

## **PROPOSED RULE REVISIONS**

### **Rule 400-2-.04 "Interstate Endorsement Licensure"**

Ms. Harte moved during the Board Meeting of the Georgia Board of Examiners of Licensed Practical Nurses held on October 15, 2009 in Macon, Georgia, to approve the posting of revisions to Rule 400-2-.04. Mrs. Owensby seconded the motion and it carried unanimously.

Ms. Mack moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Mrs. Owensby seconded the motion and it carried unanimously.

### **NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENTS TO THE GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES RULES CHAPTER 400-2 LICENSE REQUIREMENTS RULE 400-2-.04 "Interstate Endorsement Licensure"**

#### **NOTICE OF PUBLIC HEARING**

#### **TO ALL INTERESTED PERSONS AND PARTIES:**

Notice is hereby given that, pursuant to the authority set forth below, the Georgia Board of Examiners of Licensed Practical Nurses (hereinafter referred to as "Board") proposes to adopt Amendments to Rule 400-2-.04 "Interstate Endorsement Licensure" found in Rules Chapter 400-2 of Rules of the Georgia Board of Examiners of Licensed Practical Nurses. The purpose of the proposed amended rule is to define the requirements for active practice prior to licensure by endorsement.

This notice, together with an exact copy of the synopsis of the proposed amended rule, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice and an exact copy of the synopsis of the proposed amended rule may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Examiners of Licensed Practical Nurses web page at [www.sos.georgia.gov/plb/lpn](http://www.sos.georgia.gov/plb/lpn). Copies may also be requested by contacting the Georgia Board of Examiners of Licensed Practical Nurses office at (478) 207-2440.

A public hearing is scheduled to begin at 10:00 a.m. on December 10, 2009 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input about the proposed new rule. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before December 3, 2009. Written comments should be addressed to Randall Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Examiners of Licensed Practical Nurses, 237 Coliseum Drive, Macon Georgia, 31217. FAX 478-207-1660.

The proposed amended rule will be considered for adoption by the Georgia Board of Examiners of Licensed Practical Nurses at its meeting on December 10, 2009 scheduled to begin at 10:05 a.m. at the office of the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia, 31217. According to legal advice rendered by the Department of Law, State of Georgia, the Georgia Board of Examiners of Licensed Practical Nurses has the authority to adopt the proposed amendments to Rule 400-2-.04 pursuant to authority contained in O.C.G.A. §§ 43-25-32, 43-26-35 and 43-26-38.

In accordance with the provisions of O.C.G.A. § 50-13-4(a)(4), the Board voted at its board meeting on October 14-15, 2009 that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and that any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accompanies the objectives of O.C.G.A. §§ 43-26-30 et seq. known as "Georgia Practical Nurses Practice Act."

The Board also voted at its board meeting on October 15, 2009 that, in order to meet the objectives of O.C.G.A. §§ 43-26-30 et seq. it is not legal or feasible to adopt or implement differing actions for business as required by the provisions of O.C.G.A. §§ 50-13-4(a)(3). The formulation and adoption of this rule will impact every licensee in the same manner and will have the same impact on each business that is independently owned and operated in the field of practical nursing.

For further information, please contact the Board office at 478-207-1644.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 5<sup>th</sup> day of November, 2009.

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Donald W. Munday, *Acting Division Director*  
**PROFESSIONAL LICENSING BOARDS**

**POSTED: November 5, 2009**

**SYNOPSIS OF PROPOSED RULE AMENDMENTS TO THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES  
RULES CHAPTER 400-2-.LICENSE REQUIREMENTS  
RULE 400-2-.04 “Interstate Endorsement Licensure”**

**PURPOSE:** Compliance with statutory requirements for licensure by endorsement under O.C.G.A. §43-26-38(a).

**DIFFERENCES BETWEEN THE EXISTING RULE AND PROPOSED AMENDMENTS TO THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES,  
RULES CHAPTER 400-2, RULE 400-2-.04 “Interstate Endorsement Licensure.”**

