Nursing, the Commission on Collegiate Nursing Education (CCNE), or a national nursing accrediting organization recognized by the board.



Department of Health Professions

Revisions to Definitions continued

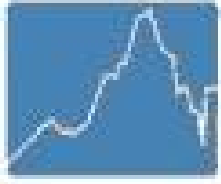
“Advisory committee” means a group of persons from a nursing education program and the health care community who meets regularly to advise the nursing education program on the quality of its graduates and the needs of the community.



Department of Health Professions

Revisions to Definitions continued

“Baccalaureate degree nursing” or “prelicensure graduate degree program” means a nursing education program preparing for registered nurse licensure, offered by a Virginia college or university and designed to lead to a baccalaureate degree or a graduate degree with a major in nursing, provided that the institution is authorized to confer such a degree by the State Council of Higher Education for Virginia.

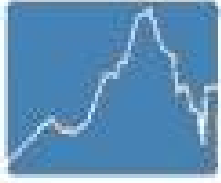


Department of Health Professions

Revisions to Definitions continued

“FERPA” means the Family Educational Rights and Privacy Act (20 USC § 1232g).

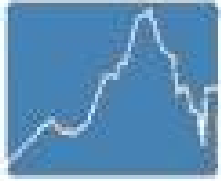
“Initial approval” means the status granted to a nursing education program that allows the admission of students. (This replaces provisional approval).



Department of Health Professions

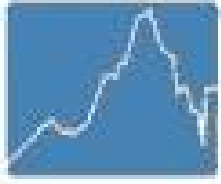
Revisions to Definitions continued

“Practical nursing program” means a nursing education program preparing for practical nurse licensure that leads to a diploma or certificate in practical nursing, provided the school is authorized by the Virginia Department of Education **or by an accrediting agency recognized by the U.S Department of Education.**



Revisions to Definitions continued

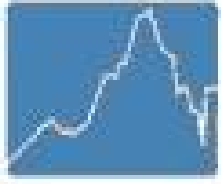
“Site visit” means a focused on-site review of the nursing program by board staff, usually completed within one day for the purpose of evaluating program components such as the physical location (skills lab, classrooms, learning resources) for obtaining initial approval, in response to a complaint, compliance with NCLEX plan of correction, change in location, or verification of noncompliance with this chapter.



Department of Health Professions

Revisions to Definitions continued

“Survey visit” means a comprehensive on-site review of the nursing program by board staff, usually completed within two days (depending on the number of programs or campuses being reviewed) for the purpose of obtaining and maintaining full program approval. The survey visit includes the program’s completion of a self-evaluation report prior to the visit, as well as a board staff review of program resources (including skills lab, classrooms, learning resources, and clinical facilities) and other components to ensure compliance with this chapter. Meetings with faculty, administration, students, and clinical facility will occur.

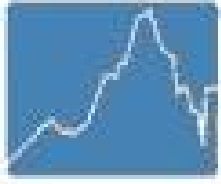


Part II. Nursing Education Programs
Article 1. Initial Approval of a Nursing Education Program

18 VAC 90-20-40. Application for initial approval

An institution wishing to establish a nursing education program shall:

1. Provide documentation of attendance by the program director at a board orientation on establishment of a nursing education program prior to submission of an application and fee.



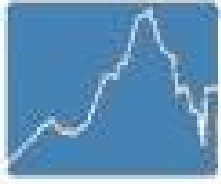
Requirements for Initial Approval continued

2. Submit to the board

- A nonrefundable fee

2.a. The application shall be effective for 12 months from the date the application was received by the board.

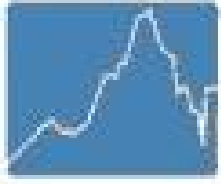
2.b. If the program does not meet the board's requirements for approval within 12 months, it shall file a new application and fee.



