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➡ Designates that this item is a change item

Agency Purpose

Minnesota Statutes sections 148.171-148.285 provides the Board of Nursing (Board) with authority to regulate nursing practice for the purpose of public protection.

Within this authority, the Board's mission is to protect the public's health and safety by providing reasonable assurance that the persons who practice nursing in Minnesota are competent, ethical practitioners with the necessary knowledge and skills appropriate to their title and role.

The Board's activities are guided by the following principles:

- ◆ responsibility for public safety will be fulfilled with respect for due process and adherence to laws and rules;
- ◆ customer services will be delivered in a respectful, responsive, timely, communicative, and nondiscriminatory manner;
- ◆ government services will be accessible, purposeful, responsible, and secure; and
- ◆ business functions will be delivered with efficiency, accountability, innovation, maximization of technology, and a willingness to collaborate.

Core Functions

Credentialing Services

The Board of Nursing licenses registered nurses, licensed practical nurses, advanced practice registered nurses, and public health nurses to assure the public that the individuals who practice nursing in Minnesota have the requisite education, competence, and ethical character to practice nursing safely and effectively. The Board collaborates with organizations to facilitate licensure of foreign nurses and other enforcement agencies to detect fraud and imposters. The Board provides nurse licensure examination success rates to educational programs, workforce organizations and the public. The Board provides guidance to non-successful applicants for licensure.

Education Services

The Board promotes excellence of nursing education standards and approves and monitors nursing education programs by monitoring program graduation pass/fail rates on national nurse licensure examination; facilitating innovative approaches to address nursing workforce and nursing faculty shortages; providing consultation to nursing education programs regarding national nurse licensure examination pass rates; developing and conducting research to promote a safe, competent and sufficient nursing workforce; and advising prospective nursing students regarding educational tracks and scholarships.

Discipline/Complaint Resolution

The Board investigates complaints and takes action against nurses who violate the nurse practice act, including removing nurses from practice who are a risk to patient safety and monitoring nurses whose practice requires remediation and oversight to assure public safety. Public safety is enhanced by providing public access to information regarding a nurse license, discipline status and individual license discipline history, information on the complaint process, and how to obtain forms and file a complaint.

Nursing Practice Standards

The Board promotes standards of safe nursing practice by interpreting the laws and rules related to nursing practice for nurses, employers, and educators. The Board participates in nursing practice forums with nursing organizations and other state agencies to establish nursing performance guidelines so that employers and consumers can make informed decisions regarding the performance of nursing services.

At A Glance

FY2008-09

Credentialing Services

- ◆ 79,000 Registered Nurses
- ◆ 24,000 Licensed Practical Nurses
- ◆ 4,500 Advanced Practical Nurses
- ◆ 11,500 Public Health Nurses
- ◆ 250 Border State Registry Nurses
- ◆ 100 Nursing Registered Firms
- ◆ 1,000 DEA Verifications

Discipline Services

- ◆ Investigate 2,400 jurisdictional complaints of nurses who violate the nurse practice act
- ◆ Resolve 2,100 disciplinary actions
- ◆ Remove from practice 300 nurses who are at risk to public safety
- ◆ Monitor 300 nurses under discipline order
- ◆ Assure monitoring of 400 nurses in Health Professional Services Program

Education Services

- ◆ 64 nursing education programs

Staff: 33 Full-time equivalent employees

Operations

The Board interacts with and provides services to consumers, applicants, licensees, educational institutions, attorneys, other state agencies and health-related licensing boards, national and federal information systems, and a national nurse licensure examination test service. The Board is a state and national leader for envisioning and implementing all licensure services on-line. Information is disseminated by maintaining a web site, participating in statewide initiatives on nursing practice, education, and patient safety, and making public presentations and speeches.

Key Goals

- ◆ Maintain excellence in nursing regulation.
- ◆ Establish Minnesota Board of Nursing as a leader in patient safety.
- ◆ Increase congruence of education, practice and regulation for all levels of nursing practice.
- ◆ Advance the Minnesota Board of Nursing as a key partner in nursing and public policy.

Key Measures

- ◆ The Board increased utilization of online services from FY2007 to FY2008 by 6%, bringing the total of all applications received on-line to 81.2%. Examples include:
 - ⇒ 81.8% of nurses apply for licensure online
 - ⇒ 88.4% of nurses renew their license online
 - ⇒ 97% of Minnesota nursing education programs validate graduation online
- ◆ 90% of verifications of nurse licensure status to employers are conducted online, the equivalent of one FTE.
- ◆ 10 imposters were reported to the National Council of State Boards of Nursing databank.
- ◆ Online requests for data increased 400% from FY2006 to FY2008.
- ◆ Licenses are issued within 24 hours of an applicant meeting all requirements.
- ◆ Disciplinary action is disseminated to employers and public within 24 hours.
- ◆ Nurse licensure data is real time resulting in employers and the public having assurance of the nurse's authority to work.

Budget

Total direct and indirect expenditures for FY 2008-09 are estimated to be \$10.028 million, which includes 33 full time equivalent employees. Direct expenditures include salaries, rent and other operating expenditures. The Board receives a direct appropriation for these costs. Indirect expenditures include costs of services received by the Attorney General's Office, Health Professionals Services Program, Department of Health HIV/HBV/HCV program, Office of Mental Health Program and the Administrative Services Unit. The Board is responsible for collecting sufficient revenue to cover both direct and indirect expenditures.

The Board is estimated to collect \$10.130 million in FY 2008-09, which is deposited as non-dedicated revenue into the state government special revenue fund. Revenue is collected from fees charged to applicants and licensees.

