Dora
Department of Regulatory Agencies
Division of Registrations

# NEWSLETTER

September 2010

# STATE BOARD OF NURSING

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**Barbara J. Kelley**
Executive Director
**Kennetha Julien**
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**Curtis Powells, RN**

**Eva Tapia, RN, NP**

**Betty Wolfe, LPN**

**Bart Writer**
Public Member

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Consumer Protection

*Consumer protection is our mission*

## BOARD OF NURSING STAFF CHANGES

Susan Miller, Section Director for the Healthcare Section in DORA's Division of Registrations will be retiring in November 2010. Susan has served as the Director of the Healthcare Section since July 1, 2006. The section is comprised of eight professional licensing boards that regulate more than 170,000 healthcare professionals and businesses. As the director, she has responsibility for policy development, oversight of legislative issues affecting the healthcare licensing boards and the coordination of regulatory issues across the section. Prior to this appointment Susan served for 12 years as the Program Director for the Colorado Board of Medical Examiners and was responsible for the day-to-day operations of the Board. From 1981 to 1994 Susan served as the Program Director for the Passenger Tramway Safety Board and the Board of Registration for Professional Engineers and Professional Land Surveyors.

Richard Morales will be replacing Susan Miller as Section Director for the Healthcare Section. Richard has been with DORA for three years, previously as the Section Director of the Health Services Section. Prior to coming to DORA Richard worked with the Federal Departments of Justice, Labor and Health and Human Services to administer and provide oversight of federal funds granted to non-profit organizations. Richard's experience, education and training made him a natural fit for the Healthcare Section and he looks forward to his new role in the Division.

Mark Merrill was appointed Section Director for the Health Services Section effective June 15, 2010. Mark has been with DORA in his role as the Program Director for the State Board of Nursing for the past four years.

Kennetha Julien was appointed as the Program Director for the Board of Nursing as of June 15, 2010 to replace Mark. Most recently, Kennetha served as the Director of the Division's Office of Expedited Settlement and implemented an extremely successful new program. In her position as Director of Expedited Settlement, Kennetha worked directly with the Board of Nursing and its staff in fulfilling its mission of public protection. Kennetha's healthcare experience includes 14 years as a surgical technician which specialized in the areas of neuro, cardiac, and trauma. She also practiced law as a solo practitioner in the areas of family/domestic relations, administrative law and criminal litigation both as a prosecutor and defense attorney in her home state of Florida for 10 years. Kennetha's legal and healthcare backgrounds, as well as her working knowledge of the State Board of Nursing made her an ideal candidate to fill the position of Program Director.

## NURSE LICENSURE COMPACT

Colorado's Nurse Licensure Compact (NLC) became effective on October 1, 2007. The Nurse Licensure Compact (NLC) is an agreement between states to recognize each others' licensees. This model of mutual recognition was developed by the National Council of State Boards of Nursing (NCSBN) to facilitate interstate practice and regulation, allowing a nurse to have one license issued by his or her state of residence and practice in other states participating in the NLC.

Twenty-four (24) states belong to the NLC. They are: Arizona, Arkansas, Colorado, Delaware, Idaho, Iowa, Kentucky, Maine, Maryland, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, and Wisconsin.

The NLC includes RN and LPN licensure only. LPN IV Authority, Advanced Practice, and Prescriptive Authorization must be obtained in each state of practice.

## PROOF OF LAWFUL PRESENCE

Effective January 1, 2007, all persons requesting original licensure, renewal of an active license or reinstatement of a lapsed license must verify lawful presence in the United States based on the passage of House Bill 06S-1009. This bill applies to all applicants and licensees in the Division of Registrations, with the exception of apprentices, interns, and businesses.

**Licenses will not be issued or renewed without completing the Affidavit of Eligibility form.**

The good news is that you can complete this affidavit online when you renew using Registrations Online Services!

You must possess at least one secure and verifiable document and include information about that document on the Affidavit itself (or provide the information during online renewal). The list of secure and verifiable documents is available to you when you renew online.

More information regarding this law is available on our website at

http://www.dora.state.co.us/registrations/Affidavit.htm

# MEMBERS OF THE COLORADO STATE BOARD OF NURSING

**Amy Albertini, LPN** of Edgewater is a Licensed Practical Nurse from Exempla Colorado Lutheran Home representing practical nursing.

**Deborah Archuleta, RN** of Pueblo is a Licensed Professional Nurse from the Colorado Mental Health Institute at Pueblo representing nursing service administration.

**Peggy Budai, RN** of Ft. Collins is a Licensed Professional Nurse from Columbine Health representing staff nurses in a nursing care facility.

