

TYLER JUNIOR COLLEGE VOCATIONAL NURSING STUDENT HANDBOOK FALL ADMISSION

2015-2016

This handbook is designed to acquaint you with the policies and regulations of the Vocational Nursing Program. Your review of the Handbook is part of your orientation to the Vocational Nursing Program. The VN Student Handbook is to be used in conjunction with the VN Clinical Handbook. You will be held responsible for all of the contents of both; therefore, they should always be readily available for reference.

Directions:

1. The TJC VN Student Handbook will be reviewed in class will be given to the student.
2. You will be given an opportunity to ask questions.



Tyler Junior College gives equal consideration of all applicants for admission without regard to race, creed, color, national origin, sex, age, marital status or physical handicap.

To the extent that any provision contained in this handbook differs from or conflicts with Tyler Junior College Board Policy, then the Tyler Junior College Board Policy will control in all circumstances. Tyler Junior College Board Policies may be found at <http://pol.tasb.org/Home/Index/1076>.

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Section I: GENERAL INFORMATION

INTRODUCTION AND WELCOME

Welcome to the Tyler Junior College Vocational Nursing Program at Tyler Junior College.

The Vocational Nursing Program is approved by Texas Board of Nursing (BON) for the State of Texas (333 Guadalupe Street, Suite3-460, Austin, Texas 78701. Tyler Junior College will conduct the VN program according to the standards adopted by the BON.

The purpose of this handbook is to detail policies and procedures specific to the Vocational Nursing Program. The handbook is constructed to be used as a supplement to the Tyler Junior College Student Handbook and serves to bridge the overriding policies of the College with the policies specific to this program. Adherence to program policies is expected and required.

Refer also to Tyler Junior College Student Handbook from the TJC website at www.tjc.edu
<http://www.tjc.edu/Student/StudentHandbook.php>

DEPARTMENT CHAIR/COORDINATORS 2014-2015

Holli Benge, MSN, BSN, RN	-----	Professor/Department Chair, TJC-VN
Jacob Cabrera, RN	-----	Professor/Coordinator, TJC- Lindale
Jessica Hill, RN	-----	Professor/Coordinator, TJC-Tyler
Felicia Mayo, BSN, RN	-----	Professor/Coordinator, TJC- Rusk
Maria Stewart, RN	-----	Professor/Clinical Coordinator, TJC-VN

SECTION 2: PROGRAM OVERVIEW

CONTROLLING INSTITUTION

The controlling institution is Tyler Junior College

Tyler Junior College Vocational Nursing Program Mission (2015-2016)

The mission of the Vocational Nursing Program is to prepare Vocational Nursing graduates to provide nursing care within a directed scope of practice under appropriate supervision. The new graduate is able to use a systematic problem-solving process in the care of multiple patients with predictable health care needs to provide individualized, goal-directed nursing care. The vocational nursing graduate contributes to the plan of care by collaborating with the interdisciplinary team members and with the patients family and can readily integrate technical skills and use of computers and equipment into practice. The vocational nurse represents the beginning level of the nursing practice continuum in the roles of Member of the Profession, Provider of Patient-Centered Care, Patient Safety Advocate, and Member of the Health Care Team. The vocational nursing graduates are committed to a culturally, racially and ethnically diverse community. The vocational nurse is an integral member of the nursing profession and is prepared to function under the legal framework specified by the Texas Board of Nursing. The program prepares qualified individuals through nursing education and the teaching learning process.

Vocational Nursing Program Philosophy (2015-2016)

The philosophy of the Tyler Junior College Vocational Nursing Program reflects the Mission and Philosophy of the College by:

- Maintaining a high standard of excellence in education
- Creating an environment in which development of human potential is the highest priority
- Offering open access and equal opportunity for all qualified students
- Supporting upward mobility for all students
- Recognizing that prior educational experiences and successful work experience can form a valid basis for articulation
- Meeting the needs of business and industry for competency in a global marketplace
- Providing service to the community and opportunity for lifelong learning

The faculty of the Vocational Nursing Program is responsible, not only, to support the mission and philosophy of the college, but also to insure continuous accreditation of the program and eligibility of the graduates to seek licensure. Therefore, program policies for placement, progression, and graduation of nursing students will differ in specific instances from those of the College.

We believe the domain of nursing is immersed within, and permeated by, the holistic interaction of person, health and environment.

DEFINITIONS

Nursing- Nursing is a unique dynamic profession committed to holistic care of the client through health promotion and the diagnosis and treatment of human response to actual or potential health problems. The vocational nurse uses problem-solving thinking and the nursing process to provide nursing care across the life span with emphasis on meeting the needs of clients who require assistance to maintain or restore optimum health, or to die with dignity.

Person-A person is a holistic being of intrinsic value, in constant interaction with others and the environment. The person is influenced by personal values, strengths, and needs as well as the demands, constraints, and rules of society. This interplay between self and environment contributes to the development of a unique, bio-psycho-social-spiritual being.

Health-Health is a sense of wellness, as perceived by the individual and/or society. Health fluctuates with internal and external stressors created by dynamic interactions of holistic factors.

Environment-The environment is a composite of holistic factors, both internal and external, which affects the person's health.

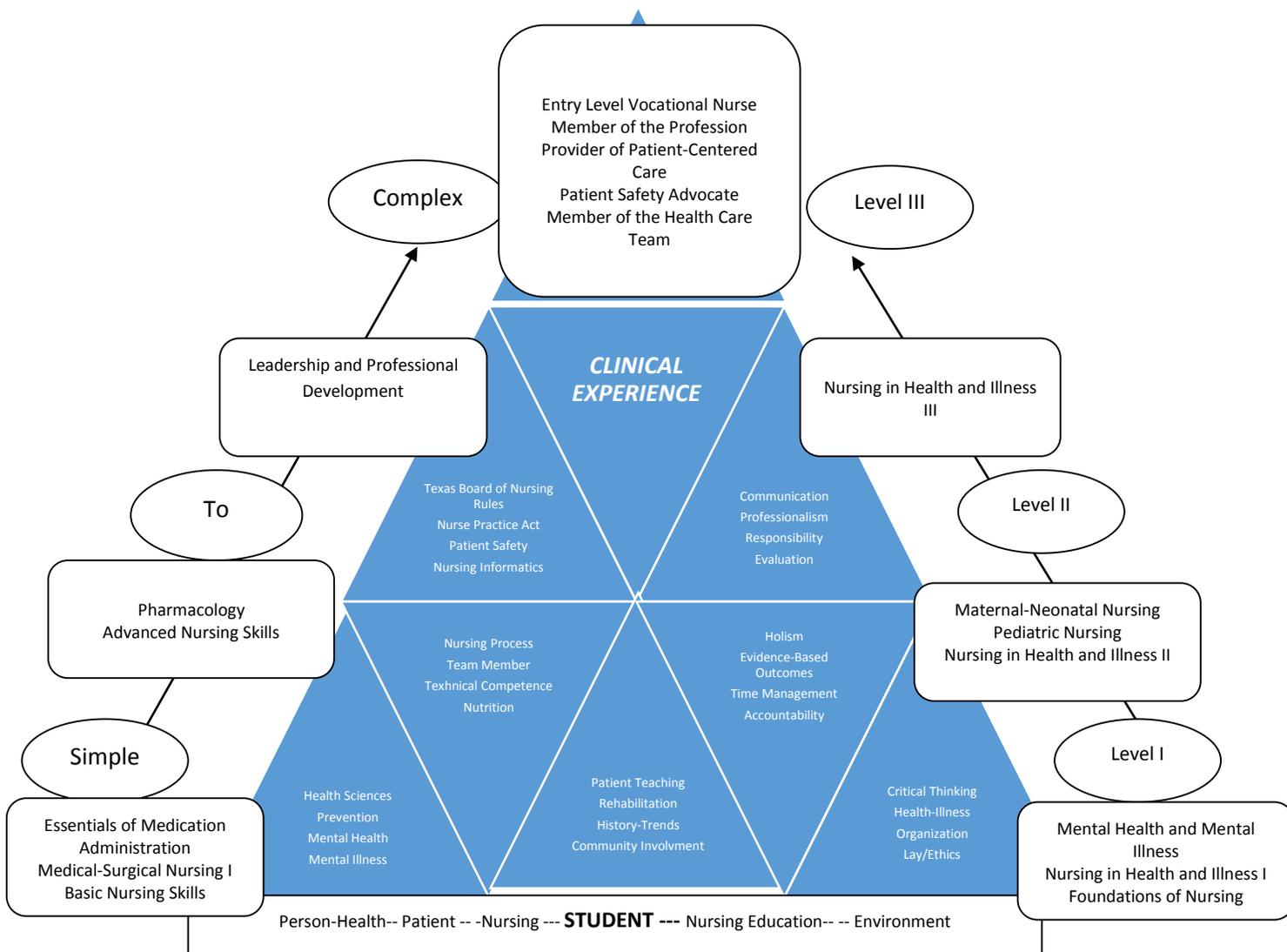
Nursing Education-Nursing education is based upon principles derived from the health sciences, humanities, and nursing. Nursing Education utilizes and promotes an interpersonal approach, problem solving and the nursing process to facilitate cognitive, affective and psychomotor learning. Evolving from this foundation, the program of learning is consistent with the conceptual framework into a meaningful pattern of instruction. The program facilitates articulation with other programs of higher learning.

Teaching-Learning Process- The teaching-learning process is a shared responsibility between the faculty and the students. The faculty facilitates the process by defining content, establishing critical criteria, role modeling, providing opportunities for learning activities, and evaluating performance. The process is further facilitated with a movement from general to specific and simple to complex. The teaching learning process utilizes critical thinking, problem solving, research findings, effective interpersonal communication, and a variety of instructional methodologies relevant to a changing society. Learning is a life-long experiential process, which involves the acquisition and synthesis of knowledge, skills and understanding. The learner must be an active participant to attain success.

Holism- A way of viewing people as whole individuals, people are complex creatures made up of many parts and each part interacts with others and the sum of the part forms a unified whole. It is a comprehensive patient care that considers the physical, emotional, social, economic, and spiritual needs of individuals (Linton, A.D. & Maebius, N.K. 2003).

Nursing Process-The nursing process is a systematic method of providing care to clients. It is a problem-solving approach that enables the nurse to provide care in an organized, scientific manner. (Linton, A.D. & Maebius, N.K. 2003).

Special Care Environments - Settings in which routine adult health nursing principles must be expanded and/or adapted for the provision of nursing care. These environments may include but are not limited to facilities for labor and delivery, newborn nursery, pediatrics, extended care, and community resources.



The Vocational Nursing curriculum design reflect integration of major concepts from the *Differentiated Essential Competencies (DECs) for Vocational Nursing Education* (The Texas Board of Nursing, October 2010) for vocational nursing graduates. Major Concepts are Member of the Profession, Provider of Patient-Centered Care, Patient Safety-Advocate, and Member of the Health Care Team. Major concepts for the foundation of learning are identified in the rectangle as person, health, patient, nursing, nursing education and environment with the student as the center of the complex. Sub concepts are enclosed in the triangle of development and show the clinical experience as the center of the process. These essential threads reflect integration of necessary components to reach the clinically intensive nature of the vocational nurse. The top of the triangle depicts attainment of entry-level graduate vocational nurse as Member of the Profession, Provider of Patient-Centered Care, Patient Safety-Advocate, and Member of the Health Care Team.

Tyler Junior College: School of Nursing and Health Sciences

Vocational Nursing Program

Differentiated Essential Competencies of Graduates of Texas: Program Objectives (2011)

I. Member of the Profession

- A. Function within the nurse's legal scope of practice and in accordance with the policies and procedures of the employing health care institution or practice setting.
- B. Assume responsibility and accountability for the quality of nursing care provided to patients and their families.
- C. Contribute to activities that promote the development and practice of vocational nursing.
- D. Demonstrate responsibility for continued competence in nursing practice, and develop insight through reflection, self-analysis, self-care, and lifelong learning.

II. Provider of Patient-Centered Care

- A. Use clinical reasoning and established evidence-based policies as the basis for decision making in nursing practice.
- B. Assist in determining the physical and mental health status, needs, and preferences of culturally, ethnically, and socially diverse patients and their families based on interpretation of health-related data.
- C. Report data to assist in the identification of problems and formulation of goals/outcomes and patient centered plans of care in collaboration with patients, their families, and the interdisciplinary health care team.
- D. Provide safe, compassionate, basic nursing care to assigned patients with predictable health care needs through a supervised, directed scope of practice.
- E. Implement aspects of the plan of care within legal, ethical, and regulatory parameters and in consideration of patient factors.
- F. Identify and report alterations in patient responses to therapeutic interventions in comparison to expected outcomes.
- G. Implement teaching plans for patients and their families with common health problems and well-defined health learning needs.
- H. Assist in the coordination of human, information, and material resources in providing care for assigned patients and their families.

III. Patient Safety Advocate:

- A. Demonstrate knowledge of the Texas Nursing Practice Act and the Texas Board of Nursing Rules that emphasize safety, as well as all federal, state, and local government and accreditation organization safety requirements and standards.
- B. Implement measures to promote quality and a safe environment for patients, self, and others.
- C. Assist in the formulation of goals and outcomes to reduce patient risks.
- D. Obtain instruction, supervision, or training as needed when implementing nursing procedures or practices.
- E. Comply with mandatory reporting requirements of the Texas Nursing Practice Act.
- F. Accept and make assignments that take into consideration patient safety and organizational policy.

