

Principled Regulation: Perception or Reality?

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An increasing spotlight on principles and regulation

- Work in a complex and high-risk environment
- Need to ensure our performance and our reliability



Organization on Economic Cooperation and Development

- Recommendation in 2012
- Published Best Practice Principles in Regulatory Policy 2014
- Overarching framework to drive performance

Principles include

- Role clarity
- Preventing undue influence and maintaining trust
- Decision making and governing body structure for independence
- Accountability and transparency
- Engagement
- Funding
- Performance Evaluation

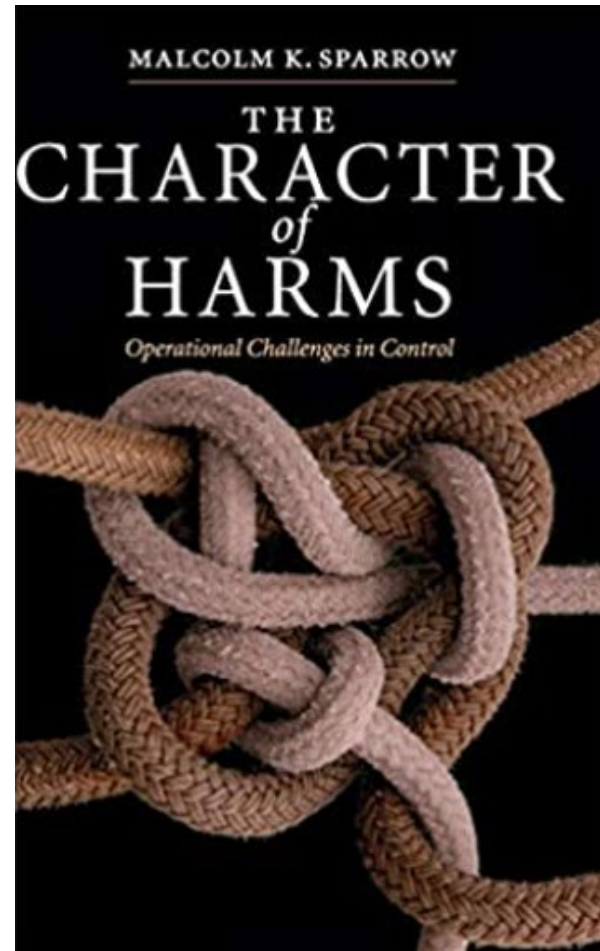
Global Accounting Alliance

The true measure of acting in the public interest lies in the confidence of those affected, not in those making the pronouncements.

Global Accounting Alliance

Public interest benefits from a clear set of values, decision rules and framework for defining, explaining and applying the public interest.

Thoughts from Malcolm Sparrow

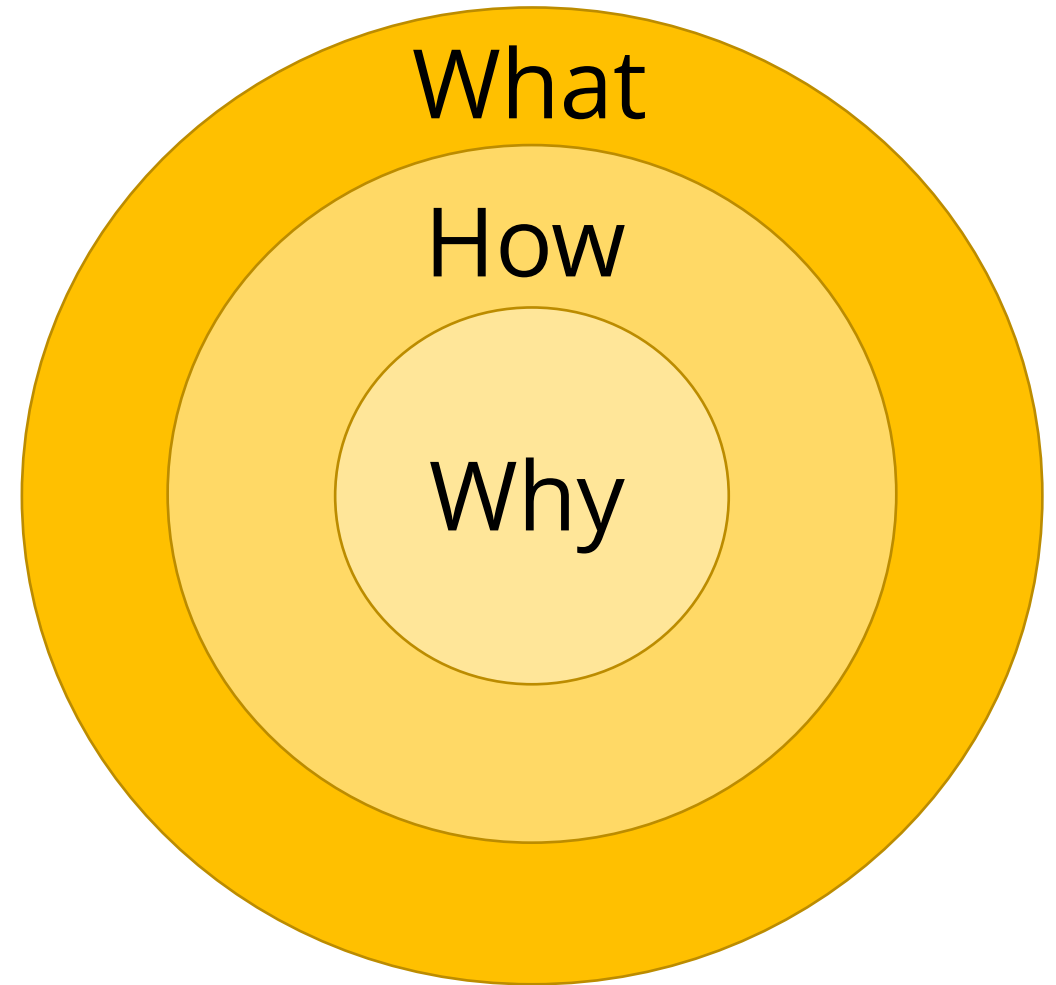


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Principles as nouns or verbs

Lessons from Simon Sinek

- Why over what
- Action oriented values



Principled Regulation



HOW DO WE LEAD IN THE NEW DIRECTION?

