

# *Mississippi*

## *Board of Nursing*



### *Fiscal Year 2011 Annual Report*

#### *July 1, 2010 - June 30, 2011*

*MISSISSIPPI BOARD OF NURSING  
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## **MESSAGE FROM DIRECTOR**

In compliance with the provisions of Chapter 15, 73-15-17 et seq., Mississippi Code of 1972, Annotated, the Mississippi Board of Nursing hereby submits this report to outline the activities of this agency for the period of July 1, 2010 through June 30, 2011.

The Mississippi Board of Nursing is the state regulatory agency responsible for protection of the public in matters related to nursing. During Fiscal Year 2011, as authorized by law, the board licensed qualified applicants through renewal, endorsement, reinstatement, and to those registered nurses (RNs), licensed practical nurses (LPNs) who achieved a passing score on licensure examinations; issued certification to advanced practice registered nurses (APRNs), expanded role LPNs (ERLPNs and certified clinical hemodialysis technicians (CCHTs). The board communicated standards of nursing practice, issued statements regarding scope of practice, consulted with individuals and agencies on nursing practice issues, and carried out disciplinary proceedings associated with violations of the *Mississippi Nursing Practice Law and Administrative Code*.

Through the work of appointed board members, a committee structure, and agency staff, the board conducted essential and critical business, monitored trends related to nursing and took proactive steps to address the ever-changing needs of the citizens of Mississippi. The board continues to be involved in nursing regulation on the local, state and national levels with board and staff members selected to participate on committees related to research, discipline, examinations, advanced practice and policy development.

Nurses make important contributions toward meeting the health care needs of the people of Mississippi. In a constantly changing health care environment, the Board of Nursing diligently pursues its stated function of protecting the consumers of nursing care.

The Mississippi Board of Nursing submits the accomplishments reported herein for Fiscal Year 2011.

Melinda E Rush, DSN, FNP  
Executive Director

## **BOARD MEMBERS**

Board members are appointed in accordance with the Mississippi Code of 1972, Annotated, §73-15-9. The board is composed of thirteen members including seven RNs, four LPNs, one consumer of health services, and one physician. Except for the physician and consumer representatives, members are appointed by the governor from lists of nominees submitted by Mississippi registered nurse and practical nurse organizations and/or associations. The physician is appointed by the State Board of Medical Licensure and the consumer representative is appointed by the governor. The following individuals are currently serving as board members.

Sharon Catledge, RN, FNP  
Virginia Crawford, MD, Physician Representative  
Ashley Jones Garner, Consumer Representative  
LeKathryn Gipson, LPN  
Dianne Harrison-Bell, LPN  
Tina Johnson, LPN  
Darlene Lindsey, RN, CNE  
Betsy L. Mann, RN, DNP, CNE  
Merlene Myrick, RN  
David Schaefer, LPN  
G. Dwayne Self, RN, CRNA  
Mazie Whalen, RN  
Cathy Williamson, RN, CNM

## **COMMITTEES**

Board of Nursing committees are comprised of board members and staff to assist in the assessment, planning, implementation, and evaluation of board activities. Committee members are appointed by the president in accordance with bylaws except members of the Nominating Committee who are elected by the board. Board committees and the purpose of each committee are as follows:

- **Compliance Committee:** Monitors and makes recommendations related to individuals whose licenses have been restricted by board order.
- **Executive Committee:** Supervises affairs of the board between business meetings; evaluates board activities in terms of purpose, goals and objectives; reviews and resolves complaints relative to board members; works with the executive director and accountant in preparing the annual budget; and presents annual and quarterly budget reports to the board.
- **Nominating Committee:** Submits slate of names for offices to be filled at annual meeting.
- **Advanced Practice Committee:** Considers and prepares recommendations related to advanced practice nurses.
- **Nurse Practice Committee:** Responds to written inquiries regarding scope of nursing practice and considers and prepares recommendations related to the expanded role of the LPN and the Certified Clinical Hemodialysis Technician.

# **STAFF**

## **ADMINISTRATION**

Dr. Melinda Rush, DSN, FNP, Executive Director  
Nancy Herrin, Administrative Assistant

### Operations

Tony Graham, Director  
Jerlean McCoy, Accountant/Auditor  
Christy Mullen, Document Management Specialist  
Johnny Busby, Security

## **DISCIPLINE**

Brett Thompson, Esq., Director  
Shelley Harrigill, Esq., Staff Attorney  
Shan Montgomery, Legal Secretary

### Legal

April Majors, Paralegal  
Marvia Davis Lockett, Compliance Officer  
Vera Rucker, Compliance Investigator

### Investigations

Shannon Cook, Investigator  
Michael Dixon, Investigator  
Sunni Sanger, Investigator  
Rhonda Farmer, Executive Secretary

### Recovering Nurse Program

Marianne Wynn, Director  
Mike Long, Counselor  
Vanessa Gray, Legal Secretary

## **LICENSURE AND PRACTICE**

Latrina Gibbs McClenton, RN, MPH, Director

### Licensure

Deborah Armstrong, Examination Licensing Officer  
Angela Dennis, Endorsement Licensing Officer  
Gloria Perry, Reinstatement Licensing Officer  
Linda Downing, Administrative Assistant

### Advanced Practice

Michele McLeod, MSN, FNP, Director  
Pamela Johnson, Advance Practice Licensing Officer

### Criminal Background Checks

Dwayne Jamison, Director  
Dotie Stewart, Administrative Assistant  
Adelia Bush, Legal Secretary

## **BUDGET**

Nursing licenses expire on December 31 of each year with RN licenses expiring in even numbered years and LPN licenses expiring in odd numbered years. Thus, the vast majority of the board's income is received during the renewal period from October to December of each year. Because there are approximately 75% more active RNs than LPNs, the Board of Nursing's income in RN renewal years must fund at least one and one half fiscal years.