IV. Member of the Health Care Team

- A. Communicate and collaborate with patients, families, and the interdisciplinary health care team to assist in the planning, delivery, and coordination of patient-centered care to assigned patients.
- B. Participate as an advocate in activities that focus on improving the health of patients and their families.
- C. Participate in the identification of patient needs for referral to resources that facilitate continuity of care, and ensure confidentiality.
- D. Communicate and collaborate in a timely manner with members of the interdisciplinary health care team to promote and maintain optimal health status of patients and their families.
- E. Communicate patient data using technology to support decision making to improve patient care.
- F. Assign nursing care to LVNs or unlicensed personnel based upon an analysis of patient or unit need.

Differentiated Essential Competencies (DECs)

See Appendix A

Fall Semester Admission Curriculum

Prerequisite: BIOL 2404 Anatomy and Physiology*
(BIOL 2401 and 2402, combined, can be substituted for BIOL 2404).

Level I

VNSG 1204 Foundations of Nursing
VNSG 1227 Essentials of Medication Administration
VNSG 1231 Pharmacology
VNSG 1260 Clinical I
VNSG 1323 Basic Nursing Skills
VNSG 1329 Medical-Surgical Nursing I

Semester Hours: **18**

Level II

VNSG 1201 Mental Health & Mental Illness
VNSG 1230 Maternal-Neonatal Nursing
VNSG 1262 Clinical II
VNSG 1334 Pediatrics
VNSG 1409 Nursing in Health & Illness II
VNSG 2161 Clinical III
VNSG 2431 Advanced Nursing Skills

Semester Hours: **18**

Level III

VNSG 1119 Leadership & Professional Development
VNSG 2410 Nursing in Health and Illness III
VNSG 1361 Clinical IV (Capstone)

Semester Hours: **8**

Total Semester Hours: 48

***Prerequisite for all VNSG courses.**

Special admission and retention rules apply. Contact the program director for details.

Program requires criminal background check and drug screen. All applicants to our Nursing and Health Sciences programs must be able to pass a criminal background check that includes the provision of necessary documentation for the background check agency to make it reliable. Said documentation may include an authenticated social security card and positive identification such as a driver's license or identification card

Spring Semester Admission Curriculum

Prerequisite: BIOL 2404 Anatomy and Physiology*
(BIOL 2401 and 2402, combined, can be substituted for BIOL 2404).

Level I – Spring Semester

VNSG 1204 Foundations of Nursing
VNSG 1227 Essentials of Medication
Administration
VNSG 1231 Pharmacology
VNSG 1260 Clinical I
VNSG 1323 Basic Nursing Skills
VNSG 1329 Medical-Surgical Nursing
VNSG 1400 Nursing in Health and Illness I

Semester Hours: **18**

Level II – Summer Semester

VNSG 1230 Maternal-Neonatal Nursing
VNSG 1262 Clinical II
VNSG 1334 Pediatrics
VNSG 2431 Advanced Nursing Skills

Semester Hours: **11**

Level III – Fall Semester

VNSG 1119 Leadership & Professional Development
VNSG 1201 Mental Health & Mental Illness
VNSG 1409 Nursing in Health & Illness II
VNSG 2410 Nursing in Health and Illness III
VNSG 2161 Clinical III
VNSG 1361 Clinical IV- (Capstone)

Semester Hours: **15**

Total Semester Hours: 48

***Prerequisite for all VNSG courses.**

Special admission and retention rules apply. Contact the program director for details.

Program requires criminal background check and drug screen. All applicants to our Nursing and Health Sciences programs must be able to pass a criminal background check that includes the provision of necessary documentation for the background check agency to make it reliable. Said documentation may include an authenticated social security card and positive identification such as a driver's license or identification card

COST OF THE PROGRAM

A copy of the estimated VN program cost is available in the VN office. You may also retrieve a copy of the estimated cost of the program on the Vocational Nursing website.

TEXTBOOKS AND SUPPLIES

Required textbooks and other supplies are described in the individual course syllabi. You may also retrieve a copy of the textbook list for the VN program on the Vocational Nursing website.

VOCATIONAL NURSING WEBSITE

The Vocational Nursing Website can be found online at www.tjc.edu/vne

SECTION III: ADMISSION/WITHDRAW VOCATIONAL NURSING PROGRAM

TJC VN Admission Guidelines Tyler Junior College: School of Nursing and Health Sciences Vocational Nursing Program Admission Guidelines

The Tyler Junior College Vocational Nursing program is a one year, 48-credit hour curriculum leading to a certificate of proficiency – Vocational Nursing. Graduates of the program are eligible to take the NCLEX-PN examination to become a Licensed Vocational Nurse (LVN) within the guidelines set forth by the Texas Board of Nursing.

Tyler Junior College School of Nursing and Health Sciences offers admission twice a year (in the Fall and the Spring semesters) at the TJC-Tyler location. Admission is offered annually in the Fall semester at the TJC-Lindale and TJC-Rusk locations. TJC-Tyler and TJC-Rusk campuses both offer an evening program annually in the Fall semester also.

Acceptance into the Vocational Nursing program is **via a competitive ranking process** for selection based on a points system awarded for designated criteria.

Application Requirements:

See the Steps to Prepare on Vocational Nursing website. Application to the Vocational Nursing Program requires the following steps:

- Admission to Tyler Junior College.
- Advisement by a School of Nursing and Health Science advisor (Roger's Student Center, 2nd Floor) for academic counsel if new TJC student. If student is returning to TJC or to the VN program they may go directly to the Department Chair or Site Coordinator.
- Appointment with VN Department Chair or Site Coordinator for program checklist verification, GPA calculation, and HESI ticket. (The VN program counts all attempted college courses when calculating the CGPA for points.)
- Completion of prerequisite course Anatomy and Physiology (BIOL 2404) or Anatomy and Physiology I and II (BIOL 2401 and BIOL 2402) with a C or better.*
- Completion of designated sections of the HESI A² Test with a minimum score of 70% on each of the required sections.
- Application for Declaratory Order from the Board of Nursing, if needed.
- Submission of Vocational Nursing Application packet and online application during designated filing period.

- A. Application to Tyler Junior College
1. Applicants must be 18 years or older at the time of classes starting to be selected to the Vocational Nursing Program.
 2. The admission requirements for the College are found in the College Catalog located on our website, www.tjc.edu/catalog. Admission to Tyler Junior College does not guarantee admission to the Vocational Nursing Program.
 3. Applicants must make application to Tyler Junior College by visiting, www.tjc.edu/apply and submit all transcripts of all other colleges previously attended.
- B. Meeting with School of Nursing and Health Science advisor for evaluation of coursework.
1. To ensure transferability of coursework. Transcripts and course descriptions will be evaluated, if necessary.
 2. If student is returning to TJC or repeating the VN program, they may go directly to the Department Chair or Site coordinator.
 3. Develop an educational plan with advisor, if available.
- C. Meet with the Vocational Nursing Department Chair or Site Coordinator at the time of application.
1. To ensure eligibility for application to the Vocational Nursing Program.
 2. Potential applicants must meet with Department Chair or Site Coordinator prior to obtaining a HESI A² ticket.
- D. Program prerequisite course
1. Pre-requisite of Anatomy and Physiology (BIOL 2404) is required with successful completion grade of “C” or better to make application. (BIOL 2401 Anatomy and Physiology I and BIOL 2402 Anatomy and Physiology II combined, may substitute for BIOL 2404). – *Students may be **currently enrolled** in BIOL 2404 or BIOL 2402; however, courses must be completed prior to starting Vocational Nursing Courses. In this case, grades must be submitted at course completion for application to be considered complete. If grades are not submitted within 48 hours of completion of the course, application will be pulled, as incomplete.
- E. HESI A² Test
1. Test may be taken at the Tyler Junior College’s Testing Center. Applicants will take the six portions of the HESI A² required although only the Math and Reading portions are used in the point calculation.
 - HESI A² Admission Exam may be taken twice in one semester if qualifying scores are not met. (One test and one re-test). **This is for any program at Tyler Junior College.**
 - Qualifying scores on the HESI A², Admission Assessment Exam, Math Section is 70%.
 - Qualifying scores on the HESI A², Admission Assessment Exam, Reading Section is 70%.
 - Points will be given for a score of >70% on the Anatomy and Physiology section of the HESI A², Admission Assessment Exam. (See points list for exact breakdown of points)
 2. **HESI A² Admission Exam Results are good for two years prior to the first day of the published application period. HESI A² Admission Scores more than two years old will necessitate retesting.**
 3. HESI A²- May be taken up to two days prior to the end of published application dates.
 4. Retests May be taken up to two days prior to the end of published application dates.
 5. HESI tickets will only be available during the application periods.
 6. We do accept HESI A² Admission Assessment Exam scores from other colleges. The scores may be mailed from the college where the test was taken or faxed to the Vocational Nursing Program at 903-510-2592.
 7. Visit <http://www.tjc.edu/testing/HESI> for more information.
- F. Program Locations
1. When applying for Fall admission classes, applicants must choose one location. Applications can ONLY be made to one of the offered class sites during the published application period dates.
 2. Academic advising checklist, HESI A² qualifying scores, all transcripts, online application, VN points calculation worksheet must be brought with you to the site in which you are applying. **No applications will be accepted without the checklist, qualifying scores, and transcripts.**
 3. VN Sites:

- a. TJC-Lindale
- b. TJC- Rusk (AM or PM classes)
- c. Tyler Main Campus (AM or PM classes)

Applications must be completed online and returned along with the admission packet to the TJC - Tyler Main Campus VN office (RNHS 2.271) Monday through Friday from 8 a.m. – 4 p.m. (students may return applications to the site in which applying Monday through Wednesday 8 am to 1:30 pm as well).

4. Extension site offices are located inside the selected centers and the TJC - Tyler Campus Vocational Nursing office is located in the Rogers Nursing Health Science Building Second Floor, 2.271.
 5. Applicants for placement into the Vocational Nursing Program (including ALL awarded points for consideration) must be on file in the selected VN site by the last day of the published application period to be considered for placement evaluation. No points for placement will be awarded after the application deadline.
- G. Contact Information:
1. Web Site: www.tjc.edu/VNE
 2. TJC – Tyler
 - Phone 903-510-2471
 - Fax 903-510-2592
 3. TJC – Lindale
 - Phone 903-510-3100
 - Fax 903-881-3179
 4. TJC – Rusk
 - Phone 903-510-3111
 - Fax 903-510-3179
 5. Nursing and Health Science Advisors
 - Phone 903-510-2662
 - Fax 903-510-2894

Selection Process:

Priority selection is awarded to all applicants whom are considered complete, i.e. prerequisite course is taken prior to application.

After the individual points are calculated, applicants are placed in order from highest to lowest positions according to points. Applicants will be selected based on points awarded. The applicant selected for tentative placement into the VN program will receive a letter of notification with health and immunization and urine drug screen forms from the Dean of the School of Nursing and Health Sciences. Within two weeks of the date of the Dean's letter, the applicant must submit to the VN office written acceptance of placement.

IMPORTANT PROGRAM POLICIES

Urine Drug Screen:

The applicant must obtain a urine drug screen as directed with results sent to the Dean of Nursing and Health Sciences within two weeks following the notification letter. The results of the criminal history and drug screen must be negative. If the applicant presents with a positive urine drug screen, that student is ineligible to attend the VN program.

Letter of Acceptance:

To confirm placement in the VN program, the VN office must receive the letter of acceptance, required forms, and a physical form completed by a physician and must be turned in before or at assigned orientation. Failure to do so will result in forfeit of admission to the VN Program. A space vacated by forfeiture or for health reasons will be filled from the alternate list.

Alternate List:

Applicants not selected for conditional placement into the VN program will be notified in writing of their status. Positions vacated prior to orientation will be filled from the alternate list. After the first day of class, the alternate list will be destroyed. Those individuals remaining on the list will not automatically be considered or receive priority in any future application periods. Applicants must reapply following current established admission period guidelines.

Length of Program:

Having been accepted in the Vocational Nursing Program, enrollment is necessary for 12 consecutive months to complete the nursing curriculum, graduate and to attain eligibility to apply for licensure.

Criminal Background:

All applicants to our Nursing and Health Sciences programs must be able to pass a criminal background check that includes the provision of necessary documentation for the background check agency to make it reliable. Said documentation for the background agency may include an authenticated social security card and positive identification such as a driver's license or identification.

The application to the VN program is required to have a criminal background check which includes fingerprinting following the guidelines of the Texas Board of Nursing. (Do not do this until instructed: Procedure and instructions will be given from the Vocational Nursing Programs at orientation.)

Eligibility for NCLEX-PN Licensure

Applicants must be eligible to sit for LVN licensure through the Texas Board of Nursing to be eligible to apply to the LVN program.

DECLARATORY ORDER INFORMATION

Tyler Junior College Vocational Nursing Program requires that, if a Declaratory Order needs to be filed with the Texas Board of Nursing, the applicant file such petition PRIOR to making application to the program. If accepted into the VN program, the student must present the outcome letter to the VN office within one week prior to the start of school. All students upon acceptance into the program will receive an FBI background check from the Texas Board of Nursing and if clear will receive a “blue card”. This also will need to be presented to the VN office prior to one week of the start of school. If the outcome letter states that the case is being referred to the enforcement department or the “blue card” is not received in the VN office, the student will not be allowed to participate in the Vocational Nursing Program until such incidents have been cleared and the next available student will be called to participate.

If you can answer yes to any of these questions EXCEPT number 1, you need to contact the BON at www.bon.state.tx.us

Yes No (1.) Are you enrolled, planning to enroll, or have you graduated from a nursing program?