Requirements for Initial Approval continued

3. Submit the following information on the organization and operation of a nursing education program:

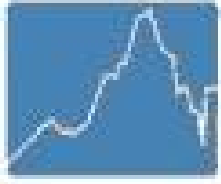
3.a. A copy of a business license and zoning permit to operate a school in a Virginia location, a certificate of operation from the State Corporation Commission, evidence of approval from the Virginia Department of Education, and documentation of accreditation, if applicable;



Requirements for Initial Approval continued

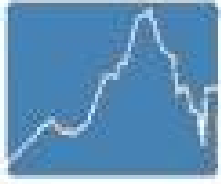
3.b. The organizational structure of the institution and its relationship to the nursing education program;

3.d. An enrollment plan specifying the beginning dates and number of students for each class for a two year time period...to include, the planned number of students for each class and the frequency of admissions. Any increase in admissions that is not stated in the enrollment plan must be approved by the board. Also, transfer students are not authorized until full approval has been granted ...



Requirements for Initial Approval continued

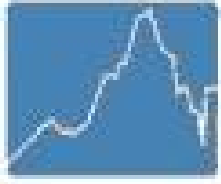
3.e. A tentative time schedule for planning and initiating the program through graduation of the first class and the program's receipt of results of the NCLEX examination.



Requirements for Initial Approval continued

4. Submit to the board ...

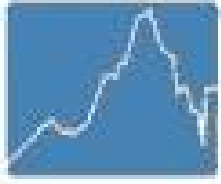
4.a. The results of a community assessment or market analysis that demonstrates the need for the nursing education program in the geographic area for the proposed school. The assessment or analysis shall include employment opportunities...the number of clinical facilities or employers available...number and type of other nursing education programs in the area.



Requirements for Initial Approval continued

4.d. Availability of clinical training facilities for the program as evidenced by...the number of students and clinical hours permitted at each clinical site and on each nursing unit.

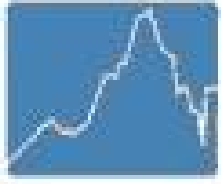
4.e. Documentation that at least 80% of all clinical experiences are to be conducted in Virginia, unless an exception is granted by the board...written approval for any clinical experiences conducted outside of Virginia by the authorizing agency.



Requirements for Initial Approval continued

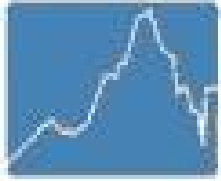
4.e. The use of any clinical site in Virginia located 50 miles or more from the school shall require board approval;

4.f. A diagram or blueprint of the academic facilities...including classrooms, skills laboratory, and learning resource center...restrooms and faculty office space that meets FERPA requirements.



Requirements for Initial Approval continued

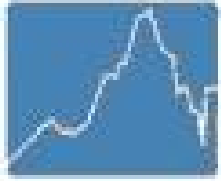
4.g. Evidence of financial support for the first three years of operations beginning with the admission of students.



Requirements for Initial Approval continued

18 VAC 90-20-70. Organization and administration

A. The governing or parent institution offering Virginia Nursing education programs shall be approved by the [Virginia Department of Education](#) or accredited by an agency recognized by the U.S. Department of Education.



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Requirements for Initial Approval continued

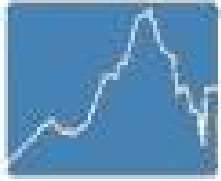
Qualifications of the program director:

- Current license or multistate privilege to practice as a registered nurse in the Commonwealth **without any disciplinary action that currently restricts practice**
- Have additional education and experience necessary to administer, plan, implement, and evaluate the nursing education program
- Ensure that faculty are qualified by education and experience to teach in the program or to supervise the clinical practice of students...



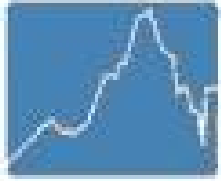
Requirements for Initial Approval continued

- Maintain a current faculty roster, a current clinical agency form, and current clinical contracts available for board review and subject to an audit
- Only serve as program director at one location or campus.



Requirements for Initial Approval continued

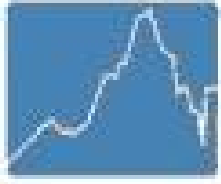
F. Evidence of financial support and resources sufficient to meet the goals of the nursing education program as evidenced by a copy of the current annual budget or a signed statement from administration specifically detailing its financial support and resources.