- **Service** (Communication, Education)
- **People** (Collaboration, Inclusion)
- **Quality** (Improving processes)
- **Strategy** (Problem Solving, Policy Formation and Management)
- **Financial** (Fiduciary responsibility)

- Role clarity (*People/Service*)
- Preventing undue influence and maintaining trust (*People/Service*)
- Decision-making and governing body structure for independent regulators (*Strategy*)
- Accountability and Transparency (*People/Quality/Service*)
- Engagement (*People/Strategy*)
- Funding (*Financial*)
- Performance evaluation (*Quality/People/Service*)

Role Clarity

- Define Board Member Responsibilities
- What can they do and what is their responsibility?

<https://www.abn.alabama.gov/wp-content/uploads/2016/05/Board-Member-Responsibilities.pdf>

Alabama Board of Nursing

RESPONSIBILITY TITLE BOARD MEMBER POSITION
DEPARTMENT ADMINISTRATION DATE WRITTEN October 2015

I. RESPONSIBILITY SUMMARY

The Board focuses on nursing regulation. The Board itself is accountable to the public, the Governor, the legislature, nursing education programs, and the licensees it regulates. With a focus on accountability, each Board member assumes accountability for functioning in the Board member role.

II. POSITION RELATIONS

- A. Supervised By: Governor of Alabama
B. Supervises: Executive Officer
C. Line of Promotion: Not Applicable

III. MINIMUM QUALIFICATIONS REQUIRED

- A. Education: Individualized based on the Board vacancy
B. Experience: Have a minimum of five years' successful nursing experience in an administrative, teaching, clinical capacity, or advanced practice and must be actively engaged in nursing immediately preceding and during appointment.

Other required experience:

Education Positions: Nursing Educators who teach in a university or college.

Advanced Practice: Advanced Practice designation (CRNA, CRNP, etc.)

Consumer: The consumer member of the board shall have, presently or formerly, no direct financial interest in any health care facility, profession, agency, or insurer, or be or have been a health care worker.

- C. Licenses, Certifications and/or Registrations/Citizenship: Current licensure as a Registered nurse or Licensed Practical Nurse in the State of Alabama and graduate of a

Role Clarity and Preventing Undue Influence

- Board Member role
- Executive Officer role
- Board Staff role

Doing the Right Thing for
the Right Reasons

- Governance
- Legal Framework
- Basis of Decisions in judicial context
- One Voice
- Conflict of interest
- Service to the Public
- Accountability/Responsibility
- Board member conduct

Who We Are

What is the Alabama Board of Nursing?

The Alabama Board of Nursing is established by the Legislature to license qualified nurses in Alabama, to ensure quality educational preparation for all prospective nurses, and to enforce the Nurse Practice Act and the ABN Administrative Code. Currently, more than 98,000 individuals are licensed to practice nursing in the state, making nurses the largest population of professionals regulated by a single licensing board in Alabama.

What We Do

Benefits of Licensing Professionals

Those that require formal education for entry to practice (physicians, dentists, nurses, attorneys, etc.) are necessarily licensed and regulated, to protect the public from the potential for serious harm. These professions are best regulated by members of the professions themselves, as, for instance only doctors are competent to evaluate medical practice, lawyers to evaluate legal practice, and nurses nursing practice. However, it is perfectly appropriate to include public or consumer members on professional licensing boards, as these private citizens bring unique perspectives to deliberations and decision-making.

How We Do It

Ensuring Best Practices

The ABN remains active in the National Council of State Boards of Nursing (NCSBN), the Federal Association of Regulatory Boards (FARB), the Council on Licensure, Enforcement, and Regulation (CLEAR), the Alabama Rural Health Action Coalition (ALHAC), and the Alabama Association of Regulatory Boards (AARB), encouraging Board members and staff to participate fully and to access the vast resources available through these organizations. By staying current on best practices in nursing, healthcare, and regulation, the Board enables itself to adapt to the changing environment of healthcare and licensing nationally.

https://www.abn.alabama.gov/wp-content/uploads/2022/08/Who-We-Are-2022-Update_FINAL.pdf

Barrier Reduction

Summary of ABN Activities Toward Reducing Regulatory Barriers & Leading Public Protection

| | |
|---|--|
| Addressing the Nursing Shortage | As the COVID-19 crisis unfolded during 2020, increased patient loads, acuity, and regulatory restrictions placed strains on every aspect of Alabama’s healthcare delivery system. This was especially obvious in the nursing workforce where existing staffing shortages were further exacerbated by the pandemic’s impact. Issues including individual availability, restricted access to clinical learning opportunities for nursing students, and declining passage rates on the national licensure exam (NCLEX) have all been seen as a result of the pandemic. Working with employers and educators, the Board moved to address these shortages by establishing three new classes of healthcare workers: Student Nurse Apprentices (SNA), Nursing Student/Graduate Aides, and Medication Assistant, Certified (MACs). Each of these roles is discussed in greater detail below. |
| Student Nurse Apprenticeship (SNA) | In 2021, the Board successfully petitioned the Legislature for the authority to issue permits to Student Nurse Apprentices. Apprenticeships are formal agreements between employers and education programs, and are registered with the Alabama Office of Apprenticeship (AOA). Student