Name of Nursing Program: _____

Location: _____
City /State

Type of Nursing Program: (circle one) LVN RN
Date of Enrollment: _____ Date of Graduation: _____

Yes No (2.) For any criminal offense, including those pending appeal, have you:

- A. been convicted of a misdemeanor?
 - B. been convicted of a felony?
 - C. pled nolo contendere, no contest, or guilty?
 - D. received deferred adjudication?
 - E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
 - F. been sentenced to serve jail or prison time? court-ordered confinement?
 - G. been granted pre-trial diversion?
 - H. been arrested or have any pending criminal charges?
 - I. been cited or charged with any violation of the law?
 - J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?
- (You may only exclude Class C misdemeanor traffic violations.)

NOTE: Expunged and Sealed Offenses: While expunged or sealed offenses, arrests, tickets, or citations need not be disclosed, it is your responsibility to ensure the offense, arrest, ticket or citation has, in fact, been expunged or sealed. It is recommended that you submit a copy of the Court Order expunging or sealing the record in question to our office with your application. Failure to reveal an offense, arrest, ticket, or citation that is not in fact expunged or sealed, will at a minimum, subject your license to a disciplinary fine. Non-disclosure of relevant offenses raises questions related to truthfulness and character.

NOTE: Orders of Non-Disclosure: Pursuant to Tex. Gov't Code § 552.142(b), if you have criminal matters that are the subject of an order of non-disclosure you are not required to reveal those criminal matters on this form. However, a criminal matter that is the subject of an order of non-disclosure may become a character and fitness issue. Pursuant to other sections of the Gov't Code chapter 411, the Texas Nursing Board is entitled to access criminal history record information that is the subject of an order of non-disclosure. If the Board discovers a criminal matter that is the subject of an order of non-disclosure, even if you properly did not reveal that matter, the Board may require you to provide information about any conduct that raises issues of character.

Yes No (3.) Are you currently the target or subject of a grand jury or governmental agency investigation?

Yes **No (4.)** Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?

Yes **No (5.)** *Within the past five (5) years have you been addicted to and/or treated for the use of alcohol or any other drug?

Yes **No (6.)** *Within the past five (5) years have you been diagnosed with, treated, or hospitalized for schizophrenia and/or psychotic disorders, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?*

If **"YES"** indicate the condition: schizophrenia and/or psychotic disorders, bipolar disorder, paranoid personality disorder, antisocial personality disorder, borderline personality disorder

*Pursuant to Occupations Code §301.207, information regarding a person's diagnosis or treatment for a physical condition, mental condition, or chemical dependency is confidential to the same extent that information collected as part of an investigation is confidential under the Occupations Code §301.466. You may indicate "NO" if you have completed and/ or are in compliance with Texas Peer Assistance Program for Nurses (TPAPN) for substance abuse or mental illness.

***IF YOU ANSWER "YES" TO ANY QUESTION #2 - #6, YOU MUST PROVIDE A SIGNED AND DATED LETTER DESCRIBING THE INCIDENCE(S) THAT YOU ARE REPORTING TO THE BOARD.

(rev 12/2009)

PLEASE NOTE THE ELIGIBILITY DETERMINATION TAKES A MINIMUM OF 4-6 MONTHS.

If you have any questions related to this policy, call the VN Department Chair's office at (903) 510-2471. If you can answer yes to any of the following questions you should immediately secure an appointment with the Department Chair of the VN program for criminal background procedure and instructions regarding information on securing licensure eligibility from the Texas Board of Nursing. (These statements also apply to Certified Nurse Aides, Certified Medication Aides, and Medical Assistants).

If you answered "YES" to any of the questions listed above, a letter is required by the Board for explanation that is dated and signed indicating the circumstance(s) you are reporting to the Board.

<http://www.bon.state.tx.us/> 06/2011

Once accepted into the Vocational Nursing Program, it is the student's responsibility to immediately notify the Department Chair of Vocational Nursing Program in writing of any subsequent changes in criminal history that occur after the admission background check has been completed. Failure to do so may result in immediate withdrawal from the Program. If a student is found to be ineligible for clinical placement any time during the program, the student is therefore unable to meet clinical learning objectives and will be withdrawn pending resolution of the situation.

HEALTH SERVICES

Students are responsible for their own health care. Student Health Services are available in Rogers Student Center by posted hours. Beginning in the Fall, 2015 the Health Clinic will be located on the second floor of Rogers Nursing and Health Sciences Center.

All vocational nursing students are required to have an annual TB test or chest x-ray. If TB expires prior to graduation, students may complete TB symptom requirement form, if meets clinical facility requirements. This form is not sufficient for all clinical facilities and a TB test is still required.

If injured while on clinical assignment, the student is to notify the clinical professor and follow the hospital policy as outlined by that hospital.

HEALTH DATA REQUIREMENTS

Each student is required to have a health assessment performed by a physician or qualified health care provider. This must be completed and documentation turned in on or before the first day of class.

IMMUNIZATIONS

Healthcare professions include inherent health and safety risks. Therefore, vocational nursing students are required to be compliant with Texas Administrative Code Rule 97.64 related to immunizations for the protections of themselves and patients. Immunization records are to be completed and turned into the VN program office on or prior to the first day of class. You will not be allowed to attend clinical if immunizations are not up-to-date and hours of absence missed will be counted against your total time.

HEALTH HISTORY

If you are pregnant, back injuries, or are taking any medications that may affect your performance, you will need to fill out a release form. Forms will be provided for you to fill out and must be returned to the VN Program Coordinator.

WITHDRAWAL FROM VOCATIONAL NURSING PROGRAM

Students contemplating withdrawal from the vocational nursing program are to conference with the Professor, the Department Chair, and School of Nursing and Health Professions Advisors. If withdrawing, the student is to:

1. Withdraw according to Tyler Junior College policy (must see an Academic Advisor to withdraw from a course).
2. Sign recognition of policies forms as needed.
3. A student withdrawing or leaving the program for any reason must surrender their clinical badge.
4. The clinical badge will be returned to them if/when re-admitted to vocational nursing program.
5. A student denied rotation privileges by any clinical affiliate agency is not eligible to continue in the program. Denial of rotation privileges must be in writing from administration of the agency. Denial of rotation privileges as described will result in dismissal from the vocational nursing program pending review by the VN Professor/Department Chair and the VN progression committee.
6. Students on disciplinary probation at the time of withdrawal or dismissed for disciplinary actions are ineligible to reapply to the VN department or any other School of Nursing and Health Sciences department for a period of five years.

READMISSION POLICY

2015-2016

A cumulative maximum of **two** admissions may be permitted to the Tyler Junior College Vocational Nursing Program. A student, who leaves the VN program for any reason other than a Clinical Failure, will be permitted one other opportunity to reapply to the TJC VN program. Students who have had a clinical failure due to unsafe clinical practice are not eligible for re-entry.

The student selected for 2nd admission will function under the most current policies and procedures of the TJC VN program and TJC.

If a student is unsuccessful in the Vocational Nursing Program they must wait until the completion of that semester prior to reapplying to the TJC's VN program. If a student has been unsuccessful in an Allied Health or

Nursing program at any other school, the student must submit a letter of eligibility to the VN Department Chair from the school previously attended.

Note:

A student who is not successful in the second admission (due to academic reasons), must wait five years from the date of becoming unsuccessful to restart the application process. Policies are evaluated annually; therefore, a new student handbook of the most current policies and guidelines must be secured each application period.

UPWARD MOBILITY

The Vocational Nursing Program at Tyler Junior College supports upward mobility. Information regarding TJC's ADN LVN to RN transition program can be found at www.tjc.edu
<http://www.tjc.edu/nursing/index.php>

SECTION IV: CLINICAL/CLASSROOM REQUIREMENTS OF THE VOCATIONAL NURSING PROGRAM

ACADEMIC INTEGRITY

<http://www.tjc.edu/Student/StudentHandbook.php>

THE CODE FOR LICENSED PRACTICAL/VOCATIONAL NURSES

The Code, adopted by NFLPN in 1961 and revised in 1979, provides a motivation for establishing, maintaining and elevating professional standards. Each LP/VN, upon entering the profession, inherits the responsibility to adhere to the standards of ethical practice and conduct as set forth in this Code. Know the scope of maximum utilization of the LP/VN as specified by the nursing practice act and function within this scope.

- 1) Safeguard the confidential information acquired from any source about the patient.
- 2) Provide health care to all patients regardless of race, creed, cultural background, disease, or lifestyle.
- 3) Uphold the highest standards in personal appearance, language, dress, and demeanor.
- 4) Stay informed about issues affecting the practice of nursing and delivery of health care and, where appropriate, participate in government and policy decisions.
- 5) Accept the responsibility for safe nursing by keeping oneself mentally and physically fit and educationally prepared to practice.

www.nflpn.org/practice-standards4web.pdf

HEALTH INSURANCE PORTABILITY AND ACCOUNTBILITY ACT OF 1996 (HIPAA)

One of the student's major responsibilities is to preserve the confidentiality of all medical and personal information concerning patients, as well as all confidential information concerning activities of the Clinical/Healthcare Affiliates and their staff. Students must successfully complete the HIPAA training at Tyler Junior College prior to client care. Students will sign one copy of HIPAA/confidentiality training and return. This copy will be placed in the student's file.

PROGRESSIVE DISCIPLINE

The faculty of TJC VN program are committed to assisting students to be successful in the program. Therefore, VN students who are not meeting course objectives in theory, lab, clinical or practicum will be apprised of their performance status using the following progressive discipline process:

Step 1 -WARNING

The Professor provides the student with a verbal warning or written feedback as to their status. The Professor counsels the student regarding criteria for successful completion of the course and makes recommendations for improvement. Recommendations may include but are not limited to- remediation by the faculty, utilization of peer study groups, computer assisted instruction.

At the discretion of the Professor and depending on the situation, this step may be skipped and a conference completed.

Step 2 -CONFERENCE

The student meets with the Professor in a formal conference to review the performance deficit. A written VN Conference Report will identify specific course or program objectives not met. A remediation contract including deadlines for completion will be developed to correct the deficit so the student can successfully progress through the program.

Step 3-PROBATION

Probation may be implemented for, but not limited to the following behaviors:

- Unsatisfactory clinical performance
- Unsatisfactory clinical attendance and punctuality
- Inability to maintain physical and mental health necessary to function in the program
- Unethical, unprofessional behavior, and/or unsafe clinical practice
- Refusal to participate with a procedure
- Unsafe or unprofessional clinical practice that compromises patient or staff safety
- Behavior which compromises clinical affiliations
- Failure to comply with all terms outline in the conference report

Probation is a trial period in which the student must improve or be withdrawn from the program.

The student meets with the Professor and department chair. The faculty will complete a Probation Conference Form explicitly stating expectations that must be followed during the probationary period and signed.

The probation period for a safety or professional conduct violation is until the student successfully completes all program requirements.

A student can only be placed on probation once while in the Vocational Nursing Program.

Step 4 -WITHDRAWAL

If at any time during the probation period, the student fails to meet any of the conditions of the probation contract, the student may be withdrawn from the program. If other offenses of policy occur during the probation period, the student may be withdrawn from the program dependent upon infraction. Accordingly, if at the end of the probation period the student has not met the criteria for satisfactory performance outlined in the probation contract, the student will be withdrawn from the program for subsequent safety or professional conduct violations at any time during the program. (If the occurrence is past the official college date for withdrawal from a course, the student will receive a performance grade of “F” for failure)

Some situations do not allow for the progressive discipline process due to the severity of nature or the timing of their occurrence. Incidents of this nature may require review by the VN progression committee and the student placed on immediate probation or withdrawn from the program. Students on disciplinary probation at the time of withdrawal or dismissed for disciplinary actions are ineligible to reapply to the VN department or any other School of Nursing and Health Sciences department.

Examples of these include, but are not limited to:

- 1) Violation of client confidentiality (violation of HIPAA)
- 2) Academic dishonesty
- 3) Willful lying or deceit, misrepresenting any fact, lying about any fact
- 4) Verbal or physical abuse of patients
- 5) Any facility's refusal to allow the student to practice in that facility
- 6) Representing that the student holds a certification or license that the individual does not hold
- 7) Falsification of any records, including sign-in sheets, time cards for self or another student
- 8) Cheating
- 9) Stealing information or tangible goods
- 10) Practicing beyond the scope of the clinical objectives
- 11) Being under the influence or in possession of alcohol or drugs during class or during any practicum rotation assignment
- 12) Insubordination to faculty or hospital personnel
- 13) Unprofessional behavior that seriously jeopardizes client, student, staff, or preceptor safety.
- 14) Breach of Code of Ethics
- 15) Committing a criminal act at any time while enrolled in the VN program
- 16) Documented evidence of lack of proper patient care
- 17) Leaving the clinical area or premises without permission from the clinical professor
- 18) Use of any form or abusing, disrespectful, threatening or harassing language and/or behavior to classmates, professors, hospital personnel or patients
- 19) Violating or failing to comply with any provision of the rules, regulations, or policies set forth, or any policy stated in the Student Vocational Nursing Handbook.
- 20) Academic Failure
- 21) Excessive absenteeism (non-emergent)
- 22) Disciplinary action
- 23) No call/no show to clinical area as assigned for duty
- 24) Attitude or aptitude not consistent with vocational nursing
- 25) Failure to maintain current CPR certification

GRIEVANCE PROCEDURE

Academic Grievances—Grade Related
Academic Grievances—Not Grade-Related
<http://www.tjc.edu/grievances>

COMPUTER CLASSROOM

Tyler, Lindale and Rusk are equipped with computer classrooms which are the assigned computer classrooms shared by the TJC VN and other health science programs. The lab and/or computer classrooms are utilized by a schedule. Printing notes or outside class assignments, etc. is prohibited in these classrooms. The proctor for testing in Lindale and Rusk Computer classrooms will direct the students on the acceptable printing results dependent on testing in progress and course requirements. There are computers available across Tyler campus available for printing for all of School of Nursing and Health Professions students' use.

