

**The Ohio Board of Nursing:
Guide to Public Participation in Rule Making and
Overview of Board Operation**



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Revised September 2008

THE OHIO BOARD OF NURSING: GUIDE TO PUBLIC PARTICIPATION IN RULE MAKING AND OVERVIEW OF BOARD OPERATIONS

MISSION

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

BACKGROUND

The Board functions as a governmental agency created by Ohio law to regulate the practice of nursing in the state of Ohio for the safety of the public. The Nurse Practice Act is set forth in Chapter 4723. of the Ohio Revised Code, and Chapters 4723-1 through 4723-27 of the Ohio Administrative Code contain rules adopted by the Board. The Nurse Practice Act and the rules establish requirements for various types of licensure and certification, practice, discipline, education, and various training programs. You can access the statute and the rules through the Board web site at www.nursing.ohio.gov.

Licensees and certificate holders regulated by the Board include registered nurses, advanced practice nurses (certified nurse practitioners, clinical nurse specialists, certified nurse midwives, and certified registered nurse anesthetists), licensed practical nurses, dialysis technicians, medication aides and certified community health workers.

A thirteen-member Board is appointed by the Governor and consists of eight registered nurses, four licensed practical nurses and one consumer. Of the eight registered nurses on the Board, one must be authorized to practice as an advanced practice nurse. The consumer member of the Board, a non-nurse, represents the interests of consumers of health care. All Board members serve a term of four years and may be reappointed for a second four-year term. The Board appoints an Executive Director who oversees the daily operations of the Board.

FUNCTIONS AND PROGRAMS

The public expects safe nursing care will be delivered and unsafe or incompetent practitioners will be appropriately dealt with. The Board provides these assurances through the following functions and programs.

Licensure, Certification and Continuing Education

The Board issues licenses and certificates to individuals who meet statutory and regulatory requirements and works toward having processes in place to license, certify, and renew applicants as quickly as possible so they may enter or remain in the workforce.

- In fiscal year 2008, the Board maintained approximately 223,000 active licenses or certificates.
- The Board maintains a web-based system for verification of licenses and certificates.
- Online renewal of licenses and certificates is encouraged. Approximately 85% of LPN renewals for the 2008 biennial period were processed online.
- The Board assures that licensees and certificate holders maintain competency based on the continuing education requirements set forth in the Nurse Practice act and rules; conducts continuing education audits; and convenes the Advisory Group on Continuing Education.
- Continuing education questions can be sent to ce@nursing.ohio.gov.

The public may access license or certificate information by telephone or computer inquiry. Go to the Board web site at www.nursing.ohio.gov and click on "Verification." Employers should verify license and certificate status through the web-based verification system.

Nursing Education and Training Programs

The Board approves pre-licensure education and training programs to assure the programs maintain academic and clinical standards for the preparation of entry-level nurses, dialysis technicians, medication aides, and certified community health workers.

- In fiscal year 2008, through staff site visits and Board review, the Board approved, reapproved or maintained the status of 143 nursing education programs (78 registered nursing and 65 practical nursing programs).
- In addition, the Board regulates dialysis training programs, medication aide training programs, and community health worker programs.

Practice Questions and Issues

The Board addresses pertinent nursing regulatory issues and requirements for licensees and certificate holders and provides greater clarity about the requirements to those regulated by the Board. The Board receives and responds to numerous practice questions from licensees and certificate holders, employers, and the public. Practice questions or issues may be sent to practice@nursing.ohio.gov.

- The Board convenes a Committee on Practice to collect and review information concerning practice questions and when necessary, prepares Interpretive Guidelines for Board approval.
- The Board convenes the Advisory Group on Dialysis and the Committee on Prescriptive Governance, and maintains and updates the Formulary that establishes the parameters for drugs prescribed by advanced practice nurses.

Compliance, Discipline and Monitoring

The Board handles complaints, investigations and adjudications to safeguard the health of the public and, in cases involving chemical dependency or practice issues, offers alternatives to discipline programs if appropriate. A complaint form is available on the Board web site, or the complaint can be filed through discipline@nursing.ohio.gov. All complaints are confidential and will be investigated to determine whether a violation has occurred.

- During fiscal year 2008, the Board received 4,021 complaints. Board disciplinary action averaged 280 each Board meeting.
- Board actions are posted on the Board website.
- Employers can also review *Momentum*, a quarterly Board publication, for disciplinary actions that are published in each issue.
- Ohio law requires mandatory reporting which means that employers are required to report to the Board those licensees and certificate holders whom they have reason to believe may have violated the Nurse Practice Act law or the rules adopted by the Board.