Requirements for Initial Approval continued

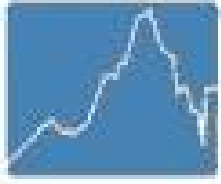
18 VAC 90-20-90. Faculty

- License without any disciplinary action that currently restricts practice and have had at least two years of direct client care experience as a registered nurse prior to employment by the program.
- Provide evidence of education or experience in the specialty area in which they supervise students' clinical experience for quality and safety



Requirements for Initial Approval continued

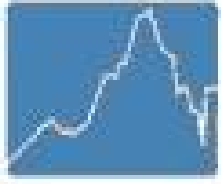
- Prior to supervision of students, the faculty providing supervision shall have completed a clinical orientation to the site in which supervision is being provided
- Documentation of annual professional development shall be maintained in employee files for the director and each faculty member



Requirements for Initial Approval continued

Baccalaureate degree and prelicensure graduate degree programs:

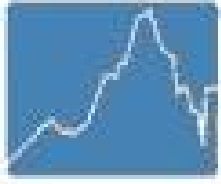
- Program Director – doctoral degree with a graduate degree in nursing
- Faculty – graduate degree; the majority of the faculty shall have a graduate degree in nursing.



Requirements for Initial Approval continued

Associate degree and diploma programs:

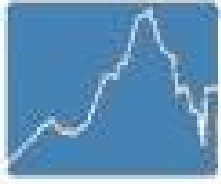
- Program Director – graduate degree **with a major in nursing**
- Faculty – baccalaureate or graduate degree; **with a major in nursing**



Requirements for Initial Approval continued

Practical nursing programs:

- Program Director – baccalaureate degree **with a major in nursing**
- Faculty – majority baccalaureate degree; preferably with a major in nursing



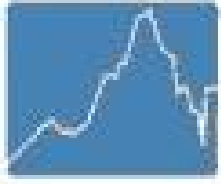
Requirements for Initial Approval continued

18 VAC 90-20-100. Admission of students

Clarification to be consistent with the *Code of Virginia*

D. A criminal background check shall be required for admission to a nursing education program with the exception of high school students

E. Transfer students may not be admitted until a nursing education program has received full approval...

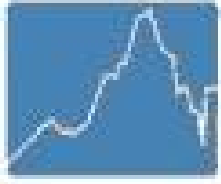


Requirements for Initial Approval continued

18 VAC 90-20-110. Resources, facilities, publications, and services.

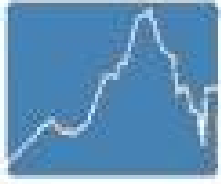
Revised to include requirements for:

- Classrooms, conference rooms, laboratories, clinical facilities, and office space
- Instructional technology and equipment needed for simulating client care



Requirements for Initial Approval continued

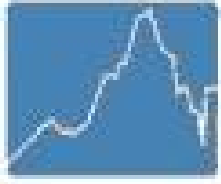
- Learning resources and technology that are current, pertinent, and accessible to students and faculty, and sufficient to meet the needs of the students and faculty.



Requirements for Initial Approval continued

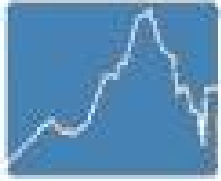
Current information to be published and distributed:

- Nursing accreditation status
- Policy on the use of a final comprehensive exam
- Course progression from admission to graduation, name of each course, theory hours, skills lab hours, simulation hours, and clinical hours
- Complete overview of what is taught in each course



Requirements for Initial Approval continued

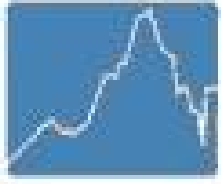
- Student grievance policy
- Information about implication of criminal convictions
- Clarification of written agreements with cooperating agencies to include: full control of students education by faculty, selection and supervision of learning experiences, dismissal of students from the clinical site if client safety is or may be compromised ...