NO FOOD OR DRINKS ARE ALLOWED IN ANY COMPUTER CLASSROOM.

ABSENCES/ATTENDANCE

Nursing is a practice discipline. Attendance at scheduled classroom, clinical, and laboratory experiences reflect accountability and are required for professional growth. Students must be present, physically and mentally, in order to meet the learning objectives of the classroom, laboratory, and/or clinical experience. In case of absence due to an extenuating circumstance, such as long-term illness or accident, the VN Department Chair, in conjunction with the Progression Committee will reserve the right to evaluate each case on an individual basis. This VN attendance policy supersedes all others that may have been in effect. In accordance with Administration Policies found in the Tyler Junior College Catalog and Student Handbook concerning student attendance, the following specific attendance requirements will be enforced for the VN program.

CLASSROOM ABSENCE/ATTENDANCE

Students will be permitted to be absent a maximum of 84 total hours for the length of the program. Absences are cumulative.

Students may not interrupt the learning experience of other students. The student who is late will not be allowed to enter after the class has started. The student will remain outside the classroom until the next scheduled break. Students who are sleeping during class will be asked to leave and time deducted. Students will be asked to leave for loud or disruptive behavior and time deducted.

Students who leave the classroom before dismissed will be counted absent for the entire hour and may not re-enter until the next scheduled break.

In the event an absence occurs on the day that an assignment is due or on the day of an examination, students are expected to fulfill all obligations for these on the first day returning to class (classroom or clinical).

In the event of an absence, it is the student's responsibility to contact the professor about any missed information/assignments. Any quizzes or in-class assignments missed will result in a grade of **zero (0)**. **If due date is given for assigned work, then it is due prior to the start of class on the due date. The highest grade attainable will be a 76 if turned in after class starts on due date. If not turned in by end of classes on the due date, then assigned work will not be accepted and a zero (0) will be the only attainable grade for the assigned work.**

CLINICAL ABSENCE/ATTENDANCE

When the student is in the clinical phase, the student must notify the professor to which they are assigned 30 minutes prior to scheduled clinical time each day when illness or absence occurs. In the event you cannot reach your clinical professor by pager then you are to call the Coordinator at the location of enrollment and leave a message. Adequate patient care depends on the nursing student being punctual. If no documentation of notification of tardiness or clinical absence is found, student will be referred to the VN Progression Committee for discipline for an improper call in or no show to clinical.

The following policy will be enforced at all times:

1. Students will be allowed to miss no more than 16 hours of the clinical assignment per semester. Missing more than 16 hours of clinical will result in referral to the progression committee for possible dismissal from the VN program. Any clinical time missed will be deducted from the total allowable 84 hours.
2. In semesters in which there are two clinical courses in the same semester the students are still allotted the 16 total hours per semester; however, VN faculty will document and deduct points from the course that the absence occurred. Any clinical time missed will be deducted from the total allowable 84 hours.

3. Clinical course grading, each course/semester: If you are absent one (1) day from the clinical area, 5 points will be subtracted from your course grade. If you are absent > one (1) day and < two (2) days of clinical, 10 points will be subtracted from your clinical grade. If two (2) full days of clinical are missed, 15 points will be subtracted from your clinical course grade.
4. A tardy is reporting for clinical up to 15 minutes after scheduled time. After 15 minutes, the student will be counted absent for the entire clinical day.
Leaving the clinical setting early, the student will be counted absent for the entire clinical day.
 - a. If a student arrives and attempts to sign in with the clinical professor for clinical tour of duty without required equipment, paperwork or is out of uniform compliance, the student will be sent home from the clinical area and hours of absence will be recorded.
 - b. If a student arrives on the assigned unit without signing in with the clinical professor (in case of tardy), the student will be directed to leave the unit and will be counted absent for the clinical day.
 - c. One tardy equals one hour clinical absence.
 - d. Two (2) tardies equals one (1) clinical absence
5. Attend all simulated lab sessions and/or clinical assignments on or off Campus according to TJC and VN Program Policies.
6. Take breaks and/or lunches as scheduled or at approved times
7. Remain in the clinical facility during the entire assigned time unless approved by clinical professor
8. Students must sign in with clinical instructor to be considered in attendance and the time must be accurate of the time arrived in the building and reporting for duty, (not just entering the building).
9. There are no provisions for make-up clinical experience
10. **NO CALL/NO SHOW to the assigned clinical area will necessitate referral to the VN progression committee for disciplinary action.**
 - a. If a student calls in within an hour the start of the clinical time, the student will receive 8 hours missed clinical time and written probation for this occurrence.
 - b. If the call in is over an hour, it is considered an improper call in and will necessitate referral to the progression committee for disciplinary action.
 - c. If the student has a second occurrence, the student will be referred to the progression committee for possible dismissal.
11. **Missing more than 84 hours during the VN program will result in administrative withdrawal of a student.**

Punctuality and regular class attendance are mandatory for the success of all students. Professors will take roll at each class meeting. Students are responsible for keeping up with individual absence time. Faculty will not give totals - it is the STUDENTS responsibility to know how many absent hours have accrued. Absences will be recorded by faculty and maintained in the VN office. If a proven emergency occurs involving more than two (2) assigned clinical days, the VN absence review committee will meet, review, and evaluate the case on an individual basis.

DRESS CODE

Classroom

Dress for the classroom includes appropriate dress (shirt, slacks, dresses, skirts, pantsuits, scrubs, etc.), proper undergarments and shoes. Students wearing clothing deemed distracting to faculty or other members of the class will be asked to change to something appropriate.

All students must wear a TJC lanyard/ID according to TJC policy when entering the classroom or while on TJC property. No exceptions will be made. If time is missed as a result of noncompliance, the student will be counted absent and miss any assignments related to this absence. Students must have a lanyard on to take exams, if student does not have lanyard on at the time of the exam, they will not be allowed to take the exam at the scheduled time. Student will have to schedule a make-up exam and thus the highest grade that can be made is a 76.

Clinical/Lab Dress Code/Uniform Rules

All students will wear the Tyler Junior College Vocational Nursing Program designated uniform, including school patch (which is embroidered on) and name badge in all clinical settings unless otherwise specified by the professor. The student will not come to clinical and change into clinical clothing. The student will come to clinical in appropriate clinical attire. Any student who fails to adhere to the dress code at any time during the clinical experience will be dismissed from clinical and will result in 8 hours of clinical absence.

Vocational Nursing Students are to purchase three (3) complete sets of uniforms and one (1) clinical lab jacket. Uniforms are Navy Blue. Lab jacket is White. These uniforms are to be purchased through Career Uniforms at the time of New Student Orientation.

During all scheduled lab times held at TJC, the student will wear appropriate VN scrubs and tennis shoes of the student's choice. If the student is not dressed appropriately the student may not participate in lab as scheduled and time will be deducted from class hours. On days that both clinical and lab occur in the same day, students must remain in clinical attire. Time will be deducted from both clinical and/or class if appropriate.

Only the designated uniform is to be worn.

For specific details see the VN Clinical Handbook

GRADING AND GRADING SYSTEM

Scholastic ratings are determined by the student's performance in the theoretical and clinical components of the curriculum. To maintain satisfactory standing in the Vocational Nursing Program, a student must maintain a "C" (76) or higher in each course.

GRADING SCALE

A = 100-90

B= 89-80

C= 76-79

F = Below 76, Failing

THEORY GRADES

Grades for theory courses are derived by averaging scores earned for work required.

The weight assigned to course material is as follows:

Major Exams	70%
Comprehensive Final Exam	20%
Written Work/Daily Work/Lab/Quizzes/Projects	10%

During enrollment in a nursing course, if a student scores 76% or below on a unit exam or any assigned material, the student is expected to make an appointment within one week with the Professor. During this conference, the Professor and student will review the exam or graded assignment and attempt to identify factors that may have contributed to the student's poor performance. The Professor and student will develop a plan utilizing the Exam Analysis Form to assist the student in passing future exams and/or course assignments.

*When calculating final grades, the professor will maintain decimals to the tenths place and will not round calculations until the final grade, to assure all points are given to the students.

*No grades will be given over the telephone to a student or any other person. All grades will be posted on Apache Access. In the event that Apache Access is not operational, the grades may be reviewed with the individual Professor.

CLINICAL GRADES

Completion of a clinical course is a cumulative process that results in a summative grade. Performance throughout the course is considered when grades are awarded. If a student is placed on probation, the maximum grade that may be achieved is a 76.

EXAMS/EXAM REVIEW

1. Students must wear lanyard to enter the testing area. If the student misses the exam at the scheduled time because of not having their lanyard on, they will need to schedule a make-up exam and thus the highest grade that can be made is a 76.
2. Exams shall consist primarily of four-option multiple choice questions. Alternate format questions such as fill-in-the blank, diagrams, and multiple-multiple choice questions may be given.
3. Exams assigned on paper or given at a structured designated computer classroom will be administered at a set time and date. If a paper exam or a structured computer classroom exam is missed, a grade of 76 is the highest grade that can be made. Professor of record may administer an alternate format exam including, but not limited to essay, fill-in-the blank, multiple-multiple answer format, and/or diagrams.
4. Raw score grades and the questions missed will be released at the time of the exam at the computer classroom or examination center. Each exam will be reviewed by the Professor of record and a panel of peer Professors. Individual exam review sessions may be scheduled with the Professor of record after the scheduled examination time for the exam closes for only those students making below 76 to help increase success on further exams.
5. Remediation and tutoring is only available at the student's request.
6. All exams are timed exams.
7. Scantrons, answer sheets, and other papers used for exam taking may be inspected by the Professor of the course before, during, or after the exams.
8. Students will place all books, bags, handbags, and other materials in the front of the room or in another room prior to exam taking and during any follow up reviews of the exam. The student may not write down or tape record any exam questions or answers. Cell phones are not allowed in the classroom or examination area

during exam. However, if cell phones are visible or heard during exams, a grade of zero will be given, as this will be considered an act of cheating.

9. Exams will start promptly. If ANY exam is in progress, you may NOT enter the room. Once the exam has been distributed, the doors will be closed and no one else will be admitted.
10. Students may write on the exam that is passed out, however, only the Scantron will be graded.
11. Work must be shown for all math problems. No credit will be awarded for math problems, if the answer is not supported by the Dimensional Analysis (DA) method. Math rounding rules must be followed in order to receive credit.* See Rounding Policy below.
12. Students will refrain from talking, gesturing, or communicating in any manner with other students during the examination. The professor will only answer technical answers during the exam.
13. Students may not leave the room during the exam. If the student chooses to leave once an exam has begun, the exam will be graded as is. The student may not re-enter the testing area.
14. Once exam materials are turned in, the student must not return to their desk. The student is to leave the room and may not return until the exam is complete and Professor has advised the class to re-enter.
15. The student is accountable for reviewing any exam within 1 week, after all extension sites have administered and committee members have reviewed the exam. Seven days past the administration of the exam, the exam will be filed and no longer available for review.
16. Final exams and final grades are not released until the last exam is given and all grades are recorded at the end of each semester.
17. If a student is late for a final exam, they may enter the room and take the exam as long as no one has left the room; however, only the allotted time for this exam will remain. If any student has already completed their exam and left the room, no student may enter to attempt their final exam and the student who is late must make arrangement with the professor of the course for an alternative exam and the maximum grade possible will be 76.
18. Students screened and receiving an individualized education plan must submit the plan to the VN office and must adhere to the plan in **ALL** of the VN courses.

STUDENT EVALUATIONS OF COURSE/PROFESSOR

Faculty and course evaluation(s) will be completed at the end the semester upon course completion.

Instructions for completing Clinical course and Course/Professor evaluations will be placed at the top of the survey evaluation and explained orally. Pass codes to complete the evaluation will be given to each student. The student is required to go to an assigned computer classroom to complete the designated evaluations. Student feedback is encouraged and written remarks are typed in by the student utilizing a paragraph answer response online.

PROGRAM PROGRESSION

Students must attain at least a grade of 76, “C” in each theory course and a 76 or above in each clinical nursing course in order to progress to the next semester.

- a. At least a minimum score of 76 must be attained on nursing “theory” course work in order to pass the course.
- b. A student must achieve a grade of 76 or above on each clinical evaluation in order to pass the course.
- c. The student must meet the selected criteria for successful course completion as outlined in each course syllabus.

- d. Students must complete theory and clinical written work with 76 or above according to stated criteria in course syllabi. At the discretion of the Professor, students will be ask to resubmit any work that is illegible or contains more than 5 spelling or grammatical errors.
- e. Completion of required standardized tests

Elsevier Evolve Case Study and Practice Test Usage

Elsevier Evolve Case Study and Practice Test will be administered as an educational enhancement to increase the content retention of the VN curriculum concepts. A minimum of two Case Studies in each of the following courses:

VNSG 1323: Basic Nursing Skills
VNSG 1400: Nursing in Health and Illness I
VNSG 1329: Medical Surgical Nursing I
VNSG 1201: Mental Health and Nursing

VNSG 2431: Advanced Nursing Skills
VNSG 1230: Maternal Nursing
VNSG 1334: Pediatrics
VNSG 1409: Nursing in Health and Illness II
VNSG 2410: Nursing in Health and Illness III

These Case Studies must be completed with a minimum grade of 76% and will be counted as a daily grade within the appropriate course. Students will be given two chances to take the case studies and the grades will be averaged together. If the student achieves a grade the first time that they are satisfied with, they can opt to only take the case study once without penalty. These will be recorded as a daily grade in each respective course. The faculty may also suggest the Practice Tests to those students needing additional assistance in any of the above topics.

