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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/31/2021	.	
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The Committee on Education (Gruters) recommended the following:

Senate Amendment (with title amendment)

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3 Before line 60
4 insert:

5 Section 1. Paragraph (a) of subsection (5) of section
6 464.019, Florida Statutes, is amended to read:

7 (5) ACCOUNTABILITY.—

8 (a)1. An approved program must achieve a graduate passage
9 rate for first-time test takers which is not more than 10
10 percentage points lower than the average passage rate during the
11 same calendar year for graduates of comparable degree programs



12 who are United States educated, first-time test takers on the
13 National Council of State Boards of Nursing Licensing
14 Examination, as calculated by the contract testing service of
15 the National Council of State Boards of Nursing. For purposes of
16 this subparagraph, an approved program is comparable to all
17 degree programs of the same program type from among the
18 following program types:

19 a. Professional nursing education programs that terminate
20 in a bachelor's degree.

21 b. Professional nursing education programs that terminate
22 in an associate degree.

23 c. Professional nursing education programs that terminate
24 in a diploma.

25 d. Practical nursing education programs.

26 2. If an approved program's graduate passage rates do not
27 equal or exceed the required passage rates for 2 consecutive
28 calendar years, the board shall place the program on
29 probationary status pursuant to chapter 120 and the program
30 director shall appear before the board to present a plan for
31 remediation, which shall include specific benchmarks to identify
32 progress toward a graduate passage rate goal. The program must
33 remain on probationary status until it achieves a graduate
34 passage rate that equals or exceeds the required passage rate
35 for any 1 calendar year. The board shall deny a program
36 application for a new prelicensure nursing education program
37 submitted by an educational institution if the institution has
38 an existing program that is already on probationary status.

39 3. Upon the program's achievement of a graduate passage rate
40 that equals or exceeds the required passage rate, the board, at



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41 its next regularly scheduled meeting following release of the
42 program's graduate passage rate by the National Council of State
43 Boards of Nursing, shall remove the program's probationary
44 status. If the program, during the 2 calendar years following
45 its placement on probationary status, does not achieve the
46 required passage rate for any 1 calendar year, the board may
47 extend the program's probationary status for 1 additional year,
48 provided the program has demonstrated adequate progress toward
49 the graduate passage rate goal by meeting a majority of the
50 benchmarks established in the remediation plan. If the program
51 is not granted the 1-year extension or fails to achieve the
52 required passage rate by the end of such extension, the board
53 shall terminate the program pursuant to chapter 120. If a
54 program on probationary status fails to achieve the required
55 passage rate for the 2020 calendar year, including a program
56 subject to termination during the 2021 calendar year, the board
57 shall extend the program's probationary status for 1 additional
58 year. The board shall grant such extension at a regularly
59 scheduled meeting during the 2021 calendar year.

60
61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Delete line 3

64 and insert:

65 educational institutions; amending s. 464.019, F.S.;

66 requiring the Board of Nursing to extend an approved

67 program's probationary status under certain

68 circumstances; creating s. 768.39, F.S.;