

**U.S. Department of Education**

**Staff Report  
to the  
Senior Department Official  
on  
Recognition Compliance Issues**

**RECOMMENDATION PAGE**

1. **Agency:** Missouri State Board Of Nursing (1970/2007)  
(The dates provided are the date of initial listing as a recognized agency and the date of the agency's last grant of recognition.)
2. **Action Item:** Petition for Continued Recognition
3. **Scope of Recognition:** State agency for the approval of nurse education.
4. **Date of Advisory Committee Meeting:** December, 2012
5. **Staff Recommendation:** Continue the agency's recognition, and require the agency to come into compliance within 12 months and submit a compliance report that demonstrates the agency's compliance with the issues identified below.
6. **Issues or Problems:** It does not appear that the agency meets the following sections of the Secretary's Criteria for Recognition. These issues are summarized below and discussed in detail under the Summary of Findings section.
  - The agency is requested to clarify how many positions, including support/clerical positions, are housed within the Board of Nursing and to provide information as to the percentage of time that each staff member devotes to accreditation/approval activities. [§3.]
  - The agency's annual form does not require information all of the information required under this section. The agency is requested to revise its annual reporting requirements to align with the requirements of this section.  
[§3e.]

-- The agency is requested to submit documentation that it is collecting audited fiscal reports and current catalogs as required under this section.  
[§3f.]

## **EXECUTIVE SUMMARY**

### **PART I: GENERAL INFORMATION ABOUT THE AGENCY**

The Missouri Board of Nursing currently approves 57 professional nursing degree programs, including 23 baccalaureate degree programs, 35 associate degree programs, and one diploma program. The Board also approves 47 licensed practical nurse (LPN) programs. Although the agency is responsible for all nursing programs in the state leading to initial licensure, its scope of recognition by the U.S. Department of Education applies only to the 57 professional nursing programs eligible for federal assistance under the Nurse Training Act of 1964, as amended, and not to its 47 LPN programs.

#### **Recognition History**

The Missouri Board of Nursing has been a recognized state approval agency for nursing education since 1970. The agency's last full petition was considered at the Spring 2007 NACIQI meeting. At that time, the Committee recommended that the agency be granted continued recognition for a period of four years, which is the maximum recognition period allowable for state approval agencies, with an interim report due by Spring 2008 on two criteria. Due to the passage of the HEOA, the NACIQI did not meet in 2008. The agency's report was instead reviewed at the Fall 2010 NACIQI meeting. No issues were found, and the report was accepted.

## **PART II: SUMMARY OF FINDINGS**

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### **3. Has an adequate organization and effective procedures, administered by a qualified board and staff, to maintain its operation on a professional basis. Among the factors to be considered in this connection are that the agency:**

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#### **Board**

Section 335.021 of the Missouri statute specifies the board members' qualifications and appointment, including professional members, LPN members, and a public member (Ex. 1, p. 3). The board consists of eight nurses and one public member appointed by the governor. Terms are four years in length, and members may serve two terms. At least five members must be registered professional nurses and at least two members must be LPNs. When nurse member vacancies on the board occur, lists of potential candidates are submitted to the Director of the Division of Professional Registration by the appropriate state nursing organization. The governor may appoint a new member from the list or may appoint another qualified nurse. Public members are nominated by the Director of the Division of Professional Registration. As documentation, the agency provided a list of the current board members. There are currently six professional nurses on the board, including three with doctorates and one with a master's degree. There is one LPN on the current board, with one LPN vacancy. There is one public member, who is an attorney. The list indicates that all members are qualified for service based upon level of degree and licensure attained.

The duties of the board are specified under 335.036 (Ex. 1, p. 4). The board: adopts and revises rules and regulations related to the state's Nurse Practice Act; prescribes minimum standards for nursing education programs; surveys nursing education programs every five years; approves nursing education programs; denies or withdraws approval for nursing education programs; licenses qualified nurse applicants; prosecutes nurses violating the Nurse Practice Act; keeps records of its proceedings and reports annually to the governor and the Director of the Department of Insurance, Financial Institutions, and Professional Registration; and establishes an impaired (by reason of illness, substance abuse, or mental condition) nursing program.