(HESI) REACH/REMEDICATION

Standardized Testing Specialty Exam Testing and Remediation Program.

It is the goal of Tyler Junior College Vocational Nursing Program to ensure that vocational nursing graduates become successful practicing nurses. To achieve this, the nursing faculty have elected to utilize the Health Educational Systems, Inc. (HESI) REACH/REMEDICATION Specialty Exam testing and remediation program. This program promotes increased opportunities to develop the skills and knowledge necessary for successful achievement on the State Board examination for licensure as a vocational nurse. (HESI) specialty exams are used to evaluate student comprehension of content.

All exams will be scheduled as part of the student's curriculum courses. **In courses where the Reach/Remediation (HESI) Specialty Exams are administered, completion of exam and content remediation will count in the clinical course required assignment grades.**

Reach/Remediation (HESI) Specialty Exams will be taken in a structured setting. Structured exams will be taken at a scheduled time in the assigned computer classroom/lab.

Remediation will be accomplished past each specialty exam as recommended by assessment administrator. ALL content remediation must be accomplished to receive full grade credit. Content remediation will be monitored in a structured setting.

Reach/Remediation (HESI) Specialty Exams: Five assessments will be administered:

Level I:	VNSG 1260	PN Specialty Exam Fundamentals at the end of the 1 st level clinical experience; remediation will be accomplished at the end of 1 st level experience
Level II:	VNSG 1262	PN Specialty Exam Pharmacology at the first of the 2 nd level clinical experience; remediation will be scheduled according to policy
Level III:	VNSG 1361	PN Specialty Maternity/Pediatric Exam at the beginning of the 3 rd level clinical experience; remediation will be scheduled according to policy
Level III:	VNSG 1361	PN Exit Exam I and PN Exit Exam II will be scheduled to be administered as appropriate to content information completion; remediation will be scheduled according to policy

There will be a formal live review near completion of the Vocational Nursing Program Curriculum. Mandatory attendance at the live review is required. The review will be scheduled during VNSG 1361 Clinical III. If any time is missed from the review, clinical absence time will be incurred according to policy.

DRUG CALCULATION

*ROUNDING POLICY FOR EXAM PURPOSES

1. Tablets- Assume that all tablets are scored for testing purposes. Calculate to the nearest whole or half. Answer may be written as 0.5 tablet.
2. Liquids/Injectables- If the dosage is 1 mL or more, the decimal is carried out to the hundredth and rounded to the tenth.
Example: $1.46 = 1.5 \text{ mL}$
If the dosage is less than 1 mL, the decimal is carried out to the thousandth place and rounded off to the nearest hundredth.
Example: $0.456 = 0.46 \text{ mL}$
Medications using mg and other such units of measurement use above rule.
3. IVs – Drip rates (gtt/min) – Calculate to the nearest tenth, then round the whole number. (A fraction of a drop cannot be regulated.)
4. IVs- Electronic Pumps- mL/hr to be rounded to the whole number.
Example: $83.33 \text{ mL/hr} = 83 \text{ mL/hr}$
5. IVs – mcg/kg/min, mcg/kg/mL, or mL/hr – Calculate to the nearest whole number
Milliunits or units/min or hour: Calculate to the nearest whole number.
6. Safe Dose Range – Use the same rounding rule as #2.
7. Body weights- carry out calculations to the hundredths and round back to the tenths.
(Example: lbs to kilograms)
Example: $6 \text{ lb} = 2.72 \text{ kg}$ $\text{kg} = 2.7 \text{ kg}$
8. All answers must be labeled and circled. (Examples: mL, mcg, g). Students must cross out labels while solving problems.
9. Calculators will be permitted for testing purposes. Students will not be permitted to share a calculator in testing situations.

Calculator guidelines:

1. A small, simple four-function calculator is recommended.
2. The following calculators MAY NOT be used:
 - a. Pocket organizers
 - b. Handheld or lap top computers
 - c. Electronic writing pads or pen-input devices
 - d. Cell phone
 - e. Models with built in algebra system
 - f. Models that use paper tape or make noise
 - g. Models that must be plugged into a power source.
 - h. Models that communicate (transfer data or information) wirelessly with other calculators

NOTE: The above information applies to your answers on any Examination or quiz.

MATHEMATICS COMPETENCY POLICY

Students will be tested at the beginning of the second and third level to determine mathematical competency. A 10-question Examination will be administered to all vocational nursing students. Students must score 100% accuracy on the Examination to prove competency. The students will be given three opportunities to prove competency.

If a student has not met the 100% by the second Mathematical Competency Examination, remediation and/or tutoring must be completed and recorded on a conference record signed by a Professor and the student.

If a student does not achieve a 100% competency by the third attempt on the Math Exam, he/she will be referred to the VN progression committee for review and possible dismissal from the VN program.

NO COMMUNICATION DEVICES IN THE CLINICAL SETTING EVER.

CELL PHONES AND PAGING DEVICES

In the event of an emergency and you need to be reached during clinical hours, your family may call the TJC VN office of the site you are attending **Tyler: 903-510-2471, Lindale: 903-510-3175, Rusk: 903-510- 3111** or they can contact your individual clinical professor and you will be contacted. If a cell phone or paging device is found in the clinical setting you will be sent home from clinical and will be counted absent for the entire clinical day.

TECHNICAL STANDARDS AND ESSENTIAL FUNCTIONS

CLINICAL STANDARDS/PERFORMANCE

The Vocational Nursing Program at Tyler Junior College has adopted the following as minimum physical competencies for Vocational Nursing Students. These competencies outline reasonable expectations of a student in the Vocational Nursing Program for the performance of common nursing functions. If an applicant or student is unable to meet all of the outlined standards, he/she may be withdrawn from the Vocational Nursing Program. The student must demonstrate the following minimum abilities.

At the time of application this form must be signed by the student and the physician.

The student enrolled in the Vocational Nursing Program must independently be able to:

1. Perform complex psychomotor and physical tasks with or without accommodation which include, but are not limited to:
 - a) Standing for long periods of time (8-12 hours/day)
 - b) Lifting up to 30 pounds
 - c) Performing one person and two person transfers
 - d) Turning and ambulating another person
 - e) Visually discriminating incremental readings on syringes, sphygmomanometers and other various medical equipment
 - f) Visually discriminating between different colored objects
 - g) Manipulating equipment and performing patient care procedures (i.e., starting IVs, dressing changes, IV pumps, etc.)
 - h) Discriminating between auditory stimuli
2. Communicate effectively and efficiently in English in both oral and written forms
3. Utilize intellectual abilities, exercise good judgment and complete tasks within required time limits.
4. Demonstrate the emotional health required for full utilization of intellectual abilities and exercise of good judgment.
5. Show integrity, concern for others, interpersonal skills, interest and motivation.

Section V: GENERAL VN POLICIES

ADA STATEMENT

As per Section 504 of the Federal Rehabilitation Act of 1973, <http://www.hhs.gov/ocr/504.html>, as amended, and the Americans with Disabilities Act of 1990, <http://www.ada.gov> (<http://www.ada.gov/>), if accommodations are needed contact the ADA Coordinator located in Support Services at 903-510-2878. Deaf or hard-of-hearing students, please contact the Deaf Student Interpreter Coordinator at 903-510-2841(Voice) or 64.17.208.240 (Video Phone)

CELL PHONES AND PAGERS

The use of cellular telephones **IS PROHIBITED** during assigned classroom or clinical times. Pagers or cellular phones must be on silent mode at all times in classroom areas. If a cell phone is heard in the classroom, the student will be asked to leave the classroom and will not be allowed to re-enter until the next classroom hour. The student will be docked one hour from total classroom hours. Cell phones are to be face-down on the top of the desk at all times during the class. If the student is noted to be texting or using the phone in any way during class lecture hours, they will be asked to leave the classroom. If a cell phone or paging device is found in the clinical setting you will be sent home from clinical and will be counted absent for the entire clinical day.

COMMITTEE REPRESENTATION

Student representation is requested for faculty meeting attendance. One student from each class is suggested by their peers to serve on the faculty committee. Students will elect a class representative at the beginning of each semester.

CPR CERTIFICATION

Students must hold a current American Heart Association Health Care Provider Card for cardiopulmonary resuscitation while enrolled in the Vocational Nursing Program courses. Only American Heart Association-Health Care Provider will be accepted. CPR training will be provided in the First level as a part of the student's curriculum requirements and all students will be required to take this to maintain a continuity of records. A copy of the current CPR card will be maintained in the VN office. Failure to attend the scheduled CPR course will result in time missed from a clinical experience and the hours will be counted as absent from clinical **and** will be subtracted from the required attendance time hours. The student may not attend clinical without a current American Heart Association-Health Care Provider card. If the student misses over 2 clinical days related to CPR certification that is not current they will be dismissed from the VN program.

EMPLOYMENT

1. The student should regulate work and study schedules in order to maintain a "C" or better in every course to meet required standards for progression.
2. The student is strongly advised NOT to work the shift immediately preceding class. Students are not allowed to work the immediate shift prior to reporting for clinical duty. Exhaustion is a precursor to error of judgment and ill health, which affects both theory and clinical performance.
3. While employed, students must meet clinical performance guidelines of the job description filled.
4. No portion of the uniform that identifies an individual as a TJC nursing student may be worn during periods of employment.
5. No special considerations will be afforded students with regard to their employment.

EXTRA-CURRICULAR ACTIVITIES/COURSES

All activities and projects of this program must be approved by Tyler Junior College to assure consistency with the school image. This includes the graduation pin, the student format for correspondence, the articles placed in the newspaper, etc. We are part of the College and must be consistent with the school image. The office of Publication Services must approve and assist with signage, coloration, publicity, formatting, etc. As part of Tyler Junior College, students of the VN have the responsibility to coordinate and seek approval for all activities through the VN coordinator or department chair and according to TJC policies and procedures.

Concurrent enrollment in higher education courses while a full time student enrolled in the VN program is not allowed during the first and second semester. Third semester a student may take up to 4 additional college credit hours with approval of the VN Department Chair.

FACULTY OFFICE HOURS

Faculty office hours and information for contact will be posted on the individual Professor's office door. Students are encouraged to seek the Professor's assistance for any problem they may encounter by scheduling an appointment during office hours. Please see the Professor of record of the course you are taking for assistance. No "visiting" with Professors while they are on break, in the hallway, or while class is in session.

FUND RAISING PROJECTS

The college does not approve of solicitation of funds from individuals, institutions, businesses, or organizations for student fund-raising activities. You may request approval through the department chair for creative projects such as bake sales, car washes, candy sales, etc. Plan ahead to allow time for college approval through correct channels.

GIFTS TO FACULTY

In the application of professionalism and in consideration of your financial needs, please find avenues other than gifts through which you express your appreciation.

A note, a card or a cookie would be within the professional standards of nurse-patient relationship expected of you and would be received by the faculty with equal enthusiasm and delight. Thank you for adhering to this request in the positive attitude in which it is expressed.

GRADUATE PIN

The graduate pin may be ordered at the student's expense, during the second semester of the program. The pin will remain in the possession of the school until such time as the student has met all requirements for graduation and has submitted all NCLEX application forms and fees.

GRADUATION

The Certificate of Proficiency will be conferred upon students who complete the requirements of the Vocational Nursing Program curriculum with a "C" or better in each course and who also meet all other program, college and state requirements.

The student must apply for graduation for the degree according to college policy. Until such time as the degree has been applied for, the affidavit of graduation will not be submitted to the Texas Board of Nursing.

To complete all clinical requirements of third semester, the student will be required to participate in the VN pinning program. Grades will not be complete until after pinning ceremony. During the pinning program,

the student is required to wear their VN uniform and lab jacket. The student will also at that time be pinned by a licensed nurse or VN faculty member.

NON-STUDENTS ATTENDING CLASS

All Vocational Nursing students will refrain from bringing non-students to class. This includes children, spouses, boyfriend/girlfriend and friends. Approval of the above to attend your courses must come from the Dean, School of Nursing and Health Professions. There will be no exceptions.

PROFESSIONAL BEHAVIOR

Tyler Junior College Vocational Nursing Program has certain expectations of behavior. Vocational Nursing Students while on campus or while representing Tyler Junior College at any clinical agency must conduct themselves in a professional manner as to reflect favorably upon themselves and the program they represent. Students are expected to assume responsibility for their actions and will be held accountable for them. If at any time a student behaves in a manner which is inappropriate, unprofessional, disrespectful, argumentative, or endangers the health or safety of fellow student, professors, clients, healthcare team, they will be referred to the Vocational Nursing Program progression discipline committee. Students will abide by clinical agency policies during each clinical experience. See Board Rule §213.27

STUDENT RECORDS

In order to comply with the Buckley Amendment to Privacy Act of 1974, the program will not release program records regarding any current student, ex-student or graduate without that individual's written consent. The signature is required after which program records will be released for only the purpose stated on the consent form. No student information including addresses or phone numbers will be released without the student's consent. Students are advised to get a copy of immunizations prior to graduation, as these will not be available after graduation.

Retention of student records:

1. All student records will be maintained for two years after graduation.
2. Transcripts shall be retained as a permanent record on all students and stored in separate files at the registrar's office.
3. Records of students who withdraw from the program shall be completed up to the date of withdrawal.
4. Records of all graduates will be complete prior to storage.

SUBSTANCE ABUSE

Any experimentation with or involvement in drug and/or alcohol use/abuse will result in dismissal from the Vocational Nursing Program due to Unprofessional Conduct and Unsafe Behavior. If a student is suspected of being under the influence of alcohol and/or controlled substances (including prescription drugs), the student will be immediately removed from the clinical area.