<b>FISCAL RENEWAL YEAR</b>	<b>APPROPRIATED</b>	<b>ACTUAL EXPENSES</b>	<b>RECEIPTS</b>
FY10 - LPNs	\$ 3,576,250	\$ 3,094,900	\$ 1,959,055
FY11 - RNs	\$ 3,082,736	\$ 2,836,463	\$ 5,142,439

## **LICENSURE**

The Mississippi Board of Nursing assisted qualified applicants in obtaining licensure to practice nursing in Mississippi by granting licensure to RNs and LPNs in the following categories:

- RN and LPN candidates who achieved a passing score on the National Council Licensure Examination (NCLEX);
- APRN applicants who achieved a passing score on a national certification examination recognized by the board;
- CCHT candidates who achieved a passing score on the Nephrology Nursing Certification Commission examination (NNCC), the Board of Nephrology Examiners for Nursing and Technology (BONENT); or the National Nephrology Certification Organization (NNCO);
- Licensees who met the qualifications for renewal of active licensure;
- Nurses who were endorsed into Mississippi from another state in which they were originally licensed;
- Nurses who applied for inactive licensure; and
- Nurses whose Mississippi licenses were reinstated following a period of lapsed, revoked, or suspended licensure.

## **Active Status**

As of June 30, 2011, there were 39,774 RNs and 13,594 LPNs with active licensure. Active licensure means the practice of nursing as defined in Mississippi Code of 1972, Annotated, §73-15-5 (2) and (5). Table 1 indicates the number of RNs and LPNs holding active licensure for the last five years and the percentage change from each previous year.

**Table 1: Active Licensees**

<b>LICENSEES</b>	<b>FY07</b>	<b>FY08</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>
<b>Registered Nurses</b>	34,746	37,398	37,105	39,840	39,774
<b>Licensed Practical Nurses</b>	13,096	12,221	13,274	12,553	13,594
<b>Total</b>	47,842	49,619	50,379	52,293	53,368
<b>Percentage Change from Previous Year</b>	+1.7%	+3.7%	+1.5%	+4%	+2%

## **Inactive Status**

Inactive licensure may be issued to persons not engaged in the active practice of nursing but desiring to maintain licensure. A nurse holding an inactive license is not authorized to practice in Mississippi as a RN or LPN based on that inactive status. Table 2 depicts the number of RNs and LPNs who have held inactive licensure during the last five years and the percentage change from each previous year.

**Table 2: Inactive Licensees**

<b>LICENSEES</b>	<b>FY07</b>	<b>FY08</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>
<b>Registered Nurses</b>	1,048	1,207	1,320	1,504	836
<b>Licensed Practical Nurses</b>	652	582	612	535	513
<b>Total</b>	1,700	1,789	1,932	2039	1,349
<b>Percentage Change from Previous Year</b>	-23%	-32.2%	+8%	+5.5%	-34%

## **Advanced Practice Certification**

As authorized by Mississippi Code of 1972, Annotated, §73-15-5 (2), the Board of Nursing provides for certification of advanced practice registered nurses (APRNs). Regulations in the *Mississippi Board of Nursing Administrative Code* are in place to facilitate implementation of the statute. Table 3 depicts those APRNs who were initially certified during FY 2011 and the total certified as of June 30, 2011.

**Table 3: Advanced Practice Registered Nurses**

<b>APRN SPECIALTY</b>	<b>FY11 (New)</b>	<b>TOTAL (As of 06/30/11)</b>
<b>Adult</b>	9	52
<b>Adult Acute Care</b>	19	76
<b>Adult Psychiatric Mental Health</b>	6	32
<b>Anesthetist</b>	58	615
<b>Family</b>	222	1,566
<b>Family Planning</b>	1	22
<b>Family Psychiatric Mental Health</b>	4	47
<b>Gerontological</b>	4	18
<b>Midwife-Certified</b>	3	25
<b>Neonatal</b>	9	49
<b>OB-GYN</b>	0	5
<b>Pediatric</b>	7	44
<b>Woman's Health Care</b>	12	45
<b>Total</b>	354	2,596

In addition to APRN certification renewal in FY 2011, advanced practice activities also included the approval of 238 controlled substance prescriptive authority requests; approval of 1,350 protocol revisions; issuance of 22 temporary certifications; issuance of 354 new certifications; and reinstatement of 34 APRNs.

## **Expanded Role Licensed Practical Nurses Certification**

The role of the LPN may be expanded by the board under its rule-making authority to include selected procedures commensurate with required preparation and experience. Under specific board-approved guidelines, the LPN may be certified in the expanded roles of intravenous therapy and hemodialysis. Table 4 depicts those ERLPNs who were initially certified during FY 2011 and the total certified as of June 30, 2011.