**NOTE:** Underlined text is proposed to be added; lined through text is proposed to be deleted.

**RULE 400-2-.04 Interstate Endorsement Licensure. Amended**

- (1) An applicant for licensure by interstate endorsement must submit a completed application provided by the board and the following:
  - (a) Verification of active practice within the five (5) year period immediately preceding the application by submitting documentation of one of the following:
    1. three (3) months or five hundred (500) hours of paid licensed practice as a practical/vocational nurse; or
    2. ~~graduation from a nursing education program within the five (5) years immediately preceding the date of current application; or~~
    2. completion of a Board-approved reentry/refresher program within the five (5) years immediately preceding the date of current application.
    3. the requirement for active practice shall not apply to an applicant who:
      - i. has graduated from an approved program within one (1) year of the date of application; or
      - ii. was initially licensed within one (1) year of the date of the application.
  - (b) Certification under seal of the applicant’s current licensure, in good standing, as a licensed practical nurse in another jurisdiction.
  - (c) The appropriate fee
  - (d) A recent passport type photograph (3x3)
  - (e) Additional verification of any requirements or credentials, as the Board may deem necessary, including, but not limited to, the following:
    1. Completion of a board approved practical nursing program or met the educational requirements in such other NCLEX-PN jurisdiction as deemed equivalent to requirements in Georgia.
    2. Successful passing of the NCLEX-PN. However, if the applicant’s license in another jurisdiction was not based on passing the national licensing examination, the Board will allow the applicant to endorse with examination, provided all other requirements for licensure by endorsement are met. Upon approval the applicant for endorsement by exam must take the next available licensure examination.
    3. Verification of active practice as a licensed practical nurse within the last five years immediately preceding the application b y submitting evidence of either three (3) months or five hundred (500) hours of paid licensed practice as a practical/vocational nurse ~~or graduation from a nursing education program within the five (5) years immediately preceding the date of current application;~~ or completion of a Board-approved reentry/refresher program within the five (5) years immediately preceding the date of current application.
    4. Proof of high school graduation or G.E.D. Certificate.

Authority: O.C.G.A. §§ 43-26-32, 43-26-35 and 43-26-38.

**Rule 400-3-.01 “New Nursing Education Program Defined. Amended”.**

Mrs. Owensby moved during the meeting of the Georgia Board of Examiners of Licensed Practical Nurses held on October 15, 2009 in Macon Georgia, to approve the posting of amendments to Rule 400-3-.01. Ms. Harte seconded the motion and it carried unanimously.

Ms. Mack moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Mrs. Owensby seconded the motion and it carried unanimously.

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENTS TO THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES  
RULES CHAPTER 400-3 NURSING EDUCATION PROGRAMS  
RULE 400-3.01 “New Nursing Education Program Defined. Amended”**

**NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PERSONS AND PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Examiners of Licensed Practical Nurses (hereinafter referred to as “Board”) proposes to adopt amendments Rule 400-3-.01 “New Nursing Education Program Defined Amended.” The purpose of the proposed amendments is to update the rule to reflect recent nursing education program changes, to state clearly the assignment of NCSBN program examination codes and to change the title of the rule.

This notice, together with an exact copy of the synopsis of the proposed amended rule, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice and an exact copy of the synopsis of the proposed amended rule may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Examiners of Licensed Practical Nurses web page at [www.sos.georgia.gov/plb/lpn](http://www.sos.georgia.gov/plb/lpn). Copies may also be requested by contacting the Georgia Board of Examiners of Licensed Practical Nurses office at (478) 207-2440.

A public hearing is scheduled to begin at 10:00 a.m. on December 10, 2009 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input about the proposed new rule. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before December 8, 2009. Written comments should be addressed to Randall Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Examiners of Licensed Practical Nurses, 237 Coliseum Drive, Macon Georgia, 31217. FAX 478-207-1660.

The proposed amended rule will be considered for adoption by the Georgia Board of Examiners of Licensed Practical Nurses at its meeting on December 10, 2009 scheduled to begin at 10:05 a.m. at the office of the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia, 31217. According to legal advice rendered by the Department of Law, State of Georgia, the Georgia Board of Examiners of Licensed Practical Nurses has the authority to adopt the proposed amendments to Rule 400-3-.01 pursuant to authority contained in O.C.G.A. §§ 43-26-35 and 43-26-42.

In accordance with the provisions of O.C.G.A. § 50-13-4(a)(4) the Board voted at its board meeting on October 15, 2009 that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and that any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accompanies the objectives of O.C.G.A. § 43-26-30 et seq. known as the "Georgia Practical Nurses Practice Act."