A confidential conference will be held immediately with the student. An appropriate professional witness may be present during the conference when available. The student may be dismissed for the remainder of the day. The conference will be documented for the student's file and reviewed by the VN Director/Department Chair, VN progression committee, clinical professor and student within 48 hours of the dismissal.

TELEPHONE AND ADDRESS

Each student MUST maintain a current address and phone number to be used by the program when contact is necessary during non-attendance hours. In the event this information changes for current students, the program office must be notified and given correct information. The TJC Admissions office does not notify the VN office of changes in address or telephone numbers.

TRANSPORTATION

School related transportation is the responsibility of the individual student. EVERYONE (day or evening students and TJC employees) must have a current TJC parking permit to park on TJC campus. Faculty members are not allowed to transport students. Please do not ask your professor for transportation.

Telephone numbers may be given to the hospitals for direct contact with the student in the event contact cannot be made through the professor or the school.

TUTORING ASSISTANCE

Tutoring is available and encouraged via formal and informal settings at scheduled times through the professor record. Student participation in tutorials will be recorded.

Referral to the Tyler Junior College Office of Support Services for Students with Disabilities will be given to students that are identified to need additional assistance and evaluation. The student must submit the required Advisement Form to each professor each semester.

APPENDIX A:
TYLER JR. COLLEGE
DIFFERENTIATED LEVEL
COMPETENCIES

Tyler Junior College

Differentiated Level Objectives



TJC VNE DEC Level Objectives Revised 08.04.11.pdf

APPENDIX B:
TEXAS ADMINISTRATIVE CODES

Texas Administrative Code

<u>TITLE 22</u>	EXAMINING BOARDS
<u>PART 11</u>	TEXAS BOARD OF NURSING
<u>CHAPTER 213</u>	PRACTICE AND PROCEDURE
RULE §213.27	Good Professional Character

(a) Good professional character is the integrated pattern of personal, academic and occupational behaviors which, in the judgment of the Board, indicates that an individual is able to consistently conform his or her conduct to the requirements of the Nursing Practice Act, the Board's rules and regulations, and generally accepted standards of nursing practice including, but not limited to, behaviors indicating honesty, accountability, trustworthiness, reliability, and integrity.

(b) Factors to be used in evaluating good professional character in eligibility and disciplinary matters are:

(1) Good professional character is determined through the evaluation of behaviors demonstrated by an individual in his or her personal, academic and occupational history. An individual's age, education, and experience necessarily affect the nature and extent of behavioral history and, therefore, shall be considered in each evaluation.

(2) A person who seeks to obtain or retain a license to practice professional or vocational nursing shall provide evidence of good professional character which, in the judgment of the Board, is sufficient to insure that the individual can consistently act in the best interest of patients/clients and the public in any practice setting. Such evidence shall establish that the person:

(A) is able to distinguish right from wrong;

(B) is able to think and act rationally;

(C) is able to keep promises and honor obligations;

(D) is accountable for his or her own behavior;

(E) is able to practice nursing in an autonomous role with patients/clients, their families, significant others, and members of the public who are or who may become physically, emotionally, or financially vulnerable;

(F) is able to recognize and honor the interpersonal boundaries appropriate to any therapeutic relationship or health care setting; and

(G) is able to promptly and fully self-disclose facts, circumstances, events, errors, and omissions when such disclosure could enhance the health status of patients/clients or the public or could protect patients/clients or the public from unnecessary risk of harm.

(3) Any conviction for a felony or for a misdemeanor involving moral turpitude or order of probation with or without an adjudication of guilt for an offense that would be a felony or misdemeanor involving moral turpitude if guilt were adjudicated.

(4) Any revocation, suspension, or denial of, or any other adverse action relating to, the person's license or privilege to practice nursing in another jurisdiction.

(c) The following provisions shall govern the determination of present good professional character and fitness of a Petitioner, Applicant, or Licensee who has been convicted of a felony in Texas or placed on probation for a felony with or without an adjudication of guilt in Texas, or who has been convicted or placed on probation with or without an adjudication of guilt in another jurisdiction for a crime which would be a felony in Texas. A Petitioner, Applicant, or Licensee may be found lacking in present good professional character and fitness under this rule based on the underlying facts of a felony conviction or deferred adjudication, as well as based on the conviction or probation through deferred adjudication itself.

(1) The record of conviction or order of deferred adjudication is conclusive evidence of guilt.

(2) In addition to the disciplinary remedies available to the Board pursuant to Tex. Occ. Code Ann. §301.452(b)(3) and (4), Texas Occupations Code chapter 53, and §213.28, a licensee guilty of a felony under this rule is conclusively deemed to have violated Tex. Occ. Code Ann. §301.452(b)(10) and is subject to appropriate discipline, up to and including revocation.

(d) The following provisions shall govern the determination of present good professional character and fitness of a Petitioner, Applicant, or Licensee who has been licensed to practice nursing in any jurisdiction and has been disciplined, or allowed to voluntarily surrender in lieu of discipline, in that jurisdiction.

(1) A certified copy of the order, judgment of discipline, or order of adverse licensure action from the jurisdiction is prima facie evidence of the matters contained in such order, judgment, or adverse action and is conclusive evidence that the individual in question has committed professional misconduct as alleged in such order of judgment.

(2) An individual disciplined for professional misconduct in the course of practicing nursing in any jurisdiction or an individual who resigned in lieu of disciplinary action (disciplined individual) is deemed not to have present good professional character and fitness and is, therefore, ineligible to file an Application for Endorsement to the Texas Board of Nursing during the period of such discipline imposed by such jurisdiction, and in the case of revocation or surrender in lieu of disciplinary action, until the disciplined individual has filed an application for reinstatement in the disciplining jurisdiction and obtained a final determination on that application.

(3) The only defenses available to a Petitioner, Applicant, or Licensee under section (d) are outlined below and must be proved by clear and convincing evidence:

(A) The procedure followed in the disciplining jurisdiction was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process.

(B) There was such an infirmity of proof establishing the misconduct in the other jurisdiction as to give rise to the clear conviction that the Board, consistent with its duty, should not accept as final the conclusion on the evidence reached in the disciplining jurisdiction.

(C) The deeming of lack of present good professional character and fitness by the Board during the period required under the provisions of section (d) would result in grave injustice.

(D) The misconduct for which the individual was disciplined does not constitute professional misconduct in Texas.

(4) If the Board determines that one or more of the foregoing defenses has been established, it shall render such orders as it deems necessary and appropriate.

(e) An individual who applies for initial licensure, reinstatement, renewal, or endorsement to practice professional or vocational nursing in Texas after the expiration of the three-year period in subsection (f) of this section, or after the completion of the disciplinary period assessed or ineligibility period imposed by any jurisdiction under subsection (d) of this section shall be required to prove, by a preponderance of the evidence:

(1) that the best interest of the public and the profession, as well as the ends of justice, would be served by his or her admission to practice nursing; and

(2) that (s)he is of present good professional character and fitness.

(f) An individual who applies for initial licensure, reinstatement, renewal, or endorsement to practice professional or vocational nursing in Texas after a negative determination based on a felony conviction, felony probation with or without an adjudication of guilt, or professional misconduct, or voluntary surrender in lieu of disciplinary action and whose application or petition is denied and not appealed is not eligible to file another petition or application for licensure until after the expiration of three years from the date of the Board's order denying the preceding petition for licensure.

(g) The following disciplinary and eligibility sanction policies and guidelines shall be used by the Executive Director, the State Office of Administrative Hearings (SOAH), or the Board in evaluating good professional character in eligibility and disciplinary matters:

(1) Disciplinary Sanctions for Fraud, Theft and Deception approved by the Board and published on February 22, 2008 in the *Texas Register* (33 TexReg 1646) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(2) Disciplinary Sanctions for Lying and Falsification approved by the Board and published on February 22, 2008 in the *Texas Register* (33 TexReg 1647) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(3) Disciplinary Sanctions for Sexual Misconduct approved by the Board and published on February 22, 2008 in the *Texas Register* (33 TexReg 1649) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(4) Eligibility and Disciplinary Sanctions for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder and published on February 22, 2008 in the *Texas Register* (33 TexReg 1651) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(5) Disciplinary Guidelines for Criminal Conduct approved by the Board and published on March 9, 2007 in the *Texas Register* (32 TexReg 1409) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/discp-guide.html>.

Source Note: The provisions of this §213.27 adopted to be effective September 1, 1998, 23 TexReg 6444; amended to be effective November 14, 2002, 27 TexReg 10594; amended to be effective May 17, 2004, 29 TexReg 4884; amended to be effective October 10, 2007, 32 TexReg 7058; amended to be effective July 2, 2008, 33 TexReg 5007

Texas Administrative Code

<u>TITLE 22</u>	EXAMINING BOARDS
<u>PART 11</u>	TEXAS BOARD OF NURSING
<u>CHAPTER 213</u>	PRACTICE AND PROCEDURE
RULE §213.28	Licensure of Persons with Criminal Offenses

(a) This section sets out the considerations and criteria in determining the effect of criminal offenses on the eligibility of a person to obtain a license and the consequences that criminal offenses may have on a person's ability to retain or renew a license as a registered nurse or licensed vocational nurse. The Board may refuse to approve persons to take the licensure examination, may refuse to issue or renew a license or certificate of registration, or may refuse to issue a temporary permit to any individual that has been convicted of or received a deferred disposition for a felony, a misdemeanor involving moral turpitude, or engaged in conduct resulting in the revocation of probation.

(b) The practice of nursing involves clients, their families, significant others and the public in diverse settings. The registered and vocational nurse practices in an autonomous role with individuals who are physically, emotionally and financially vulnerable. The nurse has access to personal information about all aspects of a person's life, resources and relationships. Therefore, criminal behavior whether violent or non-violent, directed against persons, property or public order and decency is considered by the Board as highly relevant to an individual's fitness to practice nursing. The Board considers the following categories of criminal conduct to relate to and affect the practice of nursing:

(1) offenses against the person similar to those outlined in Title 5 of the Texas Penal Code.

(A) These offenses include, but are not limited to, the following crimes, as well as any crime that contains substantially similar or equivalent elements under another state or federal law:

(i) Abandonment/Endangerment of a Child {TPC §22.041}

(ii) Agree to Abduct Child for Remuneration: Younger than Eighteen {TPC §25.031}

(iii) Aiding Suicide: Serious Bodily Injury/Death {TPC §22.08}

(iv) Assault, Aggravated {TPC §22.02}

(v) Capital Murder {TPC §19.03}

(vi) Child Pornography, Possession or Promotion {TPC §43.26(a), (e) (Texas Rules of Criminal Procedure Ch. 62)}

- (vii) Indecency with a Child {TPC §21.11 (TRCP Ch. 62)}
- (viii) Indecent exposure (2 or more counts and/or required to register as sex offender) {TPC §21.08 (TRCP Ch. 62)}
- (ix) Injury to Child, Elderly, Disabled {TPC §22.04}
- (x) Kidnapping {TPC §20.03, §20.04 (TRCP Ch. 62)}
- (xi) Manslaughter {TPC §19.04}
- (xii) Murder {TPC §19.02}
- (xiii) Online Solicitation of a Minor {TPC §33.021(b), (c), (f); (TRCP Ch. 62)}
- (xiv) Prostitution, Compelling {TPC §43.05 (TRCP Ch. 62)}
- (xv) Protective Order, Violation {TPC §25.07, §25.071}
- (xvi) Sale or Purchase of a Child {TPC §25.08}
- (xvii) Sexual Assault {TPC §22.011 (TRCP Ch. 62)}
- (xviii) Sexual Conduct, Prohibited {TPC §25.02 (TRCP Ch. 62)}
- (xix) Sexual Assault, Aggravated {TPC §22.021 (TRCP Ch. 62)}
- (xx) Sexual Performance by Child {TPC §43.24 (d), §43.25(b) (TRCP Ch. 62)}
- (xxi) Unlawful Restraint {TPC §0.02}
- (xxii) Assault {TPC §22.01(a)(1), (b), (c)}
- (xxiii) Criminally negligent homicide {TPC §19.05}
- (xxiv) Improper Relationship between Educator and Student {TPC §21.12}
- (xxv) Improper photography {TPC §21.15}
- (xxvi) Obscenity, Wholesale promotion {TPC §43.23(a), (h)}
- (xxvii) Prostitution (3 or more counts) or Aggravated Promotion {TPC §43.02, §43.04}
- (xxviii) Resisting Arrest, Use of Deadly Weapon {TPC §38.03(d)}
- (xxix) Stalking {TPC §42.072(b)}
- (xxx) Harassment {TPC §42.07}
- (xxxi) Prostitution or Promotion of {TPC §43.02}

(xxxii) Protective Order, Violation {TPC §25.07, §38.112}

(xxxiii) Resisting Arrest {TPC §38.03(a)}

(xxxiv) Deadly conduct {TPC §22.05(a)}

(xxxv) Obscenity, Participates {TPC §43.23(c), (h)}

(xxxvi) Terroristic Threat {TPC §22.07}

(xxxvii) Criminal Attempt or Conspiracy {TPC §15.01, §15.02}

(B) These types of crimes relate to the practice of nursing because:

(i) nurses have access to persons who are vulnerable by virtue of illness or injury and are frequently in a position to be exploited;

(ii) nurses have access to persons who are especially vulnerable including the elderly, children, the mentally ill, sedated and anesthetized patients, those whose mental or cognitive ability is compromised and patients who are disabled or immobilized and may be subject to harm by similar criminal behavior;

(iii) nurses are frequently in situations where they provide intimate care to patients or have contact with partially clothed or fully undressed patients who are vulnerable to exploitation both physically and emotionally;

(iv) nurses are in the position to have access to privileged information and opportunity to exploit patient vulnerability; and

(v) nurses who commit these crimes outside the workplace raise concern about the nurse's propensity to repeat that same misconduct in the workplace and raises concerns regarding the individual's ability to provide safe, competent care to patients.