**Patricia L. McGuire Cullen, PhD, NP** of Denver is a Licensed Professional Nurse and an Associate Professor and Director from Regis University and Loretto Heights School of Nursing representing professional nursing education.

**Lisa Davis, RN** of Centennial is a Licensed Professional Nurse from Amedisys Home Health representing professional nurse home health care.

**Victoria Erickson, PhD, NP Board President** of Denver is a Licensed Professional Nurse from the University of Colorado Denver who is registered as an Advanced Practice Nurse.

**Carolyn Jefferson-Jenkins, PhD** of Highlands Ranch is a public member from the Douglas County School District who is not licensed, employed, or in any way connected with, or has financial interest in any health care facility, agency or insurer.

**Curtis Powells, RN** of Aurora is a Licensed Professional Nurse from Nurse Staffing of Denver LLC representing staff nurses in a hospital.

**Eva Tapia, RN, NP** of Pueblo is a Licensed Professional Nurse and Nursing Program Director at Pueblo Community College and represents practical nurse education in a program which prepares an individual for licensure.

**Betty Wolfe, LPN** of Fruita is a Licensed Practical Nurse from Home Health West representing the practice of practical nursing and employed by a licensed hospital in a rural setting.

**Bart Writer** of Denver is a public member and wealth management partner with Mass Mutual who is not licensed, employed, or in any way connected with, or has financial interest in any health care facility, agency or insurer.

# REGISTRATIONS ONLINE SERVICES

Registrations Online Services makes it easier for all licensed professionals to renew and update their contact information after a simple registration process. Check it out at www.dora.state.co.us/registrations and then click on Online Registrations Services. For detailed instructions on how to use the online system go to www.dora.state.co.us/registrations/FAQs.htm.

# REPORTING A JUDGMENT OR SETTLEMENT INVOLVING A FRAUDULENT INSURANCE ACT

There is a duty to report a judgment or settlement involving a fraudulent insurance act against a person who is licensed by a State of Colorado licensing board and whose services are compensated in whole or in part, directly or indirectly, by insurance claims proceeds. For more information, please see http://www.dora.state.co.us/Insurance/regs/B-1.10.pdf.

# WALL CERTIFICATES

For those of you that may be interested, the Division of Registrations is pleased to announce that it has outsourced the production of wall certificates to Wall Certificate Service (WCS) a division of Professional Credential Services, Inc. (PCS). The outsourcing of the certificates provides enhancements to the certificates that both new and existing licensees will find beneficial. Specifically, the certificate provided by WCS is a larger, professionally designed, better quality certificate than what the Division was able to provide. For more information regarding wall certificates, which license types are eligible, and how to obtain one, please visit our website at http://www.dora.state.co.us/registrations/wallcert.html. You will be able to order and pay the fee online. The fee for U.S. residents is $25 and for international residents there is an additional international shipping fee.

# LEGISLATIVE/ RULE CHANGES AFFECTING ADVANCED PRACTICE AND PRESCRIPTIVE AUTHORITY EFFECTIVE July 1, 2010

As of July 1, 2010, legislative changes became effective to the Nurse Practice Act and corresponding amendments to the State Board of Nursing Rules -- Chapter XIV, Rules and Regulations to Registered Professional Nurses Qualified to Engage in Advanced Practice Nursing, and Chapter XV, Rules and Regulations Regarding Prescriptive Authority for Advanced Practice Nurses.

## ADVANCED PRACTICE REGISTRY

The Colorado Nurse Practice Act (CRS 12-28-101) and the State Board of Nursing Chapter XIV Rules, Rules and Regulations to Registered Professional Nurses Qualified to Engage in Advanced Practice Nursing, require registration with the State Board of Nursing by those professional nurses using the titles "advanced practice nurse", "certified nurse midwife", "clinical nurse specialist", "certified registered nurse anesthetist", or "nurse practitioner".
A nurse is eligible for listing on the Advanced Practice Registry by meeting the following requirements:

- An active Colorado or compact state RN license in good standing;
- A graduate or post-graduate nursing degree in the Role and Population Focus for which the Applicant seeks inclusion on the APR; OR an active advanced practice registration or license in another state or territory of the United States and proof of active practice for two of the five years immediately preceding the date of application**;**
- National certification;
- Professional liability insurance or eligibility for a waiver.

## PRESCRIPTIVE AUTHORITY

The Colorado Nurse Practice Act and the State Board of Nursing Chapter XV Rules, Rules and Regulations Regarding Prescriptive Authority for Advanced Practice Nurses, state that an advanced practice nurse may be granted authority to prescribe prescription drugs and controlled substances to provide treatment to clients.

