

59 Jurisdictions Included in the report:

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Survey Terminology

In this survey, the words **Complaint** and **Case** are used, those terms are defined below:

Complaint: An allegation received by the Board of Nursing related to a specific licensee.

Case: A complaint that rises to the Board of Nursing threshold that a violation of the Nurse Practice Act may have occurred and merits investigation/collection of evidence.

The following terms are used throughout all surveys:

Board of Nursing: Jurisdiction's governmental agency responsible for the regulation of nursing practice. Includes any other terminology to refer to the regulatory authority (i.e. commission, examiners, registration, jurisdiction). When referring to board of nursing, the reference collectively includes Board Members, Executive Officer and Staff.

Jurisdiction: Refers to state, territory or district where a board of nursing is located. May also be used to refer generally to the board of nursing in a particular jurisdiction.

Board Staff: Staff of the board of nursing

Executive Officer: Person responsible for running the board of nursing. Includes any other terminology to refer to that authorized person (i.e. Executive Director)

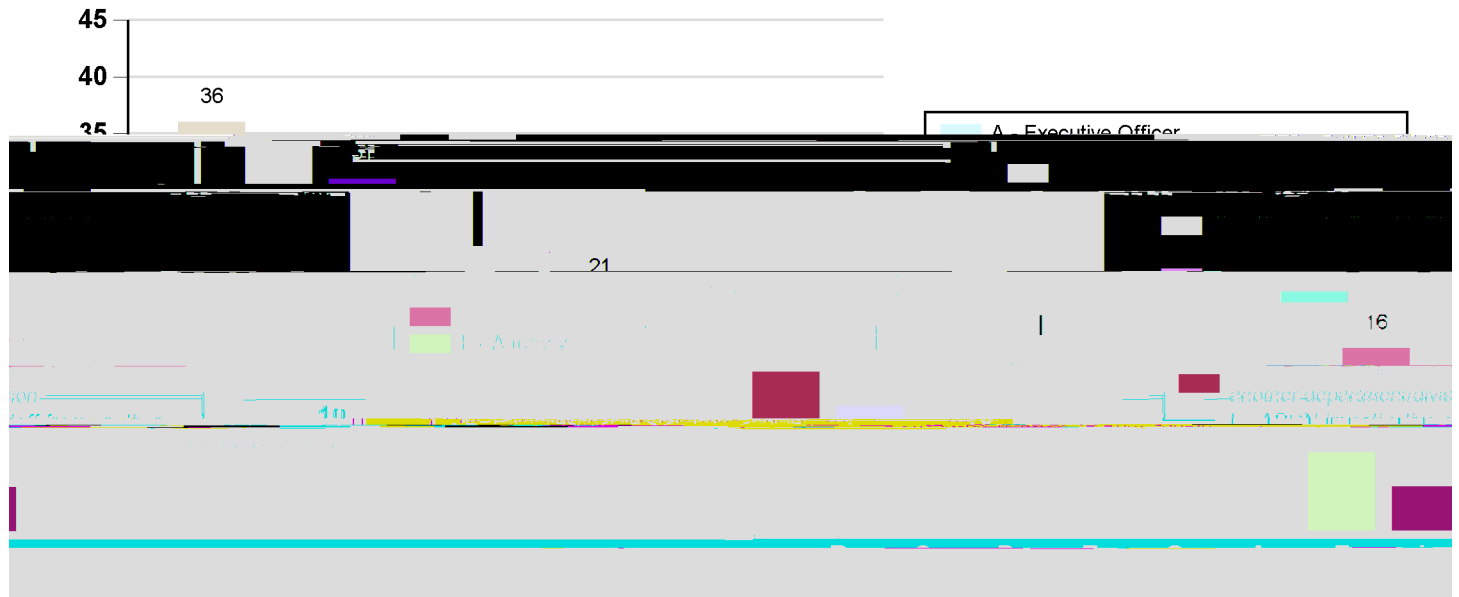
Board Member: Member of the governing body of the board of nursing as outlined by statute

Practical nurse or PN: Licensed practical or vocational nurse (LPN/LVN)

Q1. Is child, elder, vulnerable adult abuse by a licensee required to be reported to law enforcement or another agency?