The Board also voted at its board meeting on October 15, 2009 that, in order to meet the objectives of O.C.G.A. §§ 43-26-30 et seq. it is not legal or feasible to adopt or implement differing actions for business as required by the provisions of O.C.G.A. §§ 50-13-4(a)(3). The formulation and adoption of this rule will impact every licensee in the same manner and will have the same impact on each business that is independently owned and operated in the field of practical nursing.

For further information, please contact the Board office at 478-207-1644.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 5<sup>th</sup> day of November, 2009.

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Donald W. Munday, ***Acting Division Director***  
**PROFESSIONAL LICENSING BOARDS**

**POSTED: November 5, 2009**

**SYNOPSIS OF PROPOSED RULE AMENDMENTS TO THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES  
RULES CHAPTER 400-3 NURSING EDUCATION PROGRAMS  
RULE 400-3-.01 "NEW NURSING EDUCATION PROGRAM, DEFINED. AMENDED"**

**PURPOSE:** To change the title of the rule to require all nursing education programs affiliated with the same school program to have one program code number for the licensing examination.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA  
BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES, CHAPTER 400-3-.01  
RULE 400-3-.01 NEW NURSING EDUCATION PROGRAM DEFINED. AMENDED**

**NOTE:** Underlined text is proposed to be added; lined through text is proposed to be deleted.

**Rule 400-3-.01 New Nursing Education Program Defined. Amended.**

**Rule 400-3-.01 General Requirements. Amended**

- (1) A new nursing education program means the initial establishment of a nursing education program or the re-establishment of a closed nursing program.
  - (a) A new nursing education program is approved for one location or address only.
  - (b) Deleted.
- (2) A new nursing education program in this state shall have applied for and received Board approval as provided in Rule 400-3-.02 prior to the initial enrollment of students.
  - (a) The Board Laws and Rules shall be followed in the development of a new nursing education program.
  - (b) The Board shall be actively involved in the development of a new nursing education program as provided in Rule 400-3-.02.
  - (c) Graduates of a nursing education program which does not have Board approval shall be denied admission to the licensure examination.
  - (d) It is a misdemeanor for any individual, corporation, or association to conduct a nursing education program in this state without Board approval pursuant to O.C.G.A., sec.43-26-42 (7).
- (3) Any program ~~to include a satellite program~~, which has had Board approval as of the effective date of this Rule shall be permitted to continue operation, unless its approval has been withdrawn.
- (4) Any program whose approval status has been withdrawn pursuant to Rule 400-3-.03(5), must apply for approval as a new nursing education program as provided in Rule 400-3-.02. ~~and upon approval would receive a new NCSBN program code number.~~
- (5) All nursing education programs and affiliated campus locations will be issued the same NCSBN program code number.

Authority O.C.G.A. §§ 43-26-35 and 43-26-42.

## **Rule 400-3-.02 “New Nursing Education Program Development”**

Ms. Harte moved at the meeting of the Georgia Board of Examiners of Licensed Practical Nurses held October 15, 2009 in Macon Georgia, to approve the posting of amendments to Rule 400-3-.02. Ms. Mack seconded the motion and it carried unanimously.

Ms. Mack moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Mrs. Owensby seconded the motion and it carried unanimously.

### **NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENTS TO THE GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES RULES CHAPTER 400-3 NURSING EDUCATION PROGRAMS RULE 400-3.02 “New Nursing Education Program Development”**

#### **NOTICE OF PUBLIC HEARING**

#### **TO ALL INTERESTED PERSONS AND PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Examiners of Licensed Practical Nurses (hereinafter referred to as “Board”) proposes to adopt amendments to Rule 400-3-.02 “New Nursing Education Program Development Defined” found in Rules Chapter 400-3 of the Rules of the Georgia board of Examiners of Licensed Practical Nurses. The proposed amended rule is to update the rule to comply with statutory changes pertaining to the definition of approved nursing education programs.

This notice, together with an exact copy of the synopsis of the proposed amended rule, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice and an exact copy of the synopsis of the proposed amended rule may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Examiners of Licensed Practical Nurses web page at [www.sos.georgia.gov/plb/lpn](http://www.sos.georgia.gov/plb/lpn). Copies may also be requested by contacting the Georgia Board of Examiners of Licensed Practical Nurses office at (478) 207-2440.

A public hearing is scheduled to begin at 10:00 a.m. on December 10, 2009 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input about the proposed new rule. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before December 8, 2009. Written comments should be addressed to Randall Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Examiners of Licensed Practical Nurses, 237 Coliseum Drive, Macon Georgia, 31217. FAX 478-207-1660.