**Effective July 1, 2010, there are two levels of Prescriptive Authority:**

**Provisional Prescriptive Authority:** The authority granted to the Applicant to prescribe medications upon completion of the required Preceptorship in accordance with the Role/Specialty and Population Focus of the RXN. Prescribing with Provisional Prescriptive Authority requires that a Mutually Structured Mentorship exist between the RXN-P and a Physician Mentor or Physician Mentor and RXN Mentor. Provisional Prescriptive Authority does not alter or limit your prescribing practice and does not affect your DEA Registration if you hold one.

**Full Prescriptive Authority:** The authority granted to the RXN to prescribe medications upon completion of the required Mentorship and development of an Articulated Plan in accordance with the Role/Specialty and Population Focus of the RXN. Prescribing with Full Prescriptive Authority will be in accordance with the RXN's Articulated Plan.

**Original Application**

An Advanced Practice Nurse who is **applying for prescriptive authority for the first time** or an Advanced Practice Nurse who has **had prescriptive authority in another state but does not have 3600 hours of prescribing experience**, may be eligible for Provisional Prescriptive Authority by completing the Original Application for Prescriptive Authority and meeting the following requirements:

- Listing on the Advanced Practice Registry in the same Role and Population Focus for which the applicant is requesting prescriptive authority;
- A graduate or post-graduate nursing degree in the Role and Population Focus for which the Applicant is seeking prescriptive authority, or a graduate degree in nursing and a post-graduate certificate in the Role and Population Focus for which the Applicant is seeking prescriptive authority;
- Certification by a nationally recognized accrediting agency;
- Professional liability insurance or eligibility for a waiver;
- Completion of three (3) semester credit hours each of graduate level Physical Assessment, Pathophysiology and Pharmacology.

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# PRESCRIPTIVE AUTHORITY

- Completion of 1800 hours of precepted prescribing experience;

Upon verification of the above criteria, the Advanced Practice Nurse will be approved for Provisional Prescriptive Authority (RXN-P). Provisional Prescriptive Authority may be retained in an active status for five (5) years from the date of issuance. Before the end of the five (5) year-period the RXN-P must submit the following documentation and the prescriptive authority will be converted to Full Prescriptive Authority. A Mutually Structured Mentorship must exist for the RXN-P to prescribe. Verification of completion of an 1800-hour Mentorship. Verification of development of an Articulated Plan.

If the required documentation is not submitted by the end of the five (5) year period, the Provisional Prescriptive Authority will expire.

**Endorsement Application**

An Advanced Practice Nurse **who has or has had prescriptive authority in another state and has 3600 hours of prescribing experience may be granted Provisional Prescriptive Authority by Endorsement** by meeting the following criteria:

- Listing on the Advanced Practice Registry in the same Role and Population Focus for which the applicant is requesting prescriptive authority;
- A graduate or post-graduate nursing degree in the Role and Population Focus for which the Applicant is seeking prescriptive authority, or a graduate degree in nursing and a post-graduate certificate in the Role and Population Focus for which the Applicant is seeking prescriptive authority;
- Certification by a nationally recognized accrediting agency;
- Professional liability insurance or eligibility for a waiver;
- Completion of three (3) semester credit hours of graduate level Physical Assessment, Pathophysiology and Pharmacology;
- Verification of completion of 3600 hours of prescribing experience in another state or territory of the United States in the same Role and Population Focus for which prescriptive authority is being requested.

Upon verification of the above criteria, the Advanced Practice Nurse will be approved for Provisional Prescriptive Authority (RXN-P). Provisional Prescriptive Authority granted by endorsement may be retained in an active status for one (1) year from the date of issuance. Before the end of the one (1) year-period the Endorsement RXN-P must submit verification of development of an Articulated Plan and the prescriptive authority will be converted to Full Prescriptive Authority. A Mutually Structured Mentorship must exist for the RXN-P to prescribe.

If the required documentation is not submitted by the end of the one (1) year-period, the Provisional Prescriptive Authority will expire. The verification of development of an Articulated Plan may be submitted with the Endorsement Application and if the applicant meets all other requirements, the applicant may be granted Full Prescriptive Authority upon approval by the State Board of Nursing.

# PEER ASSISTANCE SERVICES

Colorado has a nurse peer assistance or nurse alternative to discipline program to provide support for the nurse and for the nurse community. This program is funded by a portion of the nursing licensure fees collected by the State Board of Nursing at the time of licensure and renewal. The Nursing Peer Health Assistance/Nurse Alternative to Discipline Program uniquely approaches impaired practice by providing a continuum of prevention and intervention services to address various personal problems and illnesses that may affect practice. The program allows nurses to seek assistance voluntarily and confidentially in additional to those that are Board ordered into the program. It offers comprehensive assessment, referral to treatment, and rehabilitation contracts with rigorous monitoring for nurses.

