

**NURSING EDUCATION PROGRAM AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Karianne Lisonbee**

Senate Sponsor: Michael K. McKell

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**LONG TITLE**

**General Description:**

This bill amends the provisions related to unaccredited nursing education programs.

**Highlighted Provisions:**

This bill:

- ▶ enables the Division of Occupational and Professional Licensing to approve a qualified nursing education program for up to five years under certain conditions;

- ▶ grants rulemaking authority to the Division of Occupational and Professional Licensing for approving a nursing education program for another period of approval; and

- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-31b-601**, as last amended by Laws of Utah 2020, Chapter 272

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **58-31b-601** is amended to read:

**58-31b-601. Minimum standards for nursing programs to qualify graduates --**

**Temporary approval to qualify graduates for licensure -- Minimum standards for**

30 **medication aide training to qualify persons for certification.**

31 (1) Except as provided in ~~[Subsection (2)]~~ Subsections (2) and (3), to qualify as an  
32 approved education program for the purpose of qualifying graduates for licensure under this  
33 chapter, a nursing education program shall be accredited by an accrediting body for nursing  
34 education that is ~~[approved]~~ recognized by the United States Department of Education.

35 (2) (a) ~~[In accordance with Subsection (2)(b) and Title 63G, Chapter 3, Utah~~  
36 ~~Administrative Rulemaking Act, the]~~ The division, in consultation with the board, may ~~[make~~  
37 ~~rules establishing requirements for a nursing education program to qualify for a limited time as~~  
38 ~~an approved education program]~~ approve a nursing education program for up to five years, for  
39 the purpose of qualifying graduates for licensure under this chapter, if the program:

40 (i) ~~[(A) is in the process of obtaining]~~ holds candidacy or is in the process of applying  
41 for candidacy for the accreditation described in Subsection (1);

42 (ii) has been denied initial accreditation after holding candidacy for the accreditation  
43 described in Subsection (1); or

44 (iii) is no longer accredited under Subsection (1); and

45 (b) has not previously received a term of approval granted by the division.

46 ~~[(B) has recently been denied accreditation after seeking to obtain the accreditation~~  
47 ~~described in Subsection (1); or]~~

48 ~~[(C) has recently lost the accreditation described in Subsection (1); and]~~

49 ~~[(ii) is approved under Subsection (2)(a) on or before May 15, 2016.]~~

50 ~~[(b) A program approved under Subsection (2)(a) may qualify graduates for licensure~~  
51 ~~under Subsection (2)(a) until June 30, 2022.]~~

52 ~~[(c) Beginning November 30, 2020, a program approved under Subsection (2)(a) may~~  
53 ~~not enroll any new students into the program unless:]~~

54 ~~[(i) the program has a final site visit scheduled with a nursing program accreditor for~~  
55 ~~the accreditation described in Subsection (1); and]~~

56 ~~[(ii) the final site visit described in Subsection (2)(c)(i) is scheduled during the period~~  
57 ~~beginning November 30, 2020, and ending May 30, 2021.]~~

58 ~~[(d) On or after July 1, 2022, a nursing education program that is not an approved~~  
59 ~~education program under Subsection (1) may not qualify graduates for licensure under this~~  
60 ~~chapter.]~~

61 (3) (a) For a nursing education program that has previously received a term of approval  
62 granted under Subsection (2), the division may reapprove the nursing education program for  
63 the purpose of qualifying graduates for licensure if:

64 (i) the reapproval is for a period that does not exceed five years; and

65 (ii) a minimum of 12 months has passed since the day on which the previous term of  
66 approval expired.

67 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
68 division, in consultation with the board, shall make rules to implement Subsection (3)(a).

69 ~~[(3)]~~ (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
70 Act, and the provisions of this chapter, the division shall make rules defining the minimum  
71 standards for a medication aide certified training program to qualify a person for certification  
72 under this chapter as a medication aide certified.