(2) offenses against property, e.g., robbery, burglary and theft, etc.

(A) These offenses include, but are not limited to, the following crimes, as well as any crime that contains substantially similar or equivalent elements under another state or federal law:

(i) Burglary (if punishable under Penal Code §30.02(d)) {TRCP Ch. 62 (§62.001(5)(D))}

(ii) Robbery {TPC §29.02}

(iii) Robbery, Aggravated {TPC §29.03}

(iv) Arson {TPC §28.02(d)}

(v) Burglary {TPC §30.02}

(vi) Criminal Mischief {TPC §28.03}

(vii) Money Laundering \geq \$1500 {TPC §34.02(e)(1) - (4)}

(viii) Theft \geq \$1500 {TPC §31.03(e)(4) - (7)}

(ix) Theft $<$ 9 {TPC §31.03(e)(1) - (3)}

(x) Vehicle, Unauthorized Use {TPC §31.07}

(xi) Criminal Trespass {TPC §30.05(a),(d)}

(xii) Cruelty to Animals {TPC §42.091}

(xiii) Criminal Attempt or Conspiracy {TPC §15.01, §15.02}

(B) These types of crimes relate to the practice of nursing because:

(i) nurses have access to persons who are vulnerable by virtue of illness or injury and are frequently in a position to be exploited;

(ii) nurses have access to persons who are especially vulnerable including the elderly, children, the mentally ill, sedated and anesthetized patients, those whose mental or cognitive ability is compromised and patients who are disabled or immobilized and may provide easy opportunity to be victimized;

(iii) nurses have access to persons who frequently bring valuables (medications, money, jewelry, items of sentimental value, checkbook, or credit cards) with them to a health care facility with no security to prevent theft or exploitation;

(iv) nurses frequently provide care in private homes and home-like settings where all of the patient's property and valuables are accessible to the nurse;

(v) nurses frequently provide care autonomously without direct supervision and may have access to and opportunity to misappropriate property; and

(vi) nurses who commit these crimes outside the workplace raise concern about the nurse's propensity to repeat that same misconduct in the workplace and, therefore, place patients' property at risk.

(vii) certain crimes involving property, such as cruelty to animals and criminal trespass, may also concern the safety of persons and, as such, raise concerns about the propensity of the nurse to repeat similar conduct in the workplace, placing patients at risk.

(3) offenses involving fraud or deception.

(A) These offenses include, but are not limited to, the following crimes, as well as any crime that contains substantially similar or equivalent elements under another state or federal law:

(i) Attempt, Conspiracy, or Solicitation of Ch. 62 offense {TRCP Ch. 62}

(ii) Tampering with a Government Record {TPC §37.10}

(iii) Insurance Fraud: Intent to Defraud {TPC §35.02(a-1), (d)}

(iv) Insurance Fraud: Claim > \$500 {TPC §35.02(c)}

(v) Insurance Fraud: Claim < 0 {TPC §35.02 (c)(1) - (3)}

(vi) Medicaid Fraud > \$1500 {TPC §35A.02(b)(4) - (7)}

(vii) Medicaid Fraud < \$1500 {TPC §35A.02(b)(2) - (3)}

(viii) Criminal Attempt or Conspiracy {TPC §15.01, §15.02}

(B) These types of crime relate to the practice of nursing because:

(i) nurses have access to persons who are vulnerable by virtue of illness or injury and are frequently in a position to be exploited;

(ii) nurses have access to persons who are especially vulnerable including the elderly, children, the mentally ill, sedated and anesthetized patients, those whose mental or cognitive ability is compromised and patients who are disabled or immobilized;

(iii) nurses are in the position to have access to privileged information and opportunity to exploit patient vulnerability;

(iv) nurses are frequently in situations where they must report patient condition, record objective/subjective information, provide patients with information, and report errors in the nurse's own practice or conduct;

(v) the nurse-patient relationship is of a dependent nature; and

(vi) nurses who commit these crimes outside the workplace raise concern about the nurse's propensity to repeat that same misconduct in the workplace and, therefore, place patients at risk.

(4) offenses involving lying and falsification.

(A) These offenses include, but are not limited to, the following crimes, as well as any crime that contains substantially similar or equivalent elements under another state or federal law:

(i) False Report or Statement {TPC §32.32, §42.06}

(ii) Forgery {TPC §32.21(c), (d), (e)}

(iii) Tampering with a Governmental Record {TPC §37.10}

(B) These crimes are related to nursing because:

(i) nurses have access to persons who are vulnerable by virtue of illness or injury;

(ii) nurses have access to persons who are especially vulnerable including the elderly, children, the mentally ill, sedated and anesthetized patients, those whose mental or cognitive ability is compromised and patients who are disabled or immobilized;

(iii) nurses are frequently in situations where they must report patient condition, record objective/subjective information, provide patients with information, and report errors in the nurse's own practice or conduct;

(iv) honesty, accuracy and integrity are personal traits valued by the nursing profession, and considered imperative for the provision of safe and effective nursing care;

(v) falsification of documents regarding patient care, incomplete or inaccurate documentation of patient care, failure to provide the care documented, or other acts of deception raise serious concerns whether the nurse will continue such behavior and jeopardize the effectiveness of patient care in the future;

(vi) falsification of employment applications and failing to answer specific questions that would have affected the decision to employ, certify, or otherwise utilize a nurse raises concerns about a nurse's propensity to lie and whether the nurse possesses the qualities of honesty and integrity;

(vii) falsification of documents or deception/lying outside of the workplace, including falsification of an application for licensure to the Board, raises concerns about the person's propensity to lie, and the likelihood that such conduct will continue in the practice of nursing; and

(viii) a crime of lying or falsification raises concerns about the nurse's propensity to engage in similar conduct while practicing nursing and place patients at risk.

(5) offenses involving the delivery, possession, manufacture, or use of, or dispensing or prescribing a controlled substance, dangerous drug, or mood-altering substance.

(A) These offenses include, but are not limited to, the following crimes, as well as any crime that contains substantially similar or equivalent elements under another state or federal law:

(i) Drug Violations under Health and Safety Code Chs. 481, 482, 483; or

(ii) Driving While Intoxicated (2 or more counts) {TPC §49.09}

(B) These crimes relate to the practice of nursing because

(i) nurses have access to persons who are vulnerable by virtue of illness or injury;

(ii) nurses have access to persons who are especially vulnerable including the elderly, children, the mentally ill, sedated and anesthetized patients, those whose mental or cognitive ability is compromised and patients who are disabled or immobilized;

(iii) nurses provide care to critical care, geriatric, and pediatric patients who are particularly vulnerable given the level of vigilance demanded under the circumstances of their health condition;

(iv) nurses are able to provide care in private homes and home-like setting without supervision;

(v) nurses who are chemically dependent or who abuse drugs or alcohol may have impaired judgment while caring for patients and are at risk for harming patients; and

(vi) an offense regarding delivery, possession, manufacture, or use of, or dispensing , or prescribing a controlled substance, dangerous drug or mood altering drug raises concern about the nurse's propensity to repeat that same misconduct in the workplace.

(vii) DWI offenses involve the use and/or abuse of mood altering drugs while performing a state licensed activity affecting public safety; repeated violations suggest a willingness to continue in reckless and dangerous conduct, or an unwillingness to take appropriate corrective measures, despite previous disciplinary action by the state.

(c) In considering whether a criminal offense renders the individual ineligible for licensure or renewal of licensure as a registered or vocational nurse, the Board shall consider:

(1) the knowing or intentional practice of nursing without a license issued under the NPA;

(2) any felony or misdemeanor involving moral turpitude;

(3) the nature and seriousness of the crime;

(4) the relationship of the crime to the purposes for requiring a license to engage in nursing practice;

(5) the extent to which a license might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved; and

(6) the relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of nursing practice;

(7) whether imprisonment followed a felony conviction, felony community supervision revocation, revocation of parole or revocation of mandatory supervision; and

(8) conduct that results in the revocation of probation imposed because of conviction for a felony or for a misdemeanor involving moral turpitude.

(d) Crimes listed under subsections (b)(1)(A)(i) - (xxi), (b)(2)(A)(i) - (iii), and (b)(3)(A)(i) of this section are offenses identified under §301.4535 of the NPA. As such, these offenses require the board to suspend a nurse's license, revoke a license, or deny issuing a license to an applicant upon proof of initial conviction.

(e) In addition to the factors that may be considered under subsection (c) of this section, the Board, in determining the present fitness of a person who has been convicted of or received a deferred order for a crime, shall consider:

(1) the extent and nature of the person's past criminal activity;

- (2) the age of the person when the crime was committed;
- (3) the amount of time that has elapsed since the person's last criminal activity;
- (4) the conduct and work activity of the person before and after the criminal activity;
- (5) evidence of the person's rehabilitation or rehabilitative effort while incarcerated or after release; and
- (6) other evidence of the person's present fitness, including letters of recommendation from: prosecutors and law enforcement and correctional officers who prosecuted, arrested, or had custodial responsibility for the person; the sheriff or chief of police in the community where the person resides; and any other persons in contact with the convicted person.

(f) It shall be the responsibility of the applicant, to the extent possible, to obtain and provide to the Board the recommendations of the prosecution, law enforcement, and correctional authorities as required under this Act. The applicant shall also furnish proof in such form as may be required by the Board that he or she has maintained a record of steady employment and has supported his or her dependents and has otherwise maintained a record of good conduct and has paid all outstanding court costs, supervision fees, fines, and restitution as may have been ordered in all criminal cases in which he or she has been convicted or received a deferred order.

(g) If requested by staff, it shall be the responsibility of the individual seeking licensure to ensure that staff is provided with legible, certified copies of all court and law enforcement documentation from all jurisdictions where the individual has resided or practiced as a licensed health care professional. Failure to provide complete, legible and accurate documentation will result in delays prior to licensure or renewal of licensure and possible grounds for ineligibility.

(h) The fact that a person has been arrested will not be used as grounds for disciplinary action. If, however, evidence ascertained through the Board's own investigation from information contained in the arrest record regarding the underlying conduct suggests actions violating the Nursing Practice Act or rules of the Board, the board may consider such evidence as a factor in its deliberations regarding any decision to grant a license, restrict a license, or impose licensure discipline.

(i) Behavior that would otherwise bar or impede licensure may be deemed a "Youthful Indiscretion" as determined by an analysis of the behavior using the factors set out in §213.27 of this title (relating to Good Professional Character), subsections (a) - (f) of this section and at least the following criteria:

- (1) age of 22 years or less at the time of the behavior;
- (2) absence of criminal plan or premeditation;
- (3) presence of peer pressure or other contributing influences;
- (4) absence of adult supervision or guidance;
- (5) evidence of immature thought process/judgment at the time of the activity;

- (6) evidence of remorse;
 - (7) evidence of restitution to both victim and community;
 - (8) evidence of current maturity and personal accountability;
 - (9) absence of subsequent undesirable conduct;
 - (10) evidence of having learned from past mistakes;
 - (11) evidence of current support structures that will prevent future criminal activity; and
 - (12) evidence of current ability to practice nursing in accordance with the Nursing Practice Act, Board rules and generally accepted standards of nursing.
- (j) With respect to a request to obtain a license from a person who has a criminal history, the executive director is authorized to close an eligibility file when the applicant has failed to respond to a request for information or to a proposal for denial of eligibility within 60 days thereof.
- (k) The board shall revoke a license or authorization to practice as an advanced practice nurse upon the imprisonment of the licensee following a felony conviction or deferred adjudication, or revocation of felony community supervision, parole, or mandatory supervision.
- (l) The board shall revoke or deny a license or authorization to practice as an advanced practice nurse for the crimes listed in Texas Occupations Code §301.4535.
- (m) The following disciplinary and eligibility sanction policies and guidelines shall be used by the Executive Director, the State Office of Administrative Hearings (SOAH), or the Board in evaluating the impact of criminal conduct on nurse licensure in eligibility and disciplinary matters:
- (1) Disciplinary Sanctions for Fraud, Theft and Deception approved by the Board and published on February 22, 2008 in the Texas Register (33 TexReg 1646) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.
 - (2) Disciplinary Sanctions for Lying and Falsification approved by the Board and published on February 22, 2008 in the Texas Register (33 TexReg 1647) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.
 - (3) Disciplinary Sanctions for Sexual Misconduct approved by the Board and published on February 22, 2008 in the Texas Register (33 TexReg 1649) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.
 - (4) Eligibility and Disciplinary Sanctions for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder and published on February 22, 2008 in the Texas Register (33 TexReg 1651) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(5) Disciplinary Guidelines for Criminal Conduct approved by the Board and published on March 9, 2007 in the Texas Register (32 TexReg 1409) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/discp-guide.html>.

Source Note: The provisions of this §213.28 adopted to be effective September 1, 1998, 23 TexReg 6444; amended to be effective July 20, 1999, 24 TexReg 5473; amended to be effective November 14, 2002, 27 TexReg 10594; amended to be effective May 17, 2004, 29 TexReg 4884; amended to be effective March 14, 2007, 32 TexReg 1304; amended to be effective October 10, 2007, 32 TexReg 7058; amended to be effective July 2, 2008, 33 TexReg 5007

Texas Administrative Code

TITLE 22 EXAMINING BOARDS

PART 11 TEXAS BOARD OF NURSING

CHAPTER 213 PRACTICE AND PROCEDURE

RULE §213.29 **Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters**

(a) A person desiring to obtain or retain a license to practice professional or vocational nursing shall provide evidence of current sobriety and fitness consistent with this rule.