The proposed amended rule will be considered for adoption by the Georgia Board of Examiners of Licensed Practical Nurses at its meeting on December 10, 2009 scheduled to begin at 10:05 a.m. at the office of the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia, 31217. According to legal advice rendered by the Department of Law, State of Georgia, the Georgia Board of Examiners of Licensed Practical Nurses has the authority to adopt the proposed rule change for Rule 400-3-.01 pursuant to authority contained in O.C.G.A. §§ 43-26-32 and 43-26-35.

In accordance with the provisions of O.C.G.A. § 50-13-4(a)(4), the Board voted at its board meeting on October 15, 2009 that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and that any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accompanies the objectives of O.C.G.A. §§ 43-26-30 et seq., known as the "Georgia Practical Nurses Practice Act."

The Board also voted at its board meeting on October 15, 2009 that, in order to meet the objectives of O.C.G.A. §§ 43-26-30 et seq. it is not legal or feasible to adopt or implement differing actions for business as required by the provisions of O.C.G.A. §§ 50-13-4(a)(3). The formulation and adoption of this rule will impact every licensee in the same manner and will have the same impact on each business that is independently owned and operated in the field of practical nursing.

For further information, please contact the Board office at 478-207-1644.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 5<sup>th</sup> day of November, 2009.

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Donald W. Munday, *Acting Division Director*  
**PROFESSIONAL LICENSING BOARDS**

**POSTED: November 5, 2009**

**SYNOPSIS OF PROPOSED RULE AMENDMENTS TO THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES  
RULES CHAPTER 400-3  
RULE 400-3-.02 “NEW NURSING EDUCATION PROGRAM DEVELOPMENT”**

**PURPOSE:** To update the rule to comply with recent statutory changes.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA  
BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES, CHAPTER 400-3,  
RULE 400-3-.02 ‘NEW NURSING EDUCATION PROGRAM DEVELOPMENT.’**

**NOTE:** Underlined text is proposed to be added; lined through text is proposed to be deleted.

**400-3-.02 New Nursing Education Program Development. Amended.**

(1) Definitions.

(a) “Affiliating Clinical Facility” refers to a contracted health care agency utilized by a sponsoring agency for clinical experience of the students enrolled in a Board-approved nursing education program.

(b) “Approved Nursing Education Program” located in this state means a nursing education program approved by the board as meeting criteria established by the board. An “approved nursing education program” located outside this state means a nursing education program that the board has determined to meet criteria similar to and not less stringent than criteria established by the board. In order to be approved by the board, a nursing education program must be one that is offered by:

1. An unit of the University System of Georgia accredited by the Commission on Colleges of the Southern Association of Colleges and Schools;

2. An institution of the Technical College system of Georgia;

3. A nonprofit postsecondary institution of higher education that is accredited by a regional accrediting agency recognized by the United State Department of Education; or

4. a proprietary institution of higher education that is accredited by a regional accrediting agency recognized by the United States Department of Education.

~~(b)~~ (c) “Campus laboratory” refers to the area in the classroom building which has been designed and organized to simulate the actual hospital patient care setting and where students shall obtain initial practice on each other and/or mannequins prior to experience at the affiliating clinical facilities.

~~(c)~~ (d) “Clinical learning focus objectives” refer to those outcomes and competencies to be gained by student assignment to a specific affiliating clinical facility and/or area within the agency.

~~(d)~~ (e) “Clinical rotation plan” refers to the schedule by which students shall be assigned to and rotated through the appropriate experiences available at each affiliating clinical facility (The quarterly Clinical Rotation Plan), and to the plan by which students shall be assigned to and rotated through all of the affiliating clinical facilities during the entire nursing education program (The Master Clinical Rotation Plan).

~~(e)~~ (f) “Learning Resource Library” refers to published literature, audiovisual aids, and all other educational materials available to faculty and students in the nursing education program.

~~(f)~~ (g) “Master Curriculum” Plan refers to the written summary showing the sequence of all courses offered in the nursing education program. It includes the number of contact or actual clock hours for each theory and clinical component of each course, the total hours of theoretical and clinical per quarter, and the total hours of theory and clinical for the entire program.