#### **Staff**

As noted previously, the Board is housed within the state's Department of Insurance, Financial Institutions and Professional Registration. The agency states in its narrative that the Board currently has seven professional staff members. These reportedly include the executive director, four administrators responsible for education, discipline, practice, and investigation, and two attorneys, with plans to hire a third attorney.

The agency provided several resumes for members of its professional staff (Ex. 11). However, the resumes do not correspond to the seven positions listed by the agency. The resumes provided are for an executive director, an education administrator, two practice administrators, a highway patrol corporal, a license administrator, and an attorney for the Department of Social Services. It therefore appears that some of the resumes should be updated to reflect current positions and to clarify which staff members hold which positions. The second attorney's resume should also be included.

The agency also provided seven state performance plan documents for its staff members in order to demonstrate the qualifications necessary for each position (Ex. 12). However, the performance plans did not include a plan for the executive director. They did include a plan for a non-attorney staff member (Hamilton) whose resume was not provided and whose position/assignments relative to an Executive and Publication Committee are unclear. A job posting for a legal counsel opening, presumably for the third attorney the board plans to hire, was also included, but a performance plan for the second attorney that the agency reportedly already employs was not provided. The agency is requested to align its performance plans with the (updated) resumes provided for its professional staff members.

The agency did not provide an official organizational chart showing its position within the Department of Insurance, Financial Institutions and Professional Registration, nor for the positions that are allotted to the Board. It did not provide information about the Board's support staff and whether that staff is sufficient to support the Board's operation. More information is needed in these areas.

### **Analyst Remarks to Response:**

In its response, the agency provided copies of two organizational charts. One chart indicates that the board is housed within the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration. The second chart provides additional information that the board is classified as a Non-Administrative Board under the Division of Professional Registration. However, neither chart includes the staff positions that are assigned to the board, including support (i.e., clerical) staff. The agency's narrative is also somewhat confusing in that it first states that the board employs ten professional staff members, but subsequently states that 28 staff positions support the board. Additional information/clarification is requested in this area.

No information was provided in either the narrative or in the supporting documentation to indicate the percentage of time that each staff member devotes to accreditation/approval activities, as had been requested in the draft staff analysis. Additional information is still requested in this area.

The agency provided updated resumes for ten professional staff members. Of the ten, nine hold college degrees, with seven holding advanced degrees, including three attorneys. The agency also provided position descriptions for

each of the positions. The resumes and position descriptions indicate that the staff members are well-qualified for the jobs described.

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**e. Requires each school of nursing accredited to submit a comprehensive annual report, including current data on:**

- (1) Progress toward achievement of its stated objectives in nursing education:**
  - (2) Qualifications and major responsibilities of the dean or director and of each faculty member:**
  - (3) Policies used for selection, promotion, and graduation of students:**
  - (4) Practices followed in safeguarding the health and well-being of students:**
  - (5) Current enrollment by class and student-teacher ratios:**
  - (6) Number of admission to school per year for past 5 years:**
  - (7) Number of graduations from school per year for past 5 years:**
  - (8) Performance of students on State board examinations for past 5 years:**
  - (9) Curriculum plan:**
  - (10) Brief course description:**
  - (11) Descriptions of resources and facilities, clinical areas and contractual arrangements which reflect upon the academic program.**
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The agency's regulations specify that programs under both initial approval and full approval submit annual surveys (Ex. 1, pp. 23, 35-36). The agency provided a blank copy of its annual report form (Ex. 22). The form requires only part of the information provided under this section, rather than all of it. The form emphasizes lists and numbers and is not adequately descriptive in many areas.

The form does require information regarding: highest degree earned by faculty members; current enrollment; student:teacher ratios; five-year admissions rates; five-year graduation rates; five-year state licensing exam pass rates; and lists (although not descriptions) of resources, facilities, clinical areas, and contractual agreements.

The form does not require information regarding: achievement of objectives; qualifications and responsibilities of the dean/director; responsibilities of faculty members; policies related to selection, promotion and graduation of students; practices related to the health/well-being of students; the program's curriculum plan; or course descriptions.