Q4. Who conducts investigations of complaints against licensees? (Check all that apply)



Responses	Jurisdictions
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Q5. Does the Board of Nursing utilize any of the following practices? (Check all that apply)



Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
Online complaint submission	AK, AL, AR, AS, AZ, CA-RN, CA-VN, CNMI, CO, CT, DC, DE, FL, GA, GU, HI, IA, ID, IL, KS, KY, LA-PN, LA-RN, MI, MN, MS, MT, NC, ND, NJ, NM, NV, OH, OK, OR, PA, RI, SC, SD, UT, VA, VT, WA, WI, WV-PN, WV-RN, WY	47	80%
Assign cases to investigators based on specific case expertise	AK, AL, AR, AZ, CA-RN, CNMI, CO, CT, DC, DE, FL, GU, IA, IL, KS, LA-PN, LA-RN, MD, MN, MS, MT, NJ, NM, NV, OH, OK, OR, SC, TN, TX, UT, VA, VI, VT, WA, WI, WV-PN, WV-RN	38	64%
Interview templates	AL, AZ, CA-RN, CNMI, FL, GA, GU, IA, IL, KY, LA-RN, MA, MD, ME, MN, MS, NC, ND, NM, OH, OK, TN, TX, UT, WI, WV-PN, WV-RN	27	46%
Standardized templates for report preparation	AK, AL, AR, AZ, CA-RN, CA-VN, CNMI, CO, CT, FL, GU, IA, IL, KS, KY, LA-RN, MA, MD, ME, MN, MO, MS, NC, NH, NM, NV, OH, OK, OR, SD, TN, TX, UT, VA, VT, WI, WV-RN, WY	38	64%
Expedited process when respondent admits allegations	AL, AR, AZ, CA-RN, CA-VN, CNMI, CO, CT, DE, FL, GU, HI, IA, KY, MA, MD, MI, MN, MS, NC, ND, NJ, NM, NV, OK, SC, TN, TX, WI, WV-PN, WV-RN	31	53%
Approved disciplinary sanctions guidelines, policies, or matrix	AK, AL, AR, AZ, CA-RN, CA-VN, CNMI, CO, CT, DC, FL, GU, ID, IL, KY, LA-RN, MA, MD, ME, MN, MO, MS, NC, ND, NE, NE-APRN, NH, NM, NV, OH, OK, OR, PA, SC, SD, TN, TX, VA, WA, WV-PN, WV-RN, WY	42	71%
None of the above	IN, NY		

Q6. Does the Board of Nursing staff have delegated authority for any of the following? (Check all that apply)



Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
Closure of complaints through approved guidelines and policies for allegations that fall below threshold to investigate	AL, AR, AZ, CA-RN, CA-VN, CO, CT, DC, FL, GA, GU, IA, ID, IL, KS, KY, LA-PN, LA-RN, MA, ME, MI, MN, MO, MS, MT, NC, ND, NH, NM, NV, OH, OK, OR, RI, SC, SD, TN, TX, VA, VT, WI, WV-PN, WV-RN	43	73%
Expediting the closure of cases where a violation has not been established	AL, AR, AZ, CA-RN, CA-VN, CO, CT, DC, FL, GU, ID, IL, KY, LA-PN, LA-RN, MA, MI, MN, MO, MS, NC, NH, NJ, NM, NV, OH, OK, RI, SC, SD, TX, VA, VT, WV-PN, WV-RN	35	59%
Determine priority or risk level at time of complaint assignment	AL, AZ, CA-RN, CA-VN, CO, CT, DC, FL, GA, GU, IA, ID, IL, KS, KY, LA-PN, LA-RN, MA, ME, MN, MO, MS, MT, NC, ND, NH, NJ, NM, NV, OH, OK, OR, RI, SC, SD, TN, TX, VA, VT, WI, WV-PN, WV-RN, WY	43	73%
Offer consent agreements in			

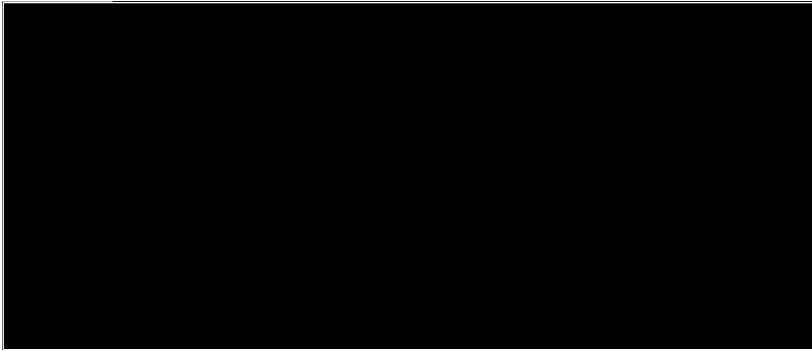
Q7. Does the Board of Nursing have subpoena power during investigation?



*PN BONs and US Territories are not displayed on the map. For detailed information, please see the text responses below.



Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
No	ID, IN, MA, MI, NY, UT, VI	7	12%
Yes	AK, AL, AR, AS, AZ, CA-RN, CA-VN, CNMI, CO, CT, DC, DE, FL, GA, GU, HI, IA, IL, KS, KY, LA-PN, LA-RN, MD, ME, MN, MO, MS, MT, NC, ND, NE, NE-APRN, NH, NJ, NM, NV, OH, OK, OR, PA, RI, SC, SD, TN, TX, VA, VT, WA, WI, WV-PN, WV-RN, WY	52	88%

Q8. Does the Board of Nursing have subpoena power during prosecution?