**Table 4: Expanded Role Licensed Practical Nurses**

<b>EXPANDED ROLE BY SPECIALTY</b>	<b>FY11 (New)</b>	<b>TOTAL (As of 6/30/11)</b>
<b>IV Therapy</b>	115	3,949
<b>Hemodialysis</b>	16	59
<b>IV Therapy and Hemodialysis</b>	0	81
<b>Total</b>	131	4,089

## **Certified Clinical Hemodialysis Technician (CCHTs)**

The program for certification of hemodialysis technicians (CCHTs) allowing the board to issue certification to qualified candidates falls within the regulatory authority of the Board of Nursing in accordance with the *Mississippi Nursing Practice Law*. Dialysis units providing hemodialysis technician training are granted approval by the board to provide training based on criteria outlined in the *Mississippi Board of Nursing Administrative Code*. Before a dialysis unit offers training, a site visit is conducted to complete the approval process. In FY 2011, 79 CCHTs were newly certified bringing the total to 396 certified in the state.

## **Records Maintenance**

In addition to changes made during renewal time, staff members engaged in a variety of activities required to maintain the most accurate licensure files as possible. Table 5 depicts those activities performed during FY 2011.

**Table 5: Records Maintenance**

<b>ACTIVITY</b>	<b>FY11</b>
<b>Name Changes</b>	794
<b>Address Changes</b>	700
<b>Duplicate Licenses Issued</b>	225
<b>Verifications (Miscellaneous - non online)</b>	49

## **Temporary Permits**

Temporary permits to practice nursing may be issued to endorsement applicants and camp nurses for a period of 90 days and nurses enrolled in reorientation programs for a period of 30 days. Table 6 depicts those permits issued during FY 2011.

**Table 6: Temporary Permits**

<b>PERMIT</b>	<b>RNs</b>	<b>LPNs</b>	<b>TOTAL</b>
<b>Endorsement</b>	603	150	753
<b>Reorientation</b>	13	2	15
<b>Camp</b>	8	0	8
<b>Total</b>	624	152	776

## **Reinstatements**

Reinstatement refers to the reactivation of licensure to those nurses who were previously licensed in Mississippi but whose licenses have lapsed. These individuals must apply and meet all requirements for reinstatement of a nursing license. In FY 2011, 673 nurses, 505 RNs and 168 LPNs, reinstated licensure after a period of lapsed status.

## **Criminal Background Checks**

The Criminal Background Checks program was implemented by the board in April 2011 following legislation passed in the 2010 Legislative Session (Miss. Code Ann. Sections 73-15-17, 73-15-19, and 73-15-21.) This program functions at the highest level of security working with local, state and federal agencies and is first being used to background check every nurse applying for licensure by examination in Mississippi. In the first three months of implementation, 6% of those applying for licensure had a positive response on the background check and fingerprinting. This is an increase of 6% from last year when the CBC was not required for licensure application, but was dependent on self-disclosure.

**Table 7: Criminal Background Checks**

<b>FY 2011</b>	<b>CALENDAR YEAR</b>	<b>FISCAL YEAR</b>
<b>Total Fingerprinted</b>	1,493	1,493
<b>Returned Positive for Misdemeanor or Felony</b>	85	85
<b>On-site Fingerprinting (Schools of Nursing)</b>	32	32
<b>In-house Fingerprinting (Board Office)</b>	215	215

## Endorsements

The board may issue a license to practice nursing as a RN or LPN without examination to an applicant who has been duly licensed as such under the laws of another state, territory or possession of the United States or a foreign country if the applicant meets the qualifications required of licensed RNs or LPNs in this state. The nurse must have previously achieved the passing score or scores on the licensing examination required by Mississippi at the time of his or her graduation. During FY 2011, 1,008 RNs and 210 LPNs were endorsed into Mississippi. Table 7 indicates those endorsed from each jurisdiction.

**Table 8: Endorsements into Mississippi - FY 2011**

STATE	RNs	LPNs	STATE	RNs	LPNs
Alabama	178	28	Nebraska	2	1
Alaska	0	0	Nevada	1	0
Arizona	10	2	New Hampshire	0	0
Arkansas	19	8	New Jersey	11	1
California	22	6	New Mexico	2	0
Colorado	5	1	New York	92	3
Connecticut	5	10	North Carolina	16	0
Delaware	1	1	North Dakota	0	0
District of Columbia	3	0	Ohio	32	3
Florida	64	24	Oklahoma	5	0
Georgia	46	6	Oregon	0	1
Hawaii	1	0	Pennsylvania	25	2
Idaho	3	0	Rhode Island	1	0
Illinois	36	7	South Carolina	9	0
Indiana	38	4	South Dakota	0	0
Iowa	4	2	Tennessee	59	14
Kansas	4	3	Texas	24	5
Kentucky	7	1	Utah	2	0
Louisiana	213	59	Vermont	6	0
Maine	3	0	Virginia	10	5
Maryland	6	1	Washington	5	0
Massachusetts	6	0	West Virginia	0	0
Michigan	12	3	Wisconsin	5	1
Minnesota	1	1	Wyoming	2	0
Missouri	11	7	Other Territories	0	0
Montana	1	0	<b>Total</b>	1,008	210

## **Verifications**

The board also provides verification of licensure status, including licensure examination results and educational preparation, for RNs and LPNs who are seeking licensure through boards of nursing in other states, territories or countries. During FY 2011, the licensure status of 239 RNs and 110 LPNs was verified to other jurisdictions. Table 9 indicates the jurisdictions to which verification was provided.