Department of Health Professions

Requirements for Initial Approval continued

- Provide that faculty members or preceptors are present in the clinical setting when students are providing direct client care
- Specifies the number of students on the unit

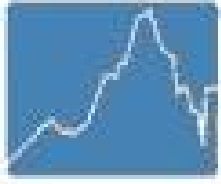


Requirements for Initial Approval continued

18 VAC 90-20-120. Curriculum

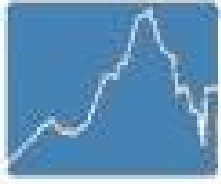
A. Clarifies that both classroom and online curricula reflect the philosophy and objectives of the nursing education program

B. Clarifies components of both a registered and practical nursing education program to include:



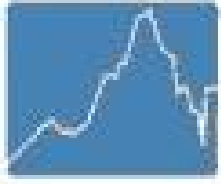
Requirements for Initial Approval continued

- Evidence-based didactic content and supervised clinical experience in nursing... throughout the life cycle and in a variety of acute, nonacute, community-based, and long term care clinical settings and experiences to include adult medical/surgical nursing, geriatric nursing, maternal/infant...nursing, mental health/psychiatric nursing, nursing fundamentals, and pediatric nursing



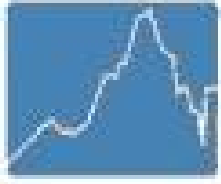
Requirements for Initial Approval continued

- Clients rights, privacy, and confidentiality
- Prevention of client abuse, neglect, and abandonment throughout the life cycle, including instruction in the recognition, intervention, and reporting by the nurse of evidence of child or elder abuse
- Professional responsibility to include the role of the practical and professional nurse



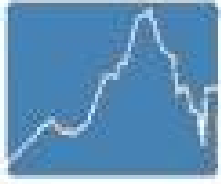
Requirements for Initial Approval continued

- Professional boundaries to include appropriate use of social media and electronic technology
- Dosage calculation, medication administration
- Prevention and appropriate response to situations of natural and man-made disasters, and intimate partner and family violence
- Use of critical thinking and clinical judgment in the implementation of safe client care



Requirements for Initial Approval continued

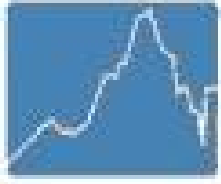
- Care of clients with multiple, chronic conditions
- Development of management and supervisory skills, including: use of technology in medication administration and documentation of client care, participation in quality improvement processes and systems to measure client outcomes and identify hazards and errors



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Requirements for Initial Approval continued

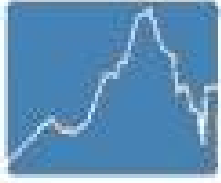
- Supervision of certified nurse aides, registered medication aides and unlicensed assistive personnel



Requirements for Initial Approval continued

Additional requirements for registered nursing education programs:

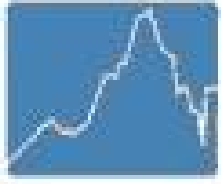
- Evidence-based didactic and clinical content and supervised clinical experiences
- Unit management
- Knowledge of the rules and principles of delegation of nursing tasks to unlicensed persons



Department of Health Professions

Requirements for Initial Approval continued

- Supervision of licensed practical nurses

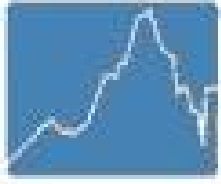


Requirements for Initial Approval continued

18 VAC 90-20-121. Curriculum for direct client care

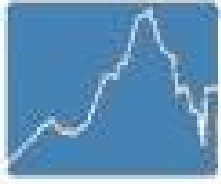
New section of the regulations - clarifies the following:

- Requirements for clinical hours; 500 hours for registered nurse programs and 400 hours for practical nursing programs
- Clarifies requirements for LPN's transitioning to RN programs



Requirements for Initial Approval continued

- Clarifies requirements for observational experiences
- Specifications for simulation experiences in lieu of direct client care: **changed from 20% to 25%**
- Faculty qualifications
- Debriefing

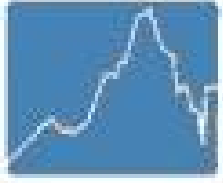


Requirements for Initial Approval continued

18 VAC 90-20-122. Clinical practice of students

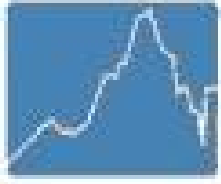
New section of the regulations - requires the following:

Faculty shall be responsible for ensuring that students perform only skills or services in direct client care for which they have received instruction and have been found proficient by the instructor. Skills checklist shall be maintained for each student.



