THE STATE
of ALASKA
GOVERNOR SEAN PARNELL

Department of Commerce, Community, and Economic Development

BOARD OF NURSING

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February 11, 2014

Barbara Jacobson, RN, MSN
Chief Nurse Executive
Yukon-Kuskokwim Health Corporation

RE: Letter of Concern

Dear Ms. Jacobson,

Thank you for your letter which expressed several concerns related to the education and certification of nurse aides in Bethel. I will respond to each of your concerns with the information that I have.

You first asked about the background check requirement in the Board of Nursing (BON) statute AS 08.68.100. Your point that the applicant for nurse aide certification has just gone through the background check prior to starting their clinical experience is true for Bethel students. However, **for certification** as a nurse aide, an applicant, by statute, has to submit fingerprints and the processing fee to undergo another background check. This is a requirement that has caused many concerns in the past. Regardless of how excessive and expensive the requirement is, the FBI requires that the background check be specific to the use of the information. The nurse aide program in Bethel is requiring the background check for students to be able to give care in the hospital; the Board of Nursing is requiring the fingerprints and background check for certification. DHSS cannot share their results with the BON and the BON cannot share their results with another agency including one within State government. It is not a BON rule; it is a FBI requirement.

Second, the Bethel nurse aide students have never been denied the opportunity to test due to the requirement of a background check by the Board of Nursing. However, failure to submit all of the required documents may have delayed the student's ability to test. Those requirements are listed on the application for certification available on the Board of Nursing website www.nursing.alaska.gov. In addition, a student who is delayed from taking the exam has no bearing on the 80% pass rate requirement. The pass rate is based on the first time the student takes the examination. There is no barrier except a self-made barrier if the applicant does not submit all of the required documents. If the students have to respond two or three times it is because they are not submitting the required documents.

Next, the Board of Nursing and Health and Social Services have different statutes and regulations. What might be a barrier crime for one may not be a barrier crime for the other. The Board of Nursing, in fact, does not have specific barrier crimes. AS 08.68.334 Grounds for denial, suspension, or revocation of certificate states the BON "may" deny a certification or impose a disciplinary sanction...and then lists 7 very serious instances. The key word is

"may". The Board considers each application on a case-by-case basis. The mission of the BON is to actively promote and protect the health of the citizens of Alaska through the safe and effective practice of nursing as defined by law. The BON takes its mission very seriously and implements the statute and regulations to that end.

Related to the concern of the success of the program and its ability to get people into the workforce in a timely manner, I suggest the program instructors work with the students to be sure their applications are complete and all required documents are submitted. The student's completed applications can be submitted at the beginning of the program. The applications will be "examined" within 10 business days of receipt and a status letter will be sent if there is missing information. That way, the student will be able to submit documents if any documents are missing. The verification of completion of the program has to be sent by the instructor after the program ends and the student passes. The verifications are usually submitted as a group.

Finally, the proctor issues. The BON has been diligent in trying to approve and train proctors for all of the CNA program sites. When a proctor leaves without notice, as was the case in Bethel, and no one else is trained to administer the national examination, there will be lag time. The Nurse Aide Registry Licensing Examiner, Jamie Heinz, is working with the Bethel program and two proctors have recently been approved. She received the most recent proctor applications on January 24 and they were approved February 10, 2014. If you know of additional qualified nurses who would like to proctor for CNA students, please have them apply.

I appreciate your concern going forward that the BON have the ability and finances to train the proctors. I certainly agree with you. You mention having a trainer come to Bethel to train the proctors. In the most recent example there were not sufficient students ready to test for this to be worthwhile. It is most helpful for nurses training to be proctors to have many students to test such as in the larger sites such as Anchorage, Fairbanks, and perhaps Juneau.

I hope this letter provided the information you were seeking. I am very interested in working with you and all the CNA program sites to successfully meet their needs.

Sincerely,

Nancy Sanders

Nancy Sanders, PhD, RN
Executive Administrator
Alaska Board of Nursing

Cc: Lyman Hoffman, Senator
Bob Herron, Representative
Susan Bell, Commissioner, DCCED
Don Habeger, Director, CBPL
Sara Chamber, Operations Manager, CBPL
Karen Purdue, ASHNHA