	No
	Yes



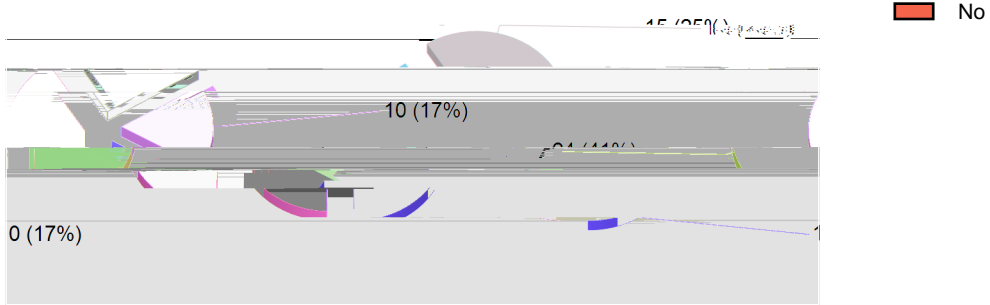
	No
	Yes



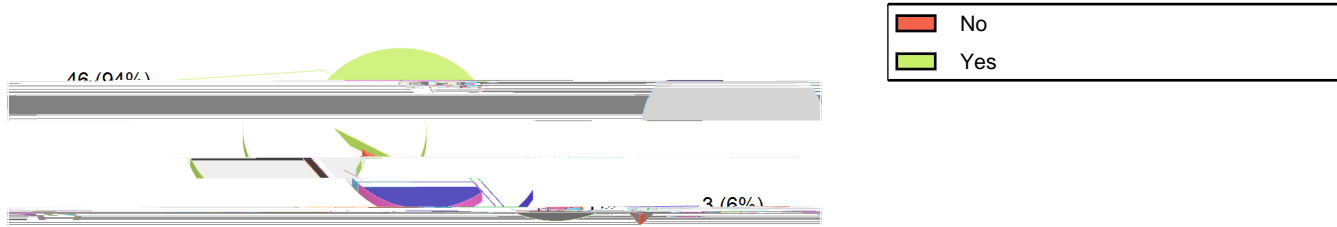
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Responses

Q9. Does the Board of Nursing receive malpractice payment reports as a result of insurers reporting to the National Practitioner Data Bank?



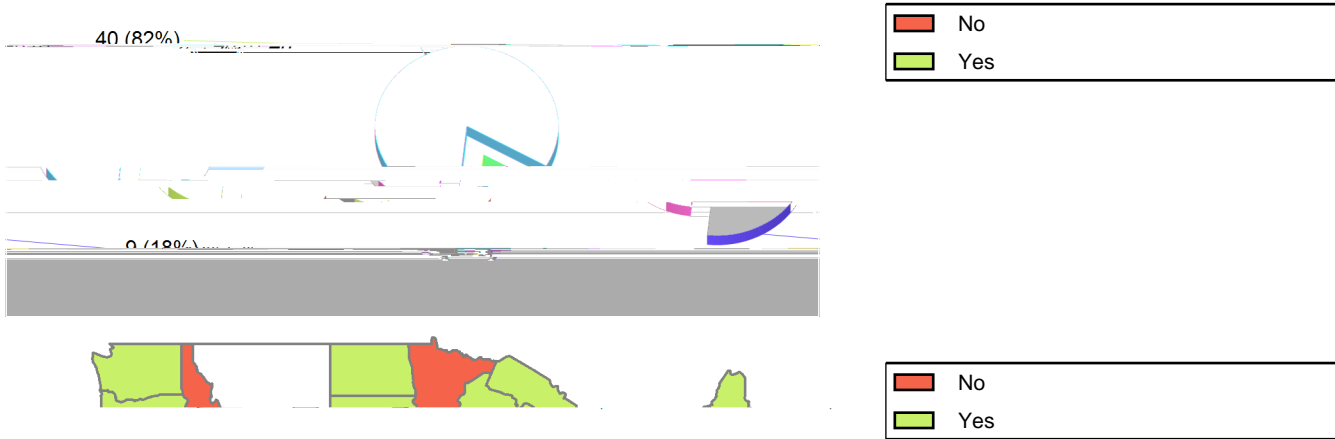
Q10. Are malpractice payment reports reviewed to determine if a disciplinary investigation is warranted?