Peer Assistance Services (PAS) has a contractual relationship with the State Board of Nursing and works diligently at establishing collaborative relationships with nursing organizations, including the Colorado Nurses Association, and employers to enhance program knowledge and improve public protection.

Peer Assistance Services feels that prevention and early intervention of substance use disorders is education. At the point when a nurse is taking drugs from his or her workplace, the nurse is at the end-stage of the addiction process. The Nursing Peer Health Assistance Program offers educational programs to hospitals, healthcare facilities, and schools to provide education regarding the identification and prevention of substance use disorders among health care professionals. Through education, PAS assists nurses in recognizing signs and symptoms of substance abuse and provide the nurses with a tool box of resources to address the issue. Armed with the knowledge of substance use disorders and community resources, a nurse may be able to stop the progression of the disease process before an addiction develops in herself/himself or a colleague.

## RENEW YOUR LICENSE ON TIME!

**Registered Nurse licenses are set to Lapse on September 30, 2010**

You may renew your license online using Registrations Online Services. Renewals are generally made available 6 to 8 weeks prior to the license expiration date and there is a 60-day grace period after the deadline. So that means you typically have a timeframe of 16 weeks within which to renew your license!

Any license not renewed prior to the end of the grace period will be considered lapsed. Once a license is in lapsed status, a reinstatement application must be completed and returned to our office with the appropriate fee listed on the form.

If you do not renew your license prior to the end of the grace period and continue to practice, you will be practicing on a lapsed license and may be subject to disciplinary action. The Division sees a number of situations every year of individuals who have failed to renew their license on time and practiced without a license. The reasons that are offered boil down to some common themes: I forgot; I thought I renewed but I guess I didn't; I moved and I forgot to notify the Board so I never got the renewal notice; I thought that my assistant/secretary/spouse/boyfriend, et cetera, handled it; it's the Board's fault because I *did* renew my license…or I *thought* I renewed my license. The result is that depending on how long it takes for the individual to "remember" to renew, the Division often takes disciplinary action against the individual because it is against the law to practice without an active license.

So, here's where we need your help. And the steps are just 1-2-3 easy!

1. Go to the Division of Registrations website at www.dora.state.co.us/registrations and click on Registrations Online Services to renew your license.
2. Note the expiration date in your calendar to remind yourself of when it is time to renew your license the next time.
3. Make sure that the address listed on your record is accurate. If it is not, then update your address with the Division. Remember to update your address anytime that you move so that you do not miss out on any important notices from the Division.

## RESOURCES

Visit the State Board of Nursing's website at www.dora.state.co.us/nursing for more information, frequently asked questions, applications and recent communications.

## HAVE YOU CHANGED YOUR MAILING OR EMAIL ADDRESS LATELY?

It is imperative that you keep your contact information updated with the Division. The Division mails renewal notices and other information to you at the last address furnished to us. Failure to receive a renewal notice does not relieve you of your obligation to timely renew.

Once you have logged into Registrations Online Services, check your mailing address and update it if it is not correct. If you received your renewal notice due to a forwarding order it is important that you change your address on file with us, since we cannot change the information based on the forwarding order.

You should also add or update your email address. The Division wants to keep you abreast of legislation, events and other information that impact your profession. We have recently implemented "eUpdates" and look forward to providing more of these in the future.

## DISCIPLINARY ACTIONS AND REGISTRATIONS ONLINE DOCUMENTS

If you would like to view a board action you may use the **Registrations Online Documents (ROD).** ROD is a website that makes certain scanned documents related to board actions taken on licensees available to the public via the Internet. The document may be found on ROD if a licensee had been disciplined or if the board has taken some other non-disciplinary action against the licensee that restricts or limits the individual's license.

The following documents are available via ROD:

- All Stipulations, Final Agency Orders, and Suspensions that were in effect in February 2000 plus any that became effective since that date. Child support suspensions are not available online but may be obtained by contacting the appropriate board/program.
- Any document Revoking or agreeing to a Voluntary Relinquishment/Surrender of license or registration, Cease and Desist Orders and Letters of Admonition from January 1, 1999 to the present.
- All Injunctions.

To view disciplinary documents dating from January 1, 1999 to the present, please visit Registrations Online Documents (ROD) at www.dora.state.co.us/doraimages

**Click here for more information about the types of documents provided by this online system and definitions of terms used within the disciplinary documents.**

**If you are interested in viewing these documents, please visit www.dora.state.co.us/registrations/ROD.htm.**