In some instances, (such as the program's philosophy/mission/competencies, qualifications of administrators/faculty, the educational program, etc.) the agency's regulations (Ex. 1, pp. 26-32, 38-44) address the information required

under this section, but the annual report form is not adequately aligned with the requirements of the agency's regulations, nor with the requirements of this section of the ED regulations.

An example of a completed annual report was not provided. Copies of required supplemental materials such as the agency referenced in its narrative were also not provided. The agency is requested to provide a completed example of an annual report and related exhibits, as well as any instructions the agency provides specifying the supplemental materials that programs must provide as part of the annual reporting process. In addition, the agency needs to provide information about its review of annual reports and supplemental materials to determine whether there is any cause for concern about the program's continued compliance with the agency's standards.

**Analyst Remarks to Response:**

As noted in the previous section, in response to the draft staff analysis the agency submitted a completed annual report, as well as its instructions for completing the report and documentation indicating that it reviews the reports and requests additional information when necessary. The documentation provided demonstrates that the agency collects most of the information required by this criterion; however, it is not clear that the annual reporting form and required supplemental documents yield information regarding: achievement of objectives; qualifications and responsibilities of the dean/director; responsibilities of faculty members; or course descriptions. The agency's regulations address all the information required under this section, but the annual report form is not adequately aligned with the requirements of the agency's regulations, nor with the requirements of this section of the ED regulations. The agency is requested to revise its annual reporting requirements to align with the requirements of this section.

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**f. Regularly, but at least every 2 years, obtains from each accredited school of nursing:**

- (1) A copy of its audited fiscal report, including a statement of income and expenditures:**
- (2) A current catalog.**

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The agency's regulations (Ex. 1, p. 26 and p. 38) specify that nursing programs must have an annual budget to support the program, that the program administrator must manage the budget, and that the administrator will make budget recommendations based upon faculty input.

The agency states that programs are required to submit audited financial reports

every two years with their annual reports, and the annual budgets are required and reviewed during the five-year review. The agency's self-study guide (Ex. 16, p. 2) states that there must be an annual budget to support the program.

The agency's annual report form (Ex. 22, last page) indicates that programs must submit a copy of their audited fiscal report and a set of all publications available to applicants and students as part of the annual reporting process. This would logically include program catalogs, but no example of a completed annual report was provided.

The agency is requested to provide an example of a completed self-study and a completed annual report as documentation of its implementation of these requirements.

### **Analyst Remarks to Response:**

#### **Fiscal Report**

As noted in prior sections, in response to the draft staff analysis, the agency submitted sample copies of both a completed self-study (Rev. Ex. 18) and a completed annual report (Ex. 22A). The self-study briefly addresses the program's financial situation (Rev. Ex. 18, self-study, p. 9), although there was no indication that the program submitted detailed financial information as part of its self-study document. The on-site review report for the school then indicates that the review team reviewed current program budgets as part of the on-site review (Rev. Ex. 18, survey report, p. 4).

The agency states that detailed financial information, in the form of an audited fiscal report, must be submitted by a program at least every two years as part of the program's annual report. The agency's instructions for completing its annual reports specify that the program must send the board a copy of its audited fiscal report (Ex. 22, Section 8 - Publications). However, the sample completed annual report provided by the agency did not indicate that the program had submitted such a report. Additional information is still needed in this area.

#### **Catalog**

The completed self-study that the agency submitted with its response indicates that the program submitted a copy of its catalog (Rev. Ex. 18, self-study, p. 32) and that the catalog was reviewed during the course of the on-site visit (Rev. Ex. 18, survey report, p. 24).

The agency's annual reporting tool instructions indicate that a program is to submit a list of all of the publications that are made available to students (Ex. 22, Section 8 - Publications), but it does not specifically require a program to submit a copy of its catalog. The sample completed annual report that the agency submitted with its response indicates that the program submitted recruitment brochures, and handbooks, as well, providing links to the online University Bulletin and College of Nursing web site , but does not clearly indicate that the program submitted a copy of its catalog. Additional information is still needed in this area.

### **PART III: THIRD PARTY COMMENTS**

The Department did not receive any written third-party comments regarding this agency.