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Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
No	ID, KY, SC	3	6%
Yes			

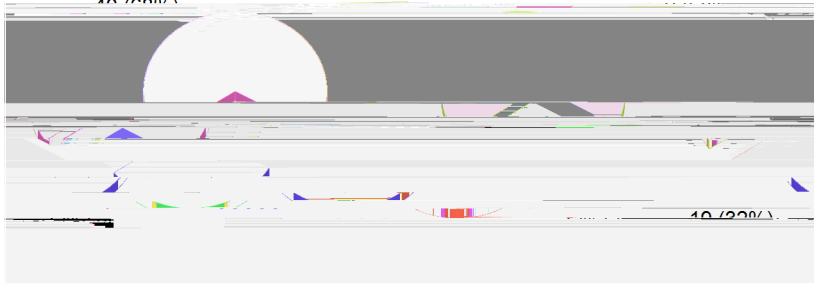
Q11. Are malpractice payment reports stored/filed for future reference?



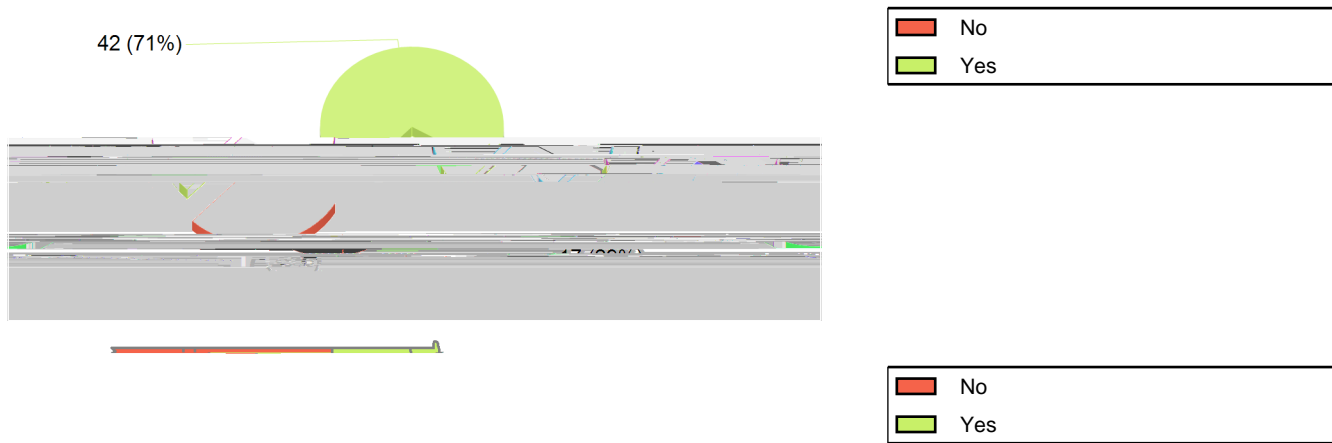
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Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
No	AR, ID, IN, MD, MN, MO, NM, OH, WV-RN	9	18%
Yes	AL, AS, AZ, CO, CT, DC, DE, FL, GA, GU, HI, IA, IL, KS, KY, LA, RN, MA, ME, MI, MS, NC, ND, NH, NJ, NV, NY, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, 61.762 TdM1 14.75 re W n 7Y8.864 :	31	82%

Q12. Can the Board of Nursing require evaluation for substance use disorder during an investigation?



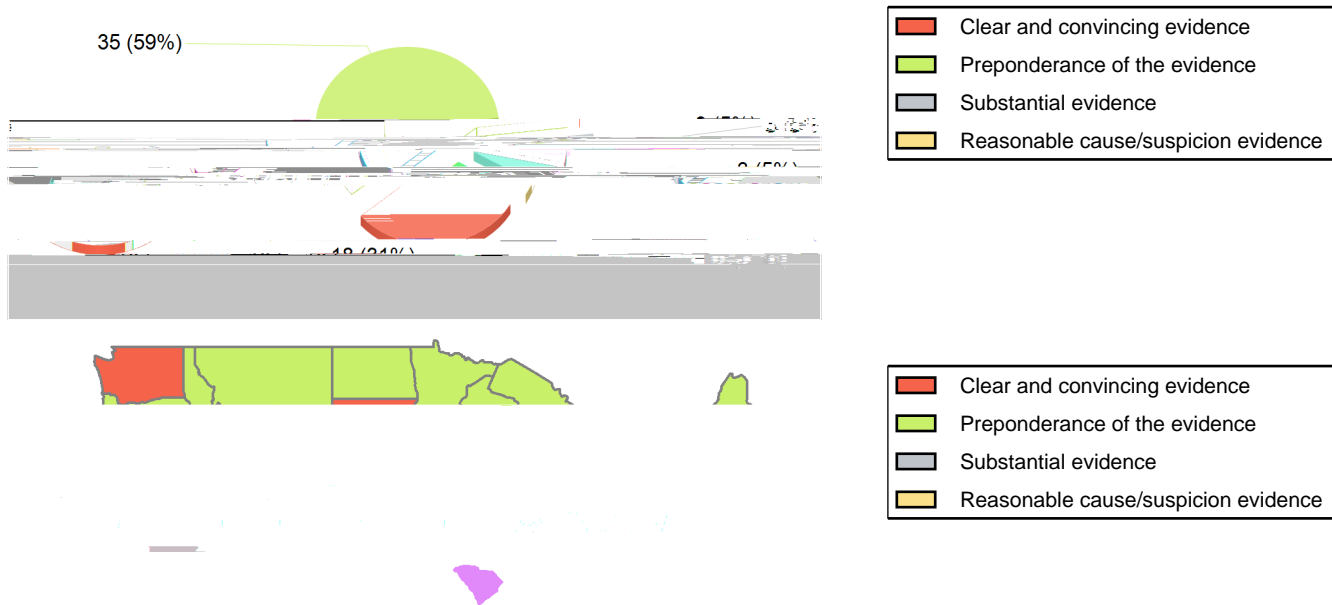
Q13. Can the Board of Nursing require evaluation of physical and/or mental health during an investigation?