Requirements for Initial Approval continued

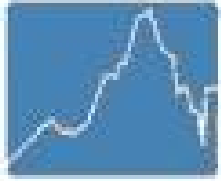
- Information about clinical preceptors moved to this section



Requirements for Initial Approval continued

18 VAC 90-20-130. Granting of initial program approval (**new**)

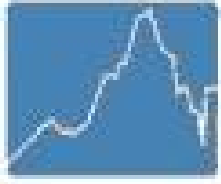
A. Initial approval may be granted when all documentation required in 18 VAC 90-20-40 has been submitted and is deemed satisfactory to the board and when the following conditions are met:



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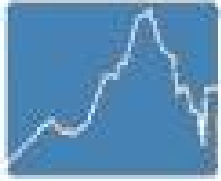
Requirements for Initial Approval continued

- Evidence of compliance with requirements in 18 VAC 90-20-70 and 18 VAC 90-20-80
- A qualified program director has been appointed, and there are sufficient faculty to initiate the program as required in 18 VAC 90-20-90
- A written curriculum plan developed in accordance with 18 VAC 90-20-120 has been submitted and approved by the board



Requirements for Initial Approval continued

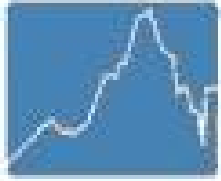
- A written systematic plan of evaluation has been developed and approved by the board
- Evidence of compliance with requirements of 18 VAC 90-20-110 for resources, facilities, publications, and services as verified by a satisfactory site visit conducted by a representative of the board



Requirements for Initial Approval continued

If initial approval is granted:

- Advertisement of the nursing program is authorized
- Admission of students is authorized, except for transfer students
- The program director shall submit quarterly progress reports to the board that shall include evidence of progress toward full program approval and other information as required by the board

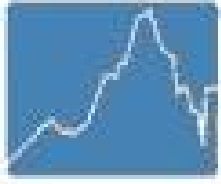


Department of Health Professions

18 VAC 90-20-131. Denying or withdrawing initial program approval (**new**)

Refers to 18 VAC 90-20-132 for causes for denial

(See flow chart for process for approval or denial or
withdrawal of initial approval)

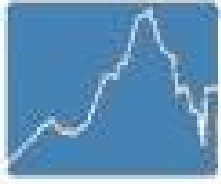


Department of Health Professions

18 VAC 90-20-131. Denying or withdrawing initial program approval continued

18 VAC 90-20-131.B.1. Initial approval shall be withdrawn and the program closed if:

- The program has not admitted students within six months of approval of its application;
- The program fails to submit evidence of progression toward full approval; or
- Any causes enumerated in 18 VAC 90-20-132.



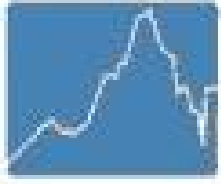
Department of Health Professions

18 VAC 90-20-132. Causes for denial or withdrawal of nursing education program (new)

Denial or withdrawal of program approval may be based upon the following:

The regulations specify thirteen situations or conditions that could constitute denial or withdrawal of a nursing education program

Withdrawal of nursing education program approval may occur at any stage of the application or approval process (18 VAC 90-20-131, 18 VAC 90-20-134, and 18 VAC 90-20-161)

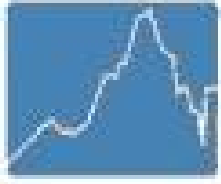


Department of Health Professions

Article 2. Full Approval for a Nursing Education Program (new)

18 VAC 90-20-133. Granting full program approval

- Self evaluation report and compliance with Articles 1 and 2 and a survey visit fee
- NCLEX pass-rate of not less than 80% for first time test takers on at least 20 graduates within two years
- A satisfactory survey visit and report verifying compliance with all requirements