1. Theory includes those learning activities which occur in the classroom and campus laboratory setting.

2. Clinical includes pre- and post-conferences, actual patient care experience, and other patient-centered learning activities which occur in the clinical facility.

~~(g)~~ (h) A "Nursing Education Program" refers to a Board-approved program of practical nursing which has met the requirements of Board Laws and Rules in its establishment and operation in this state.

~~(h)~~ (i) "Sponsoring Agency" refers to a parent institution of the nursing education program. ~~which is affiliated with, or under the control of, the Georgia Department of Technical and Adult Education, the Georgia Department of Education, or the Georgia Board of Regents. In addition, the parent institution shall be accredited by either or both the Council on Occupational Education ("C.O.E.") or the Commission on Colleges of the Southern Association of Colleges and Schools (C.O.C.S.A.C.S.).~~ The parent institution shall provide financial and administrative support during the establishment and operational existence of a Board-approved nursing education program. Any change in the parent institution's accreditation or affiliation shall be reported to the Board within 30 days of such change.

~~(i)~~ (j) "Survey of need" refers to statements from potential affiliating clinical facilities' nursing directors on agency letterhead which describe each agency's current staffing patterns, the current number of vacancies per type of nursing personnel category; and the projected utilization of each level of nursing personnel within the facility in response to the changes occurring in the health care delivery system.

~~(j)~~ (k) "Syllabus" refers to a written summary of a course in the nursing education program. It includes the course title and number, its credit distribution, placement in the curriculum sequence, prerequisite and corequisite courses, a course description, learning goals or objectives, related learning activities, and clinical experience facility, if appropriate.

Authority O.C.G.A. §§ 43-26-32 and 43-26-35.

**Rule 400-3-.14 “Program Changes Requiring Board approval and Board Notification and Procedures for Approval”**

Ms. Harte moved at the meeting of the Georgia Board of Examiners of Licensed Practical Nurses held on October 15, 2009 in Macon, Georgia, to approve the posting of revisions to Rule 400-3-.14. Ms. Mack seconded the motion and it carried unanimously.

Ms. Mack moved that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as required by O.C.G.A. § 50-13-4. Mrs. Owensby seconded the motion and it carried unanimously.

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENTS TO THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES  
RULES CHAPTER 400-3 NURSING EDUCATION PROGRAMS  
RULE 400-3-.14 “PROGRAM CHANGES REQUIRING BOARD APPROVAL AND  
BOARD NOTIFICATION AND PROCEDURES FOR APPROVAL”**

**NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PERSONS AND PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Examiners of Licensed Practical Nurses (hereinafter referred to as “Board”) proposes to adopt amendments to Rule 400-3-14 “Program Changes Requiring Board Approval and Board Notification and Procedures for Approval” found in Rules Chapter 400-3 Nursing education Programs of the Georgia Board of Examiners of Licensed Practical Nurses. The purpose of the proposed amendments to this Rule is compliance with newly proposed amendments to Rule 400-3-01 regarding the use of nursing program codes for the licensing examination.

This notice, together with an exact copy of the synopsis of the proposed amended rule, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice and exact copy of the synopsis of the proposed amended rule may be reviewed during normal business hours of 8:00 a.m. to 5:30 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Examiners of Licensed Practical Nurses web page at [www.sos.georgia.gov/plb/lpn](http://www.sos.georgia.gov/plb/lpn). Copies may also be requested by contacting the Georgia Board of Examiners of Licensed Practical Nurses office at (478) 207-2440.

A public hearing is scheduled to begin at 10:00 a.m. on December 10, 2009 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide about into the proposed new rule. At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before December 8, 2009. Written comments should be addressed to Randall Vaughn,

Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Examiners of Licensed Practical Nurses, 237 Coliseum Drive, Macon Georgia, 31217. FAX 478-207-1660.

The proposed amended rule will be considered for adoption by the Georgia Board of Examiners of Licensed Practical Nurses at its meeting on December 10, 2009 scheduled to begin at 10:05 a.m. at the office of the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia, 31217. According to legal advice rendered by the Department of Law, State of Georgia, the Georgia Board of Examiners of Licensed Practical Nurses has the authority to adopt the proposed amendments to Rule 400-3-.14 pursuant to authority contained in O.C.G.A. § 43-26-35.

In accordance with the provisions of O.C.G.A. § 50-13-4 (a) (4) the Board voted at its board meeting on October 15, 2009 that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and that any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accompanies the objectives of O.C.G.A. § 43-26-30 et seq. known as the "Georgia Practical Nurses Practice Act."