**Table 9: Verifications from Mississippi - FY 2011**

<b>STATE</b>	<b>RNs</b>	<b>LPNs</b>	<b>STATE</b>	<b>RNs</b>	<b>LPNs</b>
Alabama	9	6	Nebraska	0	0
Alaska	0	0	Nevada	3	0
Arizona	0	1	New Hampshire	0	0
Arkansas	0	0	New Jersey	3	0
California	21	4	New Mexico	0	0
Colorado	1	1	New York	7	0
Connecticut	0	1	North Carolina	3	0
Delaware	0	0	North Dakota	1	0
District of Columbia	1	0	Ohio	1	2
Florida	1	0	Oklahoma	8	2
Georgia	40	11	Oregon	0	0
Hawaii	0	0	Pennsylvania	1	0
Idaho	0	0	Rhode Island	2	0
Illinois	10	2	South Carolina	2	0
Indiana	0	0	South Dakota	2	0
Iowa	0	0	Tennessee	5	4
Kansas	0	1	Texas	19	3
Kentucky	2	0	Utah	1	0
Louisiana	38	60	Vermont	1	0
Maine	0	0	Virginia	0	1
Maryland	0	0	Washington	4	0
Massachusetts	0	0	West Virginia	0	0
Michigan	4	1	Wisconsin	0	1
Minnesota	4	0	Wyoming	0	0
Missouri	1	0	Other	43	9
Montana	1	0	Total	239	110

## **PRACTICE**

Standards of practice for RNs, LPNs, APRNs and ERLPNs in a variety of clinical and educational roles were reviewed and recommendations for implementation were made by the board. The Director of Practice and the Director of Advanced Practice are available to individual nurses as well as health care agencies throughout Mississippi regarding issues of nursing roles, scope of practice and practice standards. They also assist the investigative staff by reviewing evidence and or cases related to generally accepted standards of nursing practice.

Information and resources were studied by staff and the Nurse Practice Committee and Advanced Practice Committee in order for decisions to be made regarding issues and questions involving nursing practice standards and scope of practice. The board was contacted by individual nurses, nursing directors, administrators and employers of nurses for specific nurse practice information. In FY 2011, 252 responses were provided to individuals having nursing practice inquiries and 1,054 responses were provided for advanced practice nursing inquiries. Additionally, a frequently asked questions section is available on the board's website giving the public access to information in a more timely fashion.

## **EXAMINATIONS**

The Board of Nursing is responsible for evaluating the competency of persons entering the nursing profession through the administration of valid and reliable licensure examinations. The board is a member of the National Council of State Boards of Nursing (NCSBN). Under the guidance and with the participation of its member boards, NCSBN has developed psychometrically sound and legally defensible licensure examinations to measure the competencies needed to perform safely and effectively as entry-level RNs or LPNs.

The board is responsible for the administration of licensure examinations to graduates of registered and practical nursing programs. This testing program includes the administrative duties of determining candidate qualifications, processing applications for examination, securing qualified readers for disabled candidates in accordance with the Americans with Disabilities Act, soliciting and approving volunteer item writers and item reviewers, working closely with the national testing service and the local testing centers, evaluating and monitoring test sites, adhering to strict security measures, and receiving, processing and reporting examination results to individual candidates, schools of nursing, the Mississippi Department of Education and the Mississippi Board of Institutions of Higher Learning.

Licensure examinations are administered year-round in special testing centers equipped for computerized adaptive testing. This testing methodology allows candidates to schedule at their convenience at any of over 200 sites throughout the country and to receive results within two weeks of the examination. Mississippi has sites located in Jackson and Tupelo.

Mississippi's system of vocational and higher education provides educational opportunities for potential nursing students throughout the state. Mississippi programs preparing LPNs are regulated and approved by the Board of Community Colleges. Mississippi programs preparing RNs are regulated and approved by the Board of Institutions of Higher Learning.

Tables 10 and 11 include all first-time candidates educated in Mississippi regardless of where they tested or applied for licensure.

**Table 10: Mississippi RN Graduate First Writes**

YEAR	FIRST WRITES	PASSED		FAILED	
		NUMBER	PERCENT	NUMBER	PERCENT
FY07	1,608	1,422	88%	186	12%
FY08	1,526	1,300	85%	226	15%
FY09	1,863	1,618	87%	245	13%
FY10	1,688	1,458	86%	230	14%
FY11	2,125	1,861	88%	264	12%

**Table 11: Mississippi LPN Graduate First Writes**

YEAR	FIRST WRITES	PASSED		FAILED	
		NUMBER	PERCENT	NUMBER	PERCENT
FY07	714	606	85%	108	15%
FY08	735	665	90%	70	10%
FY09	823	686	83%	137	17%
FY10	831	709	85%	122	15%
FY11	773	693	90%	80	10%

Tables 12 and 13 include first-time and repeat candidates regardless of where they were educated.

