



# Ohio Board of Nursing

www.nursing.ohio.gov

17 South High Street, Suite 400 • Columbus, Ohio 43215-7410 • (614) 466-3947

## NOTICE OF PUBLIC HEARING

The Ohio Board of Nursing (Board), pursuant to Chapter 119, Ohio Revised Code, hereby gives notice that it will conduct a public hearing for the purpose of considering the adoption, amendment, and rescission of rules.

The public hearing will be conducted on **Wednesday November 18, 2009** beginning at **1:00 p.m.** in the Boardroom of the Board, located at 17 South High Street, Suite 400, Columbus, OH, and continuing until all parties in attendance have had an opportunity to be heard.

Oral or written testimony may be presented by any person affected by the proposed action.

*The following rules are proposed for amendment to clarify and establish requirements:*

- 4723-1-03 Board Records and Documents
- 4723-4-04 Standards Relating to Competent Practice as a Licensed Practical Nurse
- 4723-5-10 Qualifications of Administrative, Faculty, and Instructional Personnel for a Registered Nursing Education Program.
- 4723-5-11 Qualifications of Administrative, Faculty, and Instructional Personnel for a Practical Nursing Education Program
- 4723-7-04 Requirements for Licensure for Foreign Educated Nurse Graduates
- 4723-7-05 Registered Nurse Licensure by Endorsement
- 4723-7-06 Practical Nurse Licensure by Endorsement
- 4723-7-08 Replacement of Documents Issued by the Board
- 4723-7-09 Licensure Renewal
- 4723-9-03 Completing a Course of Study in Advanced Pharmacology
- 4723-9-06 Standards and Procedures for Obtaining a Certificate to Prescribe
- 4723-13-05 Criteria and Standards for a Licensed Nurse Delegating to an Unlicensed Person
- 4723-16-01 General Information
- 4723-16-02 Hearing Representation and Appearances
- 4723-16-03 Hearing Continuances and Motions for Extensions of Time
- 4723-16-04 Motions
- 4723-16-06 Witnesses
- 4723-16-07 Evidence or Factors to be Considered by the Board
- 4723-16-09 Ex Parte Communication
- 4723-16-10 Settlements
- 4723-16-12 Request to Address the Board Regarding a Hearing
- 4723-17-01 Definitions
- 4723-17-03 Intravenous Therapy Procedures
- 4723-17-06 Minimum Curriculum Requirements
- 4723-18-06 Requirements for Educational Providers
- 4723-25-01 Purpose of Nurse Education Grant Program
- 4723-25-02 Definitions
- 4723-25-05 Distribution of Grants to Prelicensure and Postlicensure Nurse Education Programs



- 4723-25-06 Eligibility Criteria for Funding Consideration
- 4723-25-07 Publication of Notice for Requests for Proposals
- 4723-25-08 Funding Cycle
- 4723-25-09 Grant Proposal Form
- 4723-25-12 Use of Grant Funds
- 4723-25-13 Prohibited Uses of Grant Funds
- 4723-25-14 Acknowledgment of Terms
- 4723-25-15 Grantee Reporting Requirements
- 4723-25-16 Reversion of Funding
- 4723-26-01 Definition of Terms
- 4723-26-04 Renewal of Certificate to Practice as a Community Health Worker
- 4723-26-05 Continuing Education Requirements
- 4723-26-06 Nurse Delegation to Community Health Workers
- 4723-26-07 Prohibitions on Delegation
- 4723-26-08 Criteria and Standards for a Registered Nurse Delegating to a Community Health Worker
- 4723-26-09 Supervision of the Performance of a Delegable Nursing Task or Activity Performed by a Community Health Worker
- 4723-26-10 Standards of Safe Care Provided by the Community Health Worker
- 4723-26-12 Standards for Community Health Worker Training Programs
- 4723-26-14 Procedures for Obtaining Approval or Reapproval of Community Health Worker Training Programs

***Due to the extensiveness of the amendments, the following rules are proposed to be rescinded in their current form and re-adopted as new rules with language that clarifies and establishes requirements:***

- 4723-16-05 Prehearing Processes
- 4723-16-08 Subpoena for Purpose of Hearing
- 4723-17-05 Standards for Intravenous Therapy Course Personnel
- 4723-17-07 Proof of Completion of a Board-Approved Course in Intravenous Therapy
- 4723-25-03 Fund Balance
- 4723-26-02 Standards and Procedures for Obtaining a Certificate to Practice as a Community Health Worker
- 4723-26-11 Disciplinary Actions Against Community Health Workers; Investigations

***The following rules are proposed new rules to clarify and establish requirements:***

- 4723-3-02 Definition of Mental or Physical Impairment
- 4723-5-25 Submission of False, Misleading or Deceptive Information or Documents
- 4723-16-13 Authority and Duties of Board Hearing Committee or Hearing Examiners

***The following rules are proposed to be rescinded:***

- 4723-17-02 LPN Eligibility
- 4723-17-04 Approval of an Intravenous Therapy Course



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- 4723-17-08 Training as Part of Practical Nursing Program
- 4723-17-09 Training in Intravenous Therapy in Conjunction with Dialysis Training
- 4723-26-03 Procedures for Obtaining a Certificate to Practice as a Community Health Worker by Endorsement

A copy of the proposed rules referenced above may be obtained at the Board's website, [www.nursing.ohio.gov](http://www.nursing.ohio.gov), or by sending a request to the Board office with a check for \$3.95 made payable to the "Treasurer, State of Ohio," to cover postage cost.

**All interested persons will be given the opportunity to be heard at the public hearing.** Those persons who wish to provide oral testimony at the hearing are encouraged to inform the Board prior to the hearing date and may be given preference in the order of testimony.

**Written comments received by the Board before the close of the hearing record will be considered.** Written comments in lieu of oral testimony may be submitted by:

- ❖ Written comments brought to the public hearing;
- ❖ Written comments via email to [law-rules@nursing.ohio.gov](mailto:law-rules@nursing.ohio.gov).
- ❖ Written comments mailed to the attention of:

Holly Fischer, General Counsel  
State of Ohio Board of Nursing  
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Columbus, Ohio 43215-7410