

2019-120
Board of Registered Nursing—
Oversight of Pre-Licensure Nursing School Programs

Requesters: Assemblymembers Rubio and Salas

Request Date: July 10, 2019

Requested Completion Date: The members did not request a specific completion date for this audit.

Estimated Cost: \$320,320

Estimated Hours: 2,464

Other Work Within the General Area:

2016-046 Board of Registered Nursing: Significant Delays and Inadequate Oversight of the Complaint Resolution Process Have Allowed Some Nurses Who May Pose a Risk to Patient Safety to Continue Practicing (December 2016)



2019-120
Board of Registered Nursing—
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ANALYSIS OF AUDIT REQUEST
August 28, 2019

I. AUDIT REQUEST

Assemblymembers Rubio and Salas are requesting an audit to assess oversight of pre-licensure nursing school programs (nursing programs) by the Board of Registered Nursing (BRN).

II. BACKGROUND

BRN is responsible for implementation and enforcement of the Nursing Practice Act, which establishes requirements related to nursing education, licensure, practice, and discipline. BRN, overseen by a nine-member board that serves as its decision-making body, is responsible for approving nursing programs in California to ensure that they comply with statutory and regulatory requirements. To be approved by BRN, a nursing program must be an institution of higher learning and affiliated with, or conducted in connection with, one or more hospitals (clinical sites). Additionally, a nursing program must have sufficient resources, adequate and qualified faculty, and an appropriate instructional curriculum. Once approved, a nursing program can only make substantive changes, such as changing its location or ownership, with approval from BRN. BRN also monitors nursing program *clinical displacements*, which occur when students in a nursing program at an approved clinical site are replaced by students from a different nursing program without being offered a feasible alternative.

Multiple sources have made projections about the supply and demand for registered nurses in California. According to a 2017 study that BRN commissioned, supply of and demand for registered nurses are fairly well-balanced over the next 10 years if current enrollment and state-to-state migration patterns remain stable. In contrast, the American Journal of Medical Care published a projection for California that implied a 40 percent shortage of nurses—more than 140,000 nurses—compared to projected demand in 2030. Further, according to the results of a 2017 survey that the University of California, San Francisco conducted, the vast majority of hospital chief nursing officers in California reported that there was greater demand for registered nurses than supply. The requesters of this audit claim that BRN effectively controls the market and supply of registered nurses and expressed concerns regarding BRN's role.

III. AUDIT SCOPE AND OBJECTIVES

The audit by the California State Auditor will provide independently developed and verified information related to oversight of pre-licensure nursing school programs (nursing programs) by the Board of Registered Nursing (BRN). The audit's scope will include, but not be limited to, the following activities:

1. Review and evaluate the laws, rules, and regulations significant to the audit objectives.
2. Determine whether BRN is appropriately reviewing and approving nursing programs, including the following:
 - (a) Whether BRN's policies and procedures for approving, denying or revoking its approval of nursing programs comply with laws and regulations.
 - (b) Whether the factors that BRN uses when considering a request from a school to expand its nursing program are reasonable.
 - (c) Whether BRN consistently and objectively applied these factors as part of its decision-making process for a selection of requests.
3. Review complaints of regulatory violations related to nursing programs filed against BRN with the Office of Administrative Law over the last three years and summarize the outcomes of the complaint process.
4. Determine whether there are adequate conflict-of-interest rules or policies for BRN staff, board members, and Certified Nursing Educators who work with nursing programs. Further, to the extent possible, identify whether BRN's staff or board members appropriately recused themselves from decisions regarding nursing programs with which they may have had a conflict of interest.
5. Identify the process BRN uses to evaluate clinical displacement and whether it consistently and objectively uses that process across all nursing programs. For a selection of requests for increased enrollment or new nursing programs, assess the factors BRN evaluated in making its decisions and the resulting clinical displacement.
6. Determine whether BRN's oversight of nursing programs is appropriate, including the following:
 - (a) Whether BRN is duplicating oversight of nursing programs conducted by other entities, including state and federal entities, as well as nursing school accreditors.
 - (b) An assessment of the expertise BRN relies on when it evaluates the curriculum of pre-licensure programs.

7. Determine whether BRN's analysis of the health care workforce, including the adequacy of the number of nurses, is reasonable and consistent with the scope and breadth of current and future health care workforce needs as identified by similar analyses.
8. To the extent possible, identify the time spent and resources used by BRN on each of its programs.
9. Review and assess any other issues that are significant to the audit.

IV. OTHER WORK IN THE GENERAL AREA

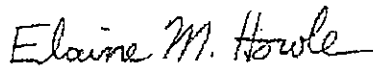
2016-046 Board of Registered Nursing: Significant Delays and Inadequate Oversight of the Complaint Resolution Process Have Allowed Some Nurses Who May Pose a Risk to Patient Safety to Continue Practicing (December 2016)

V. RESOURCE REQUIREMENTS

We estimate that this audit will require around 2,464 hours of audit work at a cost of approximately \$320,320 plus travel and administrative expenses and any costs related to an outside consultant, if necessary. We will conduct this audit using our existing budget authority, to the extent funding is available for audits approved by the Joint Legislative Audit Committee.

VI. REQUIRED DATE OF COMPLETION

The members did not request a specific completion date for this audit.



ELAINE M. HOWLE, CPA
California State Auditor