The Board also voted at its board meeting on October 15, 2009 that, in order to meet the objectives of O.C.G.A. §§ 43-26-30 et seq. it is not legal or feasible to adopt or implement differing actions for business as required by the provisions of O.C.G.A. § 50-13-4 (a) (3). The formulation and adoption of this rule will impact every licensee in the same manner and will have the same impact on each business that is independently owned and operated in the field of practical nursing.

For further information, please contact the Board office at 478-207-1644.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 5<sup>th</sup> day of November, 2009.

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Donald W. Munday, *Acting Division Director*  
**PROFESSIONAL LICENSING BOARDS**

**POSTED: November 5, 2009**

**SYNOPSIS OF PROPOSED RULE AMENDMENTS TO THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES RULES  
CHAPTER RULE 400-3 NURSING EDUCATION PROGRAMS  
RULE 400-3-.14 "PROGRAM CHANGES REQUIRING BOARD APPROVAL AND  
BOARD NOTIFICATION AND PROCEDURES FOR APPROVAL"**

**PURPOSE:** To change the rule to comply with proposed amendments to Rule 400-3-.01 pertaining to all nursing education programs affiliated with the same school program having one program code number for the nursing examination.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS  
TO THE GEORGIA BOARD OF EXAMINERS OF LICENSED PRACTICAL NURSES,  
RULES CHAPTER 400-3  
RULE 400-3-.14 "PROGRAM CHANGES REQUIRING BOARD APPROVAL AND BOARD NOTIFICATION  
AND PROCEDURES FOR APPROVAL."**

**NOTE:** Underlined text is proposed to be added; lined through text is proposed to be deleted.

**400-3-.14 Program Changes Requiring Board Approval and Board Notification and Procedures for Approval.  
Amended.**

(1) The following proposed changes in the practical nursing education program require board approval prior to their implementation. The program shall submit two (2) copies of the materials requested to the board at least three weeks prior to the board meeting at which the request will be considered.

(a) An established program in good standing that is moving to another facility will maintain its prior Board approval status. Such program shall demonstrate to the Board prior to the move that existing standards will be maintained.

(b) Any existing program that has been on full approval for two (2) consecutive years may be eligible to apply to establish a satellite.

1. A survey of need must be submitted.

2. Other changes requiring Board approval shall be submitted prior to the establishment of the satellite pursuant to Rule 400-3-.14.

~~3. The satellite will be issued a separate program code number.~~

3. All nursing education programs and affiliated campus programs will be issued the same NCSBN program code number.

~~4. Programs operating a satellite under the same program code number as the original program prior to the adoption of this rule will be allowed to continue to use the one code number for both.~~

(c) The addition of new clinical facility(ies) for actual student patient care experience. The following materials must be submitted:

1. A revised Clinical Facilities Information Sheet as provided in Rule 400-3-.13.

2. A Clinical Facility Self Study Report as provided in Rule 400-3-.13.

3. A copy of the current signed contract between the proposed clinical affiliate(s) and the program's sponsoring agency.

4. The rationale for the addition which explains how the students' educational experience will be affected.

5. The Clinical Learning Focus Objectives for the experience for the proposed facility(ies) as provided in Rule 400-3-.02(1)(c).

6. The Clinical Rotation Plan which demonstrates student assignment at the proposed facility(ies) as provided in Rule 400-3-.02(1)(d).

7. A description of student supervision at the facility. If new nursing faculty or preceptors are to be utilized, submit an updated Nursing Faculty Summary Sheet and Nursing Faculty Qualification Record(s), Preceptor Summary Sheet and Preceptor Qualification Record as provided in Rule 400-3-.13.

(d) Plans to discontinue a practical nursing education program require documentation as provided in Rule 400-3-.15.

(2) The following changes in the practical nursing education program may be implemented by the program, but require board notification within thirty (30) days of the implementation. The notification shall be submitted on the forms requested.

(a) Practical Nursing Education Program name change requires the former name, new name, and effective date.

(b) The employment of nursing faculty and/or the appointment of preceptors require an updated Nursing Faculty Summary Sheet and Nursing Faculty Qualification Record(s), Preceptor Qualification Record and Preceptor Summary Sheet as provided in Rule 400-3-.13.

Authority O.C.G.A. § 43-26-35.