The Board also administers confidential alternative programs to discipline, including the Alternative Program for Chemical Dependency and the Practice Intervention and Improvement Program. Monitoring agents assure that individuals comply with the terms and conditions of Consent Agreements and alternative to discipline program agreements.

RULE MAKING PROCESS

By law, the Board is authorized to promulgate (adopt, amend, and rescind) rules to carry out the provisions of the Nurse Practice Act and implement the Board's regulatory mission. Also, Ohio law requires the Board to review its rules at least once every five years. In addition to the five-year review, the Board may consider other rules or amendments to the rules at various times.

When the Board proposes new rules or modifications to existing rules, the rules or changes will be electronically filed and can be accessed through the Board web site. The Board also files a public notice to inform interested parties that the Board will hold a hearing on proposed rules to hear public comment. After receiving public comment, the Board considers the testimony (written and oral) and determines whether to make changes to the rules as proposed. Lastly, the Joint Committee on Agency Rule Review, a bi-partisan committee of legislators, conducts a final review of all Ohio rules.

PUBLIC PARTICIPATION IN THE RULE MAKING PROCESS

The Board seeks public participation through Advisory Groups and Open Forums during Board meetings, and may convene Committees to review particular issues. Interested parties may attend Board Committee meetings convened to consider specific issues or tasks. All meetings of the Board, Advisory Groups and Board Committees are open to the public and governed by the Ohio Open Meetings Act. Upcoming meeting information is contained on the Board website, and can be obtained by contacting the Board office at board@nursing.ohio.gov or by calling (614) 466-6940. Rule making or legislative questions, comments or issues may also be sent to law-rules@nursing.ohio.gov.

INFORMATION AND CONTACTING THE BOARD

The Board web site is www.nursing.ohio.gov. Information is updated regularly and includes, among other things, verification, proposed rules, publications, Annual Reports, and links to other state agencies and to the National Council of State Boards of Nursing.

Momentum, a quarterly publication of the Board, is sent to those with an active license or certificate to provide information on Board activities.

Interested parties are encouraged to subscribe, through the web site, to *OBN e-News* for updates, a free service.

Specific questions may be sent directly to the program area at the Board:

For questions or issues related to initial nurse licensure by Examinations or Endorsement from another state:

licensure@nursing.ohio.gov
Licensure Unit: 614-995-7675

For questions or issues related to Reactivation/Inactivations, Renewals, Name or Address changes for an existing Ohio nursing license:

renewal@nursing.ohio.gov
Renewal Unit: 614-995-5420

For matters related to the Investigation or Discipline of licensed or certified practitioners:

disciplinary@nursing.ohio.gov
Complaint Line: 614-466-9558

For questions or issues related to Post-Disciplinary Monitoring:

monitoring@nursing.ohio.gov
Post-Disciplinary Monitoring Desk: 614-466-9560

For questions regarding alternative discipline such as the Alternative Program for Chemical Dependency (AP):

alternative@nursing.ohio.gov
Alternatives to Discipline: 614-466-0376

For questions regarding training or certifications of Dialysis Technicians, Community Health Workers or Medication Aides:

dialysis@nursing.ohio.gov
Certifications Desk: 614-466-6966

chw@nursing.ohio.gov
614-466-6966

medicationaides@nursing.ohio.gov
614-466-6966

For questions regarding practice issues for RN's, LPN's, Dialysis Technicians, Community Health Workers and Medication Aides including the Practice Intervention and Improvement Program (PIIP):

practice@nursing.ohio.gov

Practice Desk: 614-466-9476

For questions or issues about Advanced Practice nursing and Prescriptive Authority:

apn@nursing.ohio.gov

APN Desk: 614-466-6180

For questions or issues about Nursing Education Programs:

education@nursing.ohio.gov

Education Desk: 614-466-9800

For questions or issues about Continuing Education requirements:

ce@nursing.ohio.gov

Continuing Education Desk: 614-466-1949

For questions related to pending legislation or proposed administrative rules regarding RN's, LPN's, Dialysis Technicians, Community Health Workers and Medication Aides:

law-rules@nursing.ohio.gov

Legislative Liaison: 614-644-5689

For questions or issues regarding the NEGP program:

negp@nursing.ohio.gov

Phone 614-995-3681

Fax 614-995-3683

For general questions or Administrative issues regarding the Board of Nursing:

board@nursing.ohio.gov

Administrative Unit: 614-466-6940

DISCLAIMER: This publication is intended to provide an overview of the Board functions and/or the statutes and rules regulating the practice of nursing in the state of Ohio, and a guide to public participation in rule-making. The publication is informational only and is not intended to provide legal advice. Please refer to Ohio Revised Code Chapter 4723. and Ohio Administrative Code Chapters 4723-1 through 4723-27 for a statement of current law and rules.