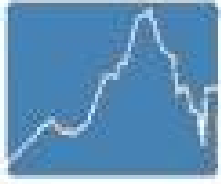
Department of Health Professions

18 VAC 90-20-134. Denying full program approval (new)

Refers to 18 VAC 90-20-132 for causes for denial

(See flow chart for process for approval or denial or withdrawal of initial approval)

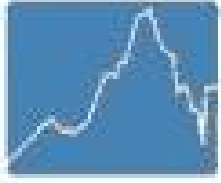
- If a program is denied full approval and initial approval is withdrawn, no additional students may be accepted into the program.
- Submit quarterly reports until the program is closed



Department of Health Professions

18 VAC 90-20-134. Denying full program approval continued

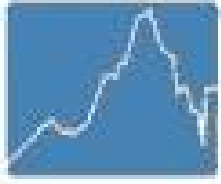
- The program shall comply with board requirements regarding closure of a program as stated in 18 VAC 90-20-135



Department of Health Professions

18 VAC 90-20-135. Requests for exceptions or requirements for faculty (new)

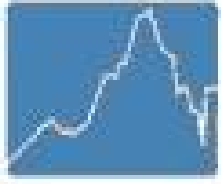
Moved from previous faculty section and clarifications
added



Department of Health Professions

18 VAC 90-20-136. Records and provision of information (new)

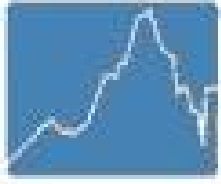
- Requirements for admission, readmission, advanced standing, progression, retention, dismissal, and graduation shall be readily available to the students in written form
- Specifies requirements for a system of records
- Specifies information that shall be published and distributed to students and applicants, including publishing the annual pass rate on the NCLEX for the past five years



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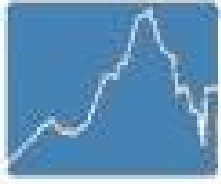
18 VAC 90-20-137. Evaluation of resources; written agreements with cooperating agencies(new)

Specifies requirements for evaluating resources, written agreements with cooperating agencies, and requirements for clinical experiences within a 50 mile radius of the program and those experiences outside of Virginia



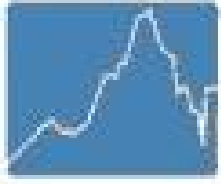
18 VAC 90-20-140. Program changes

- Adverse action taken by a licensing authority against the program director, governing body, or parent institution
- Conviction of a felony or misdemeanor involving moral turpitude against the program director, owner, or operator of the program
- Change in availability of clinical sites



Article 3. Continued Approval of Nursing Education Programs

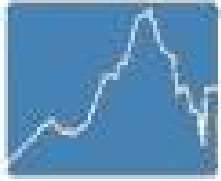
18 VAC 90-20-151. Passage rate on national examinations – clarifies requirements and process for NCLEX pass rates below 80% for one year, two years, and three years.



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18 VAC 90-20-160. Maintaining an approved nursing education program

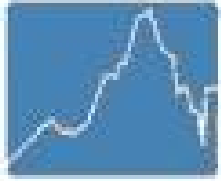
- Added requirements for submitting an annual report
- Changes requirements for review for non-accredited programs to every five years
- Interim site or survey visits shall be made as deemed necessary by the board



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18 VAC 90-20-161. Continuing and withdrawing full approval (new)

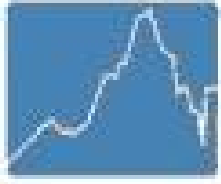
- Specifies process for review of self-evaluation and survey reports and complaints
- Specifies conditions for placing a program on conditional approval or withdrawing program approval
- Refers to 18 VAC 90-20-132



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18 VAC 90-20-170. Closing of an approved nursing education program; custody of records

- Adds a requirement for quarterly reports until the program is closed



Department of Health Professions

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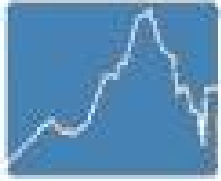
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Department of Health Professions

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