(b) Such person shall provide a sworn certificate to the Board stating that he/she has read and understands the requirements for licensure as a registered or vocational nurse and that he/she has not:

(1) within the past five years, become addicted to or treated for the use of alcohol or any other drug; or

(2) within the past five years, been diagnosed with, treated or hospitalized for schizophrenia and/or other psychotic disorders, bi-polar disorder, paranoid personality disorder, antisocial personality disorder or borderline personality disorder.

(c) If a registered or vocational nurse is reported to the Board for intemperate use, abuse of drugs or alcohol, or diagnosis of or treatment for chemical dependency; or if a person is unable to sign the certification in subsection (b) of this section, the following restrictions and requirements apply:

(1) Any matter before the Board that involves an allegation of chemical dependency, or misuse or abuse of drugs or alcohol, will require at a minimum that such person obtain for Board review an evaluation that meets the criteria of §213.33 of this chapter (relating to Factors Considered for Imposition of Penalties/Sanctions and/or Fines);

(2) Those persons who have become addicted to or treated for alcohol or chemical dependency will not be eligible to obtain or retain a license to practice as a nurse unless such person can demonstrate sobriety and abstinence for the preceding twelve consecutive months through verifiable and reliable evidence, or can establish eligibility to participate in a peer assistance program created pursuant to Chapter 467 of the Health and Safety Code;

(3) Those persons who have become addicted to or treated for alcohol or chemical dependency will not be eligible to obtain or retain an unencumbered license to practice nursing until the

individual has attained a five-year term of sobriety and abstinence or until such person has successfully completed participation in a board-approved peer assistance program created pursuant to Chapter 467 of the Health and Safety Code.

(4) Those persons who have been diagnosed with, treated, or hospitalized for the disorders mentioned in subsection (b) of this section shall execute an authorization for release of medical, psychiatric, and treatment records.

(d) It shall be the responsibility of those persons subject to this rule to submit to and pay for an evaluation that meets the criteria of §213.33 of this chapter.

(e) Prior intemperate use, mental illness, or diminished mental capacity is relevant only so far as it may indicate current intemperate use or lack of fitness.

(f) With respect to chemical dependency in eligibility and disciplinary matters, the executive director is authorized to:

(1) review submissions from a movant, materials and information gathered or prepared by staff, and identify any deficiencies in file information necessary to determine the movant's request;

(2) close any eligibility file in which the movant has failed to respond to a request for information or to a proposal for denial of eligibility within 60 days thereof;

(3) approve eligibility, enter eligibility orders and approve renewals, without Board ratification, when the evidence is clearly insufficient to prove a ground for denial of licensure; and

(4) propose conditional orders in eligibility, disciplinary and renewal matters for individuals who have experienced chemical/alcohol dependency within the past five years provided:

(A) the individual presents reliable and verifiable evidence of having functioned in a sober/abstinent manner for the previous twelve consecutive months; and

(B) licensure limitations/stipulations and/or peer assistance program participation can be implemented which will ensure that patients and the public are protected until the individual has attained a five-year term of sobriety/abstinence.

(g) With respect to mental illness or diminished mental capacity in eligibility, disciplinary, and renewal matters, the executive director is authorized to propose conditional orders for individuals who have experienced mental illness or diminished mental capacity within the past five years provided:

(1) the individual presents reliable and verifiable evidence of having functioned in a manner consistent with the behaviors required of nurses under the Nursing Practice Act and Board rules for at least the previous twelve consecutive months; and

(2) licensure limitations/stipulations and/or peer assistance program participation can be implemented which will ensure that patients and the public are protected until the individual has

attained a five-year term of controlled behavior and consistent compliance with the requirements of the Nursing Practice Act and Board rules.

(h) In renewal matters involving chemical dependency use, mental illness, or diminished mental capacity, the executive director shall consider the following information from the preceding renewal period:

- (1) evidence of the licensee's safe practice;
- (2) compliance with the NPA and Board rules; and
- (3) written verification of compliance with any treatment.

(i) Upon receipt of items (h)(1) - (3) of this section, the executive director may renew the license.

(j) The following disciplinary and eligibility sanction policies and guidelines shall be used by the Executive Director, the State Office of Administrative Hearings (SOAH), or the Board in evaluating the appropriate licensure determination or sanction in eligibility and disciplinary matters:

(1) Eligibility and Disciplinary Sanctions for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder and published on February 22, 2008 in the *Texas Register* (33 TexReg 1651) and available on the Board's web site at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(2) Disciplinary Guidelines for Criminal Conduct approved by the Board and published on March 9, 2007 in the *Texas Register* (32 TexReg 1409) and available on the Board's website <http://www.bon.state.tx.us/disciplinaryaction/discp-guide.html>.

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Texas Administrative Code

<u>TITLE 22</u>	EXAMINING BOARDS
<u>PART 11</u>	TEXAS BOARD OF NURSING
<u>CHAPTER 213</u>	PRACTICE AND PROCEDURE
RULE §213.30	Declaratory Order of Eligibility for Licensure

(a) For purposes of this section only, "petitioner" means an individual who:

(1) is enrolled or planning to enroll in an educational nursing program that prepares individuals for initial licensure as a registered or vocational nurse;

(2) seeks licensure by endorsement pursuant to §217.5 of this title (relating to Temporary License and Endorsement); or

(3) seeks licensure by examination pursuant to §217.2 (relating to Licensure by Examination for Graduates of Nursing Programs Within the United States, its Territories, or Possessions) or §217.4 (relating to Requirements for Initial Licensure by Examination for Nurses Who Graduate From Nursing Programs Outside of United States' Jurisdiction) of this title.

(b) An individual who has reason to believe that he or she may be ineligible for initial licensure or licensure by endorsement may petition the Board for a declaratory order as to his or her eligibility.

(c) A petitioner must submit a petition on forms provided by the Board, which includes:

(1) a statement by the petitioner indicating the reason(s) and basis of potential ineligibility;

(2) if the potential ineligibility is due to criminal conduct and/or conviction, any court documents including, but not limited to: indictments, orders of deferred adjudication, judgments, probation records, and evidence of completion of probation, if applicable;

(3) if the potential ineligibility is due to mental illness, evidence of an evaluation that meets the criteria of §213.33 of this chapter (relating to Factors Considered for Imposition of Penalties/Sanctions) and evidence of treatment;

(4) if the potential ineligibility is due to chemical dependency, including alcohol, evidence of an evaluation that meets the criteria of §213.33 of this chapter and treatment, after care, and support group attendance; and

(5) the required fee, which is not refundable.

- (d) Once the Board has received all necessary information, including the information required by subsection (c) of this section, an investigation of the petition and the petitioner's eligibility shall be conducted.
- (e) The petitioner or the Board may amend the petition to include additional grounds for potential ineligibility at any time before a final determination is made.
- (f) If an individual seeking licensure by endorsement pursuant to §217.5 of this title has been licensed to practice professional or vocational nursing in any jurisdiction and has been disciplined in that jurisdiction or allowed to surrender in lieu of discipline in that jurisdiction, the following provisions shall govern the eligibility of the petitioner with regard to §213.27 of this title (relating to Good Professional Character).
- (1) A certified copy of the order or judgment of discipline from the jurisdiction is prima facie evidence of the matters contained in such order or judgment, and a final adjudication in the jurisdiction that the individual has committed professional misconduct is conclusive of the professional misconduct alleged in such order or judgment.
 - (2) An individual who is disciplined for professional misconduct in the course of nursing in any jurisdiction or who resigned in lieu of disciplinary action is deemed to not have present good professional character under §213.27 of this title, and is therefore ineligible to seek licensure by endorsement under §217.5 of this title during the period of discipline imposed by such jurisdiction, and in the case of revocation or surrender in lieu of disciplinary action, until the individual has filed a petition for reinstatement in the disciplining jurisdiction and obtained a final determination on that petition.
- (g) If a petitioner's potential ineligibility is due to criminal conduct and/or conviction, including deferred adjudication, the following provisions shall govern the eligibility of the petitioner with regard to §213.28 of this title (relating to Licensure of Persons with Criminal Convictions).
- (1) The record of conviction, guilty plea, or order of deferred adjudication is conclusive evidence of guilt.
 - (2) Upon proof that a felony conviction or felony order of probation, with or without adjudication of guilt, has been set aside or reversed, the petitioner shall be entitled to a new hearing before the Board for the purpose of determining whether, absent the record of conclusive evidence of guilt, the petitioner possesses present good professional character and fitness.
- (h) If the Executive Director proposes to find the petitioner ineligible for licensure, the petitioner may obtain a hearing before the State Office of Administrative Hearings (SOAH). The Executive Director shall have discretion to set a hearing and give notice of the hearing to the petitioner. The hearing shall be conducted in accordance with §213.22 of this chapter (relating to Formal Proceedings) and the rules of SOAH. When in conflict, SOAH's rules of procedure will prevail. The decision of the Board shall be rendered in accordance with §213.23 of this chapter (relating to Decision of the Board).
- (i) A final Board order is issued after an appeal results in a Proposal for Decision from SOAH. The Board's final order must set out each basis for potential ineligibility and the Board's determination as to eligibility. In the absence of new evidence not disclosed by the petitioner or not reasonably available to the Board at the time the order is issued, the Board's ruling determines the petitioner's eligibility with respect to the

grounds for potential ineligibility as set out in the order. An individual whose petition is denied by final order of the Board may not file another petition or seek licensure by endorsement or examination until after the expiration of three years from the date of the Board's order denying the petition. If the petitioner does not appeal or request a formal hearing at SOAH after a letter proposal to deny eligibility made by the Eligibility and Disciplinary Committee of the Board or the Executive Director, the petitioner may re-petition or seek licensure by endorsement or examination after the expiration of one year from the date of the proposal to deny eligibility, in accordance with this section and the Occupations Code §301.257.

(j) The Disciplinary Matrix and factors set forth in §213.33(b) and (c) of this chapter and the following disciplinary and eligibility sanction policies and guidelines shall be used by the Executive Director and SOAH when recommending a declaratory order of eligibility, and the Board in determining the appropriate declaratory order in eligibility matters:

(1) Disciplinary Sanctions for Fraud, Theft and Deception approved by the Board and published on February 22, 2008 in the *Texas Register* (33 TexReg 1646) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(2) Disciplinary Sanctions for Lying and Falsification approved by the Board and published on February 22, 2008 in the *Texas Register* (33 TexReg 1647) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(3) Disciplinary Sanctions for Sexual Misconduct approved by the Board and published on February 22, 2008 in the *Texas Register* (33 TexReg 1649) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(4) Eligibility and Disciplinary Sanctions for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder and published on February 22, 2008 in the *Texas Register* (33 TexReg 1651) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/dsp.html>.

(5) Disciplinary Guidelines for Criminal Conduct approved by the Board and published on March 9, 2007 in the *Texas Register* at (32 TexReg 1409) and available on the Board's website at <http://www.bon.state.tx.us/disciplinaryaction/discp-guide.html>.

(k) If an individual seeking licensure by endorsement under §217.5 of this title or licensure by examination under §217.2 or §217.4 of this title should have had an eligibility issue settled pursuant to the Occupations Code §301.257, the filed application will be treated and processed as a petition for declaratory order under this section, and the individual will be treated as a petitioner under this section and will be required to pay the non-refundable fee required by this section.

(l) This section implements the requirements of the Occupations Code Chapter 53 Subchapter D and the Occupations Code §301.257.

APPENDIX C

LAB RULES

VOCATIONAL NURSING

SKILLS LAB RULES

- I. Be attentive**
 - a. Pay attention to what your instructors are saying, we have limited time in skills labs and we need everyone's attention to assure that learning takes place.
- II. Participate**
 - a. To receive a good grade in labs and assure that you are learning proper techniques in nursing skills, you must participate.
 - b. If there is a lack of participation, this will greatly affect your grade during skills lab and/or clinical.
- III. Do not sit on beds**
 - a. Nurses are not allowed to sit on the patient's bed, so we practice this in the skills labs.
- IV. No eating, drinking, or gum chewing**
 - a. The equipment is expensive and can easily be damaged by spills and crumbs. It is very important to take care of our areas.
- V. Remain quiet in the halls or waiting your turn**
 - a. It is important that we do not disturb others in the hallways or in other areas of the lab while we are waiting our turn for practice or check offs.
- VI. Do not prop your foot on the walls**
 - a. This scuffs the paint and rubs dirt into the walls. Again, we should not do this in the hospital and so we do not want to get in the habit.
- VII. Keep your area tidy**
 - a. This includes while you are performing a skill, keep your immediate area clean while you work.
 - b. Also, clean up after yourself. No one likes to go into the room and have to spend the first few minutes having to clean up from the shift before.
- VIII. Mannequins**
 - a. Do not move the mannequins or mannequin parts
 - b. Do not use betadine on the mannequins.
 - c. These are expensive machines that we need to care for, as real patients.
- IX. Handle sharps with care**
 - a. Handle with care
 - b. Dispose of after use in designated sharps containers
 - c. Do not over fill sharps containers
- X. Be prepared**
 - a. Bring your supplies and skills books to class
 - b. Look over the skill prior to class to become familiar with the skill to be performed
- XI. When not in "Lab"**
 - a. Be working on designated written assignment
 - b. Or continue practicing skills
 - c. Avoid chatting except during break
- XII. If you need more help on skills**

- a. ASK!!!!**
- b. PRACTICE!!!!**

THE END