**Table 12: RN First-Time and Repeat Candidates**

YEAR	NUMBER TESTED	PASSED		FAILED	
		NUMBER	PERCENT	NUMBER	PERCENT
FY07	2,245	1,844	82%	401	18%
FY08	2,112	1,657	78%	455	22%
FY09	2,668	2,084	78%	584	22%
FY10	1,961	1,624	83%	337	17%
FY11	2,481	2,070	83%	411	17%

**Table 13: LPN First-Time and Repeat Candidates**

YEAR	NUMBER TESTED	PASSED		FAILED	
		NUMBER	PERCENT	NUMBER	PERCENT
FY07	914	695	76%	219	24%
FY08	920	754	82%	166	18%
FY09	1,030	764	74%	266	26%
FY10	1,037	816	79%	221	21%
FY11	923	761	82%	162	18%

**Table 14: RN Examinations - FY11**

SCHOOLS OF NURSING	FIRST WRITES			REPEATS		
	Number Tested	Number Passed	Percent Passed	Number Tested	Number Passed	Percent Passed
<b>Associate Degree Programs</b>						
Alcorn State University	39	32	83	6	6	100
Coahoma Community College	31	22	71	14	6	43
Copiah Lincoln Community College	36	35	97	0	0	0
East Central Community College	63	54	86	14	8	57
Hinds Community College	222	193	87	39	26	67
Holmes Community College	129	118	91	9	5	56
Itawamba Community College	119	90	76	52	24	46
Jones County Junior College	61	53	87	11	6	55
Meridian Community College	210	187	89	31	22	71
Mississippi Delta Community College	52	50	96	7	5	71
MS Gulf Coast Comm. Coll.	172	153	89	25	13	52
Mississippi University for Women	53	48	91	6	5	83
Northeast MS Community College	89	83	93	12	9	75
Northwest MS Community College	97	91	94	5	2	40
Pearl River Community College	104	91	88	8	7	88
Southwest MS Community College	94	81	86	13	8	62
<b>Sub-Total</b>	1571	1381	88	252	152	60
<b>Baccalaureate Programs</b>						
Alcorn State University	22	20	91	4	2	50
Delta State University	27	26	96	3	1	33
Mississippi College	62	52	84	7	6	86
Mississippi University for Women	57	56	98	9	3	33
University of Mississippi Medical Center	154	131	86	26	10	38
University of Southern Mississippi	164	146	89	33	22	67
William Carey College	68	49	72	22	13	60
<b>Sub-Total</b>	554	480	87	104	57	55
<b>Total Mississippi Schools</b>						
	2,125	1,861	88	356	209	59
<b>Other</b>						
Out-of-State Programs	0	0	0	76	39	51
Foreign Programs	0	0	0	1	0	0
<b>TOTAL</b>	2,125	1,861	88	433	248	57

First writes' data compiled using the G-4 candidate report  
 Repeats' data compiled using the Education Summary Program reports

**Table 15: LPN Examinations - FY11**

<b>PRACTICAL NURSE PROGRAMS</b>	<b>FIRST WRITES</b>			<b>REPEATS</b>		
	<b>Number Tested</b>	<b>Number Passed</b>	<b>Percent Passed</b>	<b>Number Tested</b>	<b>Number Passed</b>	<b>Percent Passed</b>
Coahoma Community College	24	16	67	25	9	36
Copiah Lincoln Community College	32	31	97	3	1	33
East Central Community College	24	22	92	5	3	60
East Mississippi Community College	15	15	100	3	0	0
Hinds Community College	115	99	86	23	13	57
Holmes Community College	58	55	95	4	3	75
Itawamba Community College	42	39	93	10	4	40
Jones County Junior College	52	50	96	5	2	40
Meridian Community College	54	50	93	7	3	43
Mississippi Delta Community College	34	31	91	7	5	71
MS Gulf Coast Community College	100	83	83	20	7	35
Northeast MS Community College	48	48	100	0	0	0
Northwest MS Community College	90	80	89	14	5	36
Pearl River Community College	46	43	93	4	2	50
Southwest MS Community College	39	31	79	20	11	55
<b>Sub-Total</b>	<b>773</b>	<b>693</b>	<b>90</b>	<b>150</b>	<b>68</b>	<b>45</b>
Out-of-State Programs	0	0	0	18	7	39
Closed LPN Programs	-	-	-	-	-	-
Graduates of RN Programs	1	1	100	0	0	0
Graduates of Foreign Programs	-	-	-	-	-	-
<b>Sub-Total</b>	<b>1</b>	<b>1</b>	<b>100</b>	<b>18</b>	<b>7</b>	<b>39</b>
<b>TOTAL</b>	<b>774</b>	<b>694</b>	<b>87</b>	<b>168</b>	<b>75</b>	<b>45</b>

First writes' data compiled using the G-4 candidate report.

Repeats' data compiled using the Education Summary Program reports.

# DISCIPLINARY

## Investigations

Allegations of violations of the *Mississippi Nursing Practice Law* are made known to the Investigative Division from a variety of sources including self reporting nurses, patients, family members, co-workers, supervisors, anonymous calls and letters, the media and other boards of nursing. An allegation is reviewed to determine whether there is evidence of a violation of the Nursing Practice Law, whether the Board of Nursing has jurisdiction and whether there is sufficient information to support an investigation. The investigation includes data collection through medical record reviews, review of court records and interviews with the licensee or applicant for licensure and with witnesses. Cases may be referred to the Recovering Nurse Program or the Mississippi Alternative Program when there is reason to believe the nurse may be practicing the profession while the ability to practice is impaired by either alcohol or mood altering substances or if the nurse has a physical, mental or emotional condition. Cases are closed when there is insufficient evidence to substantiate the allegations or if there is no violation of the Nursing Practice Law which warrants formal disciplinary action. If the findings of an investigation reveal evidence to support a formal action, the case is referred to the Disciplinary Division.