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Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
No	AL, DE, ID, KS, LA-PN, LA-RN, MA, MO, MT, NM, NY, OK, TN, VA, VT, WA, WI	17	29%
Yes	AK, AR, AS, AZ, CA-RN, CA-VN, CNMI, CO, CT, DC, FL, GA, GU, HI, IA, IL, IN, KY, MD, ME, MI, MN, MS, NC, ND, NE, NE-APRN, NH, NJ, NV, OH, OR, PA, RI, SC, SD, TX, UT, VI, WV-PN, WV-RN, WY	42	71%

Q14. What is the standard of proof for final adjudication?



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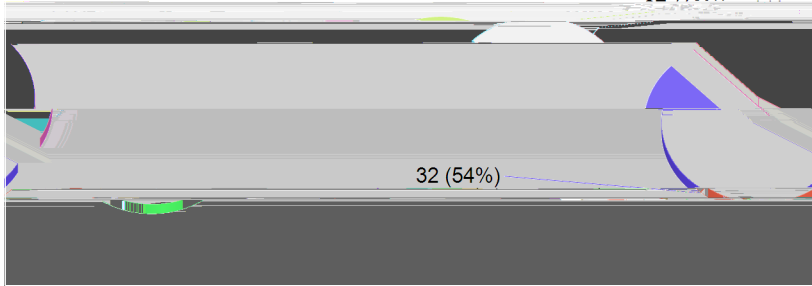
Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
Clear and convincing evidence	CA-RN, CA-VN, CNMI, FL, GU, IL, KS, KY, MS, NC, NE, NE-APRN, OK, SD, VA, VI, WA, WY	18	31%
Preponderance of the evidence	AK, AZ, CO, CT, DC, GA, HI, IA, ID, IN, LA-PN, LA-RN, MA, MD, ME, MI, MN, MO, MT, ND, NH, NJ, NM, NV, NY, OH, OR, PA, RI, TN, TX, UT, VT, WI, WV-RN	35	59%
Substantial evidence	AL, AR, DE	3	5%
Reasonable cause/suspicion evidence	AS, SC, WV-PN	3	5%

Q15. Who hears formal disciplinary proceedings? (Check all that apply)



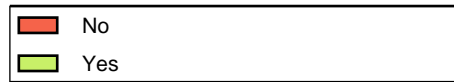
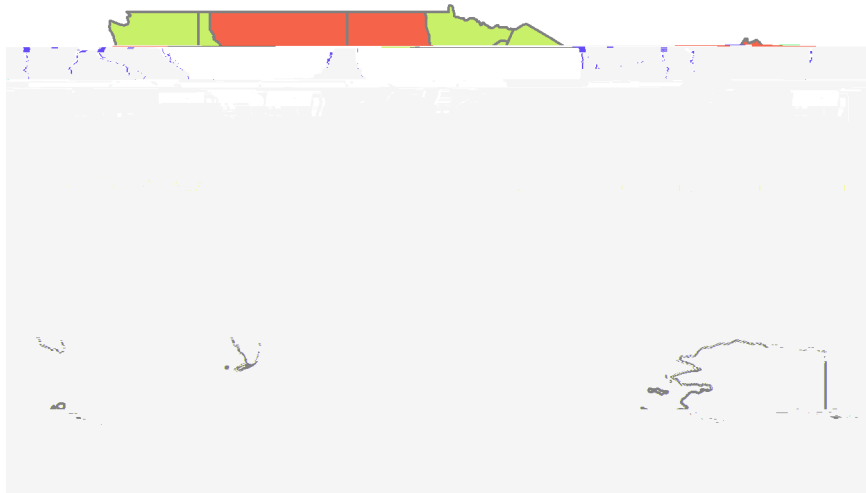
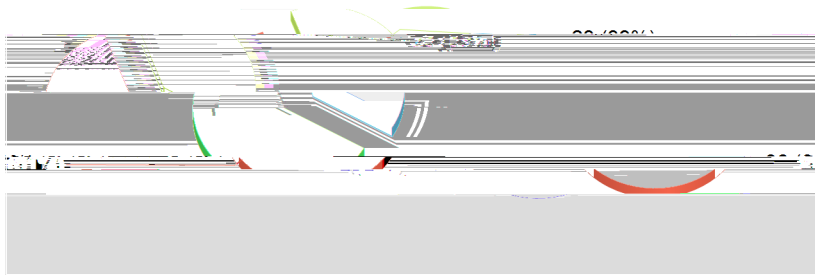
Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
Hearing officer/examiner	AL, CNMI, DE, GU, HI, ID, KY, LA-PN, MA, ME, MO, MS, MT, NE, NE-APRN, NH, NM, NY, OH, PA, RI, UT, VI, WV-RN, WY	25	42%
Administrative law judge	AK, AL, AZ, CA-RN, CA-VN, CNMI, CO, DC, FL, GA, GU, IA, IL, IN, KS, MD, MI, MN, MS, MT, ND, NJ, NY, OR, SD, TX, UT, VT, WA, WI, WV-RN	31	53%
All board members	AR, AS, CA-RN, CA-VN, CNMI, CT, DC, DE, GA, GU, IA, ID, IN, LA-PN, MA, MD, MN, MO, MS, NC, ND, NH, NJ, NM, NV, OK, SC, SD, UT, VA, VI, VT, WV-RN, WY	34	58%
Panel/committee of board members	AS, CO, DC, DE, GU, KS, KY, LA-RN, MD, ME, MN, MS, NC, NJ, NY, OH, OK, PA, RI, SC, TN, VA, WA, WV-PN	24	41%
Board chair or board member	AS, GU, IL, MS, NH, SC, UT, VA, VI	9	15%