Contact

Minnesota Board of Nursing
2829 University Avenue Southeast, Suite 200
Minneapolis, Minnesota 55414-3253
<http://www.nursingboard.state.mn.us>
Email: nursingboard@state.mn.us
Phone: (612) 617-2270;
Fax: (612) 617-2190
Shirley A. Brekken, Executive Director

Dollars in Thousands

	Current		Governor Recomm.		Biennium 2010-11
	FY2008	FY2009	FY2010	FY2011	
<u>Direct Appropriations by Fund</u>					
State Government Spec Revenue					
Current Appropriation	3,985	4,146	4,146	4,146	8,292
Recommended	3,985	4,146	3,287	3,289	6,576
Change		0	(859)	(857)	(1,716)
% Biennial Change from 2008-09					-19.1%
<u>Expenditures by Fund</u>					
Carry Forward					
State Government Spec Revenue	0	300	0	0	0
Direct Appropriations					
State Government Spec Revenue	2,776	3,495	3,287	3,289	6,576
Open Appropriations					
State Government Spec Revenue	27	42	34	34	68
Total	2,803	3,837	3,321	3,323	6,644
<u>Expenditures by Category</u>					
Total Compensation	2,176	2,598	2,680	2,648	5,328
Other Operating Expenses	627	1,239	641	675	1,316
Total	2,803	3,837	3,321	3,323	6,644
<u>Expenditures by Program</u>					
Nursing, Board Of	2,803	3,837	3,321	3,323	6,644
Total	2,803	3,837	3,321	3,323	6,644
Full-Time Equivalents (FTE)	28.9	32.5	33.1	31.4	

NURSING BOARD

Change Summary

<i>Dollars in Thousands</i>				
	FY2009	Governor's Recomm.		Biennium
		FY2010	FY2011	2010-11
<i>Fund: STATE GOVERNMENT SPEC REVENUE</i>				
FY 2009 Appropriations	4,146	4,146	4,146	8,292
Technical Adjustments				
Program/agency Sunset		(930)	(930)	(1,860)
Subtotal - Forecast Base	4,146	3,216	3,216	6,432
Change Items				
Legal Analyst Position	0	71	73	144
Total Governor's Recommendations	4,146	3,287	3,289	6,576
<i>Fund: STATE GOVERNMENT SPEC REVENUE</i>				
Planned Open Spending	42	34	34	68
Total Governor's Recommendations	42	34	34	68
<i>Fund: STATE GOVERNMENT SPEC REVENUE</i>				
Planned Statutory Spending	300	0	0	0
Total Governor's Recommendations	300	0	0	0

NURSING BOARD

Change Item: Legal Analyst Position

Fiscal Impact (\$000s)	FY 2010	FY 2011	FY 2012	FY 2013
General Fund				
Expenditures	\$0	\$0	\$0	\$0
Revenues	0	0	0	0
State Government Special Revenue Fund				
Expenditures	71	73	73	73
Revenues	0	0	0	0
Net Fiscal Impact	\$71	\$73	\$73	\$73

Recommendation

The Governor recommends \$71,000 in FY 2010 and \$73,000 in FY 2011 for an additional legal analyst at the Board of Nursing to assist with the processing of complaints, primarily for drafting legal documents necessary to resolve open cases. The costs of the additional position will be covered through the existing fee structure of the Board.

Background

Complaints regarding nursing practice have increased 28% since FY2002. Complaints are more complex and require greater staff involvement in processing and resolution. Thus, the Board's ability to process complaint activities in a timely manner is negatively impacted. In addition, the Attorney General's Office has decreased the number of their support staff to draft legal documents needed to resolve open cases. At this time there is a backlog of 624 open discipline cases with over 100 cases awaiting legal documents to be drafted. As the nursing population increases, the number of complaints has increased. The Board hired a Legal Analyst in FY 2008 to assist with the backlog at the Attorney General's office; however, the majority of drafting is now being done in-house. An additional Legal Analyst is needed to further reduce the backlog and maintain an adequate level of timely service of complaint resolution.

Relationship to Base Budget

The Board of Nursing is a small agency now comprised of 32.5 FTEs. Salaries make up approximately 80% of the operating budget. Because the Board of Nursing is a small agency with only licensing, education and complaint investigation programs, it is impossible to cover an increase in staffing costs through cuts in programs. It is not possible to meet the additional costs of adding staff within the current budget.

Key Goals and Measures

If additional staff is not hired in the complaint investigation program, it is possible that complaint processing efforts will be focused on complaints of unsafe nursing practice that address actual harm or death of patients and limited attention will be made to complaints of unsafe nursing practice, which, if addressed prior to harm, might result in education or corrective action to mitigate the incidence of actual injury. Complaint processing time will be increased.

The Board of Nursing mission is to protect the public's health and safety by providing reasonable assurance that the people who practice nursing are competent, ethical practitioners with the necessary knowledge and skills appropriate to their title and role. This recommendation will allow the Board to continue its program functions of licensing nurses, approving nursing education programs, and disciplining licensees whose behavior is a violation of the law and a risk to patient safety

Statutory Change: Not Applicable

NURSING BOARD

Agency Revenue Summary

Dollars in Thousands

	Actual FY2008	Budgeted FY2009	Governor's Recomm. FY2010 FY2011		Biennium 2010-11
<u>Non Dedicated Revenue:</u>					
Departmental Earnings:					
State Government Spec Revenue	5,066	4,338	5,105	5,105	10,210
Other Revenues:					
State Government Spec Revenue	0	1	1	1	2
Total Non-Dedicated Receipts	5,066	4,339	5,106	5,106	10,212
<u>Dedicated Receipts:</u>					
Total Dedicated Receipts	0	0	0	0	0
Agency Total Revenue					
	5,066	4,339	5,106	5,106	10,212