**Table 16: FY 2011 Investigation Statistics**

<b>ACTIVITY</b>	<b>FY11</b>
<b>Allegations Received</b>	1,448
<b>Investigations Completed</b> <b>Referred for Action: 281</b> <b>Investigations Closed: 993</b>	1,274

## Disciplinary/Legal

Once a completed investigation is received in Disciplinary/Legal, a formal complaint is issued to the nurse or applicant outlining the violation(s) of the *Mississippi Nursing Practice Law* and/or *Rules and Regulations*. All applicants/nurses are presented with settlement offers, agreed orders, in lieu of having a formal hearing. Should the nurse/applicant refuse such settlement offers or fail to respond, a formal complaint is issued and the matter is set for hearing. The board has the authority to issue subpoenas on behalf of the applicant/nurse for any documents needed or for witnesses to appear. Because these proceedings are administrative in nature, the Rules of Civil Procedure or Rules of Evidence are not applicable. There is also no formal discovery process as in civil litigation. The *Mississippi Nursing Practice Law* protects all records of the investigation and all patient charts, records, emergency room records or any other document that may have been copied. Those records are to be kept confidential and are not be subject to discovery and subpoena. Disciplinary hearings are conducted at the board office before a panel consisting of three board members as well as a legal representative from the attorney general's office who presides over the proceedings. At the hearing, there is reading of the charges, admission of exhibits, presentation of the case by the prosecutor, presentation of the case by applicant/nurse or by a legal representative on his/her behalf, cross examination by both sides and closing statements. After deliberating the case in executive session, the panel's decision is announced officially on the record. Should the applicant/nurse disagree with the decision, multiple appeal efforts may be exhausted.

Table 17 depicts the activities of Disciplinary/Legal during FY 2011.

**Table 17: FY 2011 Disciplinary/Legal Statistics**

<b>ACTIVITY</b>	<b>FY11</b>
<b>Formal Hearings</b>	<b>85</b>
<b>Agreed Orders</b>	<b>204</b>
<b>Administrative Denials</b>	<b>17</b>
<b>RNP Admissions</b>	<b>46</b>
<b>Non-Discipline Affidavits</b>	<b>15</b>
<b>Letters of Concern</b>	<b>21</b>
<b>Lapsed Reinstatements</b>	<b>6</b>
<b>Total Disciplinary/Legal Actions</b>	<b>394</b>

Following the hearing process, nurses subject to disciplinary action are reported to the National Council of State Boards of Nursing (NCSBN), the board's reporting agent to the Healthcare Integrity and Protection Data Bank that was established through the Health Insurance Portability and Accountability Act (HIPAA). This is a national health care fraud and abuse data collection program for the reporting of final adverse actions against health care providers, suppliers or practitioners.

#### Compliance

The Compliance Division monitors agreements resulting from disciplinary restriction of licenses. Restricted licensees are required to submit numerous monthly reports to provide documentation of compliance with board orders. In FY 2011, Compliance monitored an average of 302 individuals per month including 161 restricted licensees and monthly documentation submitted by 141 revoked licensees in anticipation of a reinstatement hearing at some future date.

#### Recovering Nurse Program

The Recovering Nurse Program (RNP) was developed to protect the consumers of nursing care through a special program for nurses recovering from drug dependence and/or physical, mental or emotional condition that impact the individual's ability to practice safely. This program enables nurses to maintain licensure while receiving treatment and aftercare and being closely monitored by the board through a structured agreed order. Nurses acknowledge violation of the law and voluntarily enter into a contractual probation agreement with the board to restrict licensure for 12 - 60 months in lieu of a formal disciplinary hearing before the board. Nurses in the RNP practice nursing in highly supervised settings, and are closely monitored through a system of written monthly progress reports from the program participant, the treatment/aftercare team and the employer. All participants are required to furnish random drug

screens as well as verification of required attendance at support groups such as Alcoholics Anonymous or Narcotics Anonymous. RNP staff also conducts regular and frequent conferences with each participant and make site visits to employment and treatment settings as needed.

In FY 2011, the board implemented the Mississippi Model - a dualistic approach to monitoring substance dependence and abuse disorders. The board determined that nurses who have a diagnosis of chemical dependency and have diverted medications or forged prescriptions need to remain in the RNP disciplinary program as defined above. They also approved a new non-disciplinary program called the Mississippi Alternative Program (MAP) that addresses nurses who misuse alcohol and other legal and illegal drugs, but who do not have a chemical dependency diagnosis. Aspects of this program include monitoring with random drug screens for two years, abstinence from alcohol and known drugs of abuse, incorporation of an educational component to teach participants the role of the brain in substance dependency, positive life skill techniques, and signs and symptoms of substance use disorders.