Q17. Can the licensee be ordered to pay investigative fees?



32 (54%)

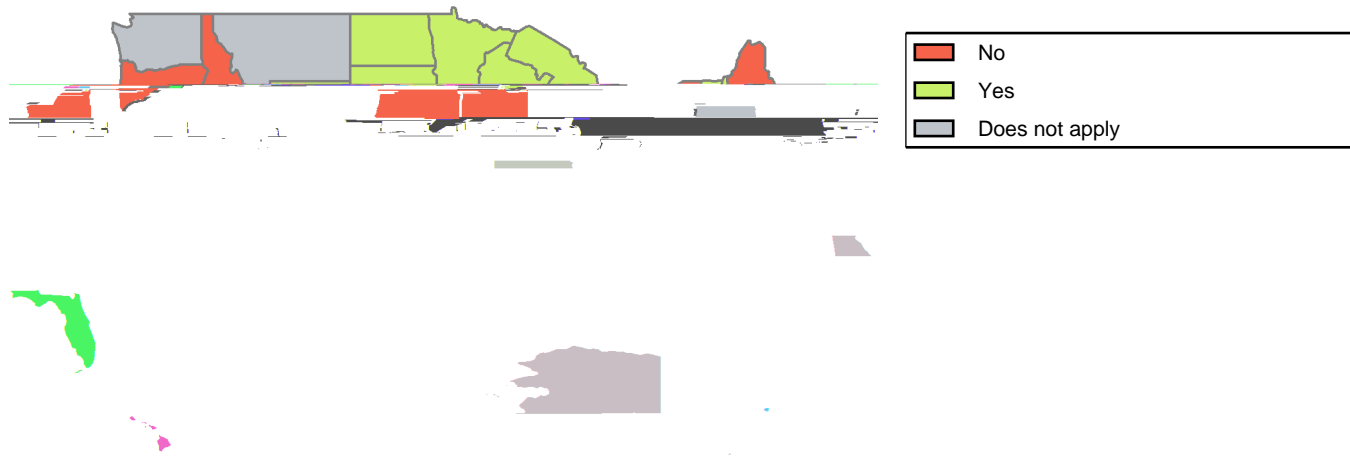
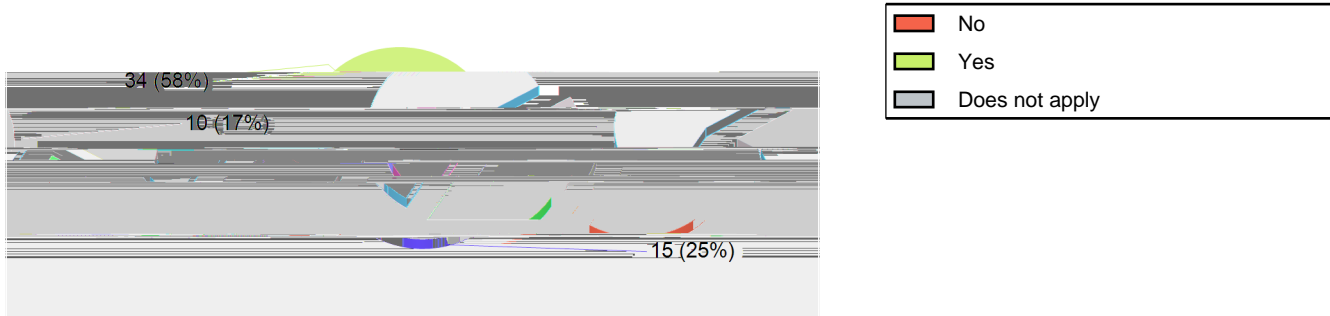
Q18. Can the licensee be ordered to pay legal fees?