**Table 18: RNP and MAP Activities**

<b>ACTIVITY</b>	<b>FY 2011</b>
<b>Interviews</b>	1,272
<b>Signed Affidavits</b>	43
<b>Signed Readmission Affidavits</b>	3
<b>Referred to Investigations</b>	29
<b>Referred to Disciplinary</b>	39
<b>Completed RNP</b>	41
<b>Current Enrollment</b>	189

## ***NURSE LICENSURE COMPACT***

Nurses who reside in another compact state who wish to practice in Mississippi will be given the privilege to practice rather than going through the endorsement process for a license. The general purposes of this compact are to:

- Facilitate the states' responsibilities to protect the public's health and safety;
- Ensure and encourage the cooperation of states in the areas of nurse licensure and regulation;
- Facilitate the exchange of information between states in the areas of nurse regulation, investigation and adverse actions;
- Promote compliance with the laws governing the practice of nursing in each jurisdiction;
- Invest all states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of state licenses.

## **NATIONAL COUNCIL OF STATE BOARDS OF NURSING**

The Mississippi Board of Nursing continued to be active in the National Council of State Boards of Nursing (NCSBN). The mission of NCSBN is to promote public policy related to safe and effective practice of nursing in the interest of public welfare. It strives to accomplish this mission by acting in accordance with the decision of its member boards of nursing on matters of common interest and concern affecting the public health, safety and welfare. To accomplish its goals, NCSBN provides services and guidance to its members in performing their functions that regulate entry to nursing practice, continuing safe nursing practice, and nursing education programs. In addition to licensure examinations (NCLEX-RN and NCLEX-PN), NCSBN also assisted the Board of Nursing by providing services, research, and data in the areas of licensure, standards of practice, discipline, federal regulations, foreign-educated nurses, chemical dependency, nursing education and other regulatory and education issues. In FY 2011, board members and staff participated in NCSBN activities as follows:

- Attended annual and mid-year meetings
- Served on Compact Administrators Committee
- Served on the NCLEX Examination Committee
- Served on the Disciplinary Resources Advisory Panel
- Served on the Advanced Practice Committee
- Served on the Taxonomy of Error, Root Cause Analysis and Practice (TERCAP) Committee
- Served on Continued Competence Committee

## **LIAISON AND INTER-AGENCY ACTIVITIES**

Staff represented the board on committees and at meetings of other state and national agencies and organizations including the following:

- American Academy of Nurse Practitioners
- Institutions of Higher Learning - Council of Deans and Directors
- Mississippi Bar Association
- Mississippi Dietetics Association
- Mississippi Hospital Association - Organization of Nurse Executives
- Mississippi Nurses Association
- Mississippi Office of Nursing Workforce - Barriers to Nursing Education Task Force
- Mississippi Office of Nursing Workforce - HRSA Nurse Residency Advisory Committee
- National Association of Drug Diversion Investigators, Mississippi Chapter
- National Council of State Boards of Nursing - Compact Administrators
- National Council of State Boards of Nursing - Advanced Practice Committee
- National Council of State Boards of Nursing - Taxonomy of Error, Root Cause Analysis and Practice
- Nursing Organization Liaison Committee
- Office of Nursing Workforce - Advisory Committee
- Sigma Theta Tau International

# **MISSISSIPPI OFFICE OF NURSING WORKFORCE**

## History

In 1996, the Mississippi legislature passed the Nursing Workforce Redevelopment Act, which established the Mississippi Office of Nursing Workforce (ONW), under the auspices of the Mississippi Board of Nursing, for the purpose of addressing changes impacting the nursing workforce. Two of the major objectives identified were to develop and implement a systematic annual survey for nursing manpower needs and projections, and to develop a competency model to assist students in articulation and mobility within the multi-level nursing education system. The foundational philosophy for the establishment of the Mississippi Office of Nursing Workforce is the belief that the health and welfare of the people of Mississippi are highly reliant on a competent nursing workforce in sufficient numbers, and that successful nursing workforce development is dependent on each component of Mississippi's conceptual model. Listed below is a partial listing of the projects and initiatives reflective of the work of ONW and funded by various governmental or philanthropic entities.

## Nursing Workforce Supply and Demand

ONW completed its twelfth year of nursing workforce data analysis from surveys sent to hospitals and aging and adult services. Additionally, ONW reports 100% participation of Mississippi schools of nursing with the Southeast Regional Education Board (SREB) School of Nursing Survey, which includes faculty and student data. ONW compiles the SREB survey data and reports are provided to the Mississippi Council of Deans and Directors of Schools of Nursing annually. Data excerpts from both of these surveys are posted on ONW's website, [www.monw.org](http://www.monw.org).

## Mississippi Long Term Care Workforce Initiative

This project was funded in part by a grant awarded by the US Department of Labor and Employment and Training Administration. It is a "high growth" job training initiative for the long term care (LTC) sector of the health care industry. Match funder is the Mississippi Health Care Association providing student scholarships and other resources. The major elements of the LTC Initiative are as follows:

- Recruitment campaign for middle and high school students
- High school dual enrollment for licensed practical nurse program
- Development of student/graduate workplace transition program
- Student resource support via virtual student navigator, [www.studentnavigator.org](http://www.studentnavigator.org)
- Assess LTC workplace culture and recommend strategies for improvement
- Provide continuing education for LTC staff and promote upward mobility via nursing clinical ladders

## Jobs to Careers

This initiative seeks to advance and reward the skill and career development of frontline healthcare workers via work-based learning. The programs provide opportunities for training, certification, advancement, salary increase, title change and college credit. Funding is provided by the Robert Wood Johnson and Hitachi Foundations. Hospital partners are Central Mississippi Medical Center, with education partner, Hinds Community College and Southwest MS Regional Medical Center, with education partner, Southwest MS Community College.

Partners Investing in Nursing's Future (PIN) Grant, funded by a collaborative between the Robert Wood Johnson Foundation (RWJF) and the Northwest Health Foundation (NWHF)

Hinds Community College Development Foundation was the recipient of the PIN grant entitled "MS Geriatric Dedicated Education Unit (MGDEU) Initiative", and subcontracts with ONW for project implementation of the MGDEU Initiative. The MS Geriatric Dedicated Education Unit Initiative (MGDEU) positively impacts the recruitment and retention of new and experienced nurses to care for geriatric patients in various settings. The goal of the MGDEU Initiative is to develop and implement a learning model that incorporates the knowledge and skills of experienced bedside nurses to enhance the clinical experiences of the student nurse. The staff nurse acts as the clinical teacher for the students with the integration of knowledge and support of faculty members to provide the optimum learning experience for the nursing students working with geriatric patients. The MGDEU partnerships are: Hinds Community College and Central MS Medical Center; Hinds Community College and St. Dominic/Jackson Memorial Hospital; Mississippi College and MS Baptist Medical Center; Itawamba Community College and North MS Medical Center; and University of MS Medical Center School of Nursing and University of MS Medical Center.

Healthcare Workforce Initiative Delta Health Alliance (DHA)

Delta State University School of Nursing subcontracts with the Mississippi Office of Nursing Workforce (ONW) to replicate the student nurse externship program, which enhances recruitment and retention of Delta nurses especially in small rural hospitals, and to expand implementation of StudentMax™, [www.monwplacement.org](http://www.monwplacement.org), a clinical placement software program that is effective in increasing student clinical capacity up to 100%.

High School Nurse Mentorship Academies

Bower Foundation

The Bower Foundation partners with ONW to fund two High School Nurse Mentorship Academies. The first program site is North Mississippi Medical Center (NMMC), the Healthcare Foundation of North Mississippi, and Tupelo High School. The second site is the United Way of Greater Monroe County established a High School Nurse Mentorship Academy in January 2009. The partners are: Monroe High School Allied Health and GED Program, Itawamba Community College, and Pioneer Community Hospital. Thirty (30) students participated in the mentorship program and took the certified nurse assistant exam.

University of MS Medical Center Mentorship Programs

ONW partners with the University of Mississippi Medical Center (UMMC) on the UMMC HRSA grant, "Delta Regional Institute (DRI) to offer four High School Nurse Mentorship Academies: 1) Singing River Health Systems, Key's Technology Center, Ocean Springs High School, Gulf Coast Community College; 2) Hattiesburg High School, Forrest General Hospital, and Pearl River Community College; 3) Greenwood High School, Leflore County High School, Greenwood Leflore Hospital, and MS Delta Community College; and 4) Fallen Technology Center, Natchez High School, Cathedral High School, Adams County Christian School, Natchez Community Hospital, and Copiah-Lincoln Community College. Fifty-one (51) students participated in the mentorship program and forty (40) students took the certified nurse assistant exam.

### Kellogg Foundation/Dreyfus Foundation

The Dreyfus Health Foundation (DHF) was awarded a grant from the Kellogg Foundation, entitled Nursing Leadership Development Model: Strategy to improve the Health of Mississippi's Children and Families. DHF subcontracts with ONW to implement the MS Delta Initiative. The goals of the grant are to: 1) recruit un- or under-employed young women into an accelerated certified nurse aide program with hospital shadowing opportunities and facilitate matriculation into a nursing career ladder and/or employment; 2) provide DHF Problem Solving for Better Health-Nursing™ (PSBH-N) workshops for Delta State Nursing students and community participants to develop community nursing health promotion projects; and, 3) conduct "Project Talent: Nursing" survey, in collaboration with Mississippi State University (MSU) Social Science Research Center (SSRC), to identify job selection factors of Mississippi Nursing students. Evaluation activities are being performed by Delta State University Institute for Community Based Research.

### South Delta Planning and Development District

The South Delta Planning & Development District provided grant funding for summer nursing student externs in MS Delta hospitals and nursing homes. The program is intended to support employment through the Student Nurse Externship Program. This program provides learning experiences to enhance previously learned skills under the supervision of experienced registered nurses. It prepares students to assume responsibilities of full-time employees with respect to performance requirements, policies and procedures in a hospital or nursing home.

### MS Healthcare Simulation Alliance

The MS Healthcare Simulation Alliance was created through funding provided by the Mississippi Legislature, via the MS Board of Nursing. The vision of the Simulation Alliance is to maximize the use of clinical simulators to transform the education of nursing students and other healthcare professionals to promote a competent healthcare workforce who will deliver high quality, safe patient care. The mission is to become a collaborative voice for simulation in healthcare education in the state to meet the following goals:

- provide for faculty development, information sharing, and best practice identification;
- facilitate funding for simulation use and expansion; and
- disseminate evidence based education to stakeholders.

Simulation faculty development workshops are being conducted and a website is being developed for simulation faculty education, resource sharing, scenario development, and networking.