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Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
No	AK, AL, AR, AZ, CO, CT, DC, DE, FL, HI, IA, IL, KS, LA-PN, MA, MD, ME, MO, MS, MT, NC, ND, NM, NY, OH, OR, PA, RI, SD, TX, UT, VA, VI, VT, WV-RN, WY	36	61%
Yes	AS, CA-RN, CA-VN, CNMI, GA, GU, ID, IN, KY, LA-RN, MI, MN, NE, NE-APRN, NH, NJ, NV, OK, SC, TN, WA, WI, WV-PN	23	39%

Q19. Can the licensee be ordered to pay monitoring fees?



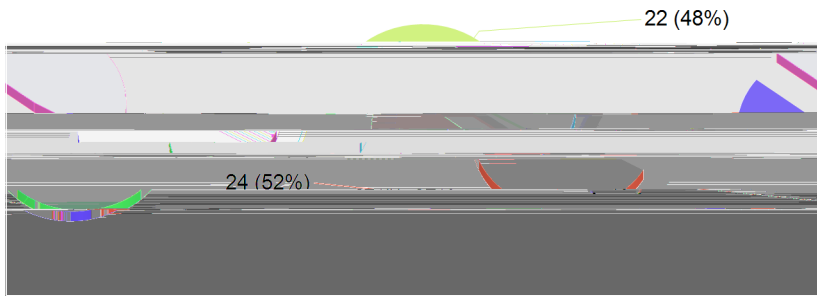
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Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
No	AZ, CA-VN, CO, FL, ID, MD, ME, MO, NC, NM, NY, OH, OK, OR, RI	15	25%
Yes	AL, AR, CA-RN, CT, DE, GU, HI, IL, IN, KY, LA-PN, LA-RN, MA, MI, MN, MS, ND, NE, NE-APRN, NH, NJ, NV, PA, SC, SD, TN, TX, UT, VA, VT, WI, WV-PN, WV-RN, WY	34	58%
Does not apply	AK, AS, CNMI, DC, GA, IA, KS, MT, VI, WA	10	17%

Q20. Is the Board of Nursing required to take disciplinary action in any of the following instances? (Check all that apply)



Q22. Does the Board of Nursing offer an in-house non-disciplinary monitoring program for Substance Use Disorder?

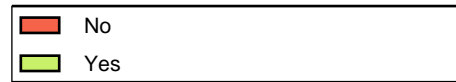
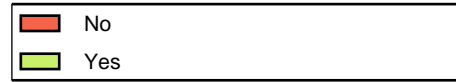
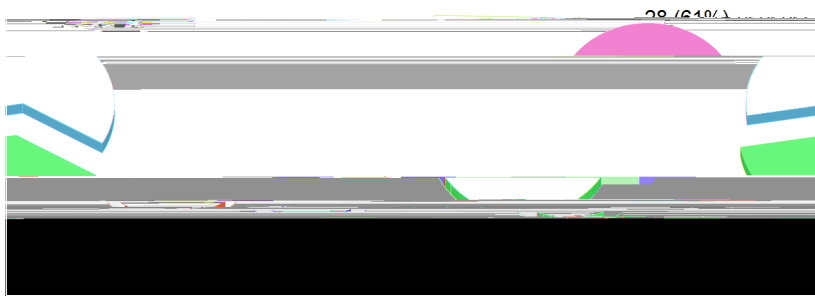


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Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
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No

Q23. Does the Board of Nursing refer the licensee to a contracted monitoring program for Substance Use Disorder?

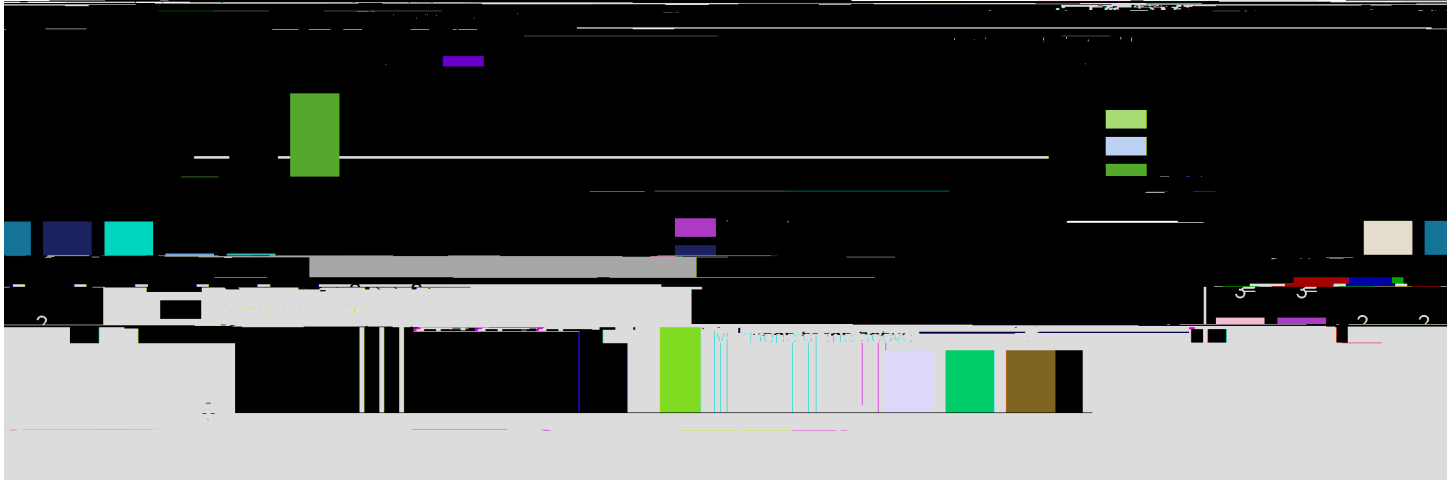


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Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
No	AL, AR, AZ, CNMI, DC, IA, LA-RN, MA, MD, MO, NC, NM, NV, OH, OK, PA, WA, WI	18	39%
Yes	CA-RN, CO, CT, DE, FL, GU, ID, IL, KS, KY, ME, MI, MN, MS, MT, NH, NJ, NY, OR, RI, SC, SD, TN, TX, VA, VI, VT, WV-RN	28	61%

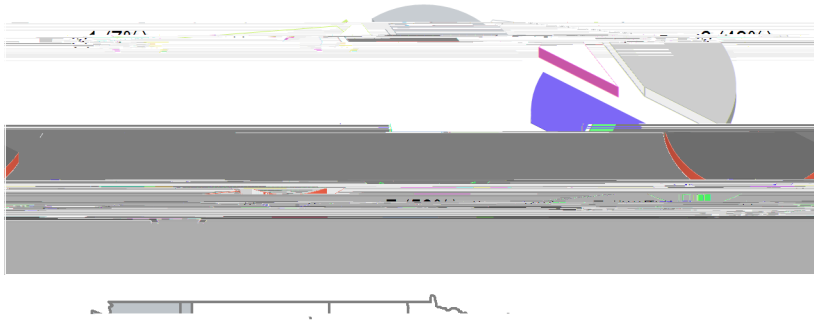
Q24. If the Board of Nursing uses a non-disciplinary practice-related alternative program, which of the following may be included in the alternative program? (Check all that apply)


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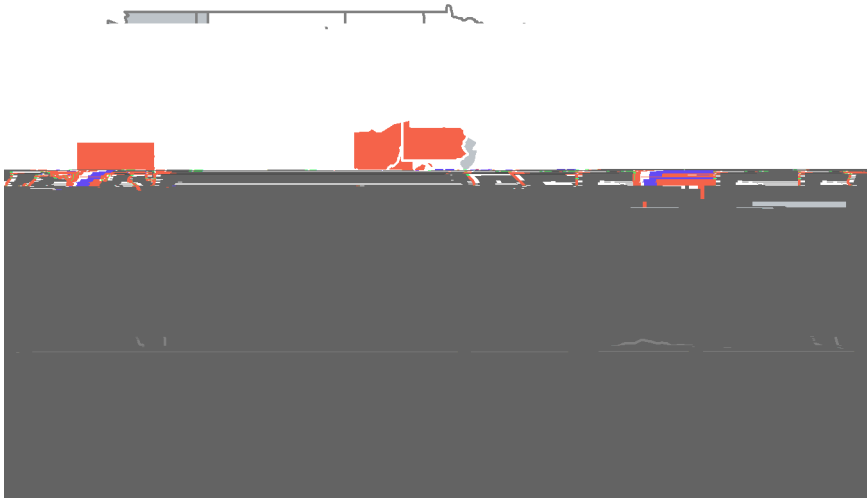





Responses	Jurisdictions	Number of Boards	Percentage of Boards Responding
Civil penalty	GU, VI	2	13%
Conference/meeting	AZ, GU, NC, OH, VI, WV-RN	6	40%

Q25. Is participation by the licensee in non-disciplinary practice-related alternative program disclosed as public information?



	No
	Yes
	Yes, if requested



	No
	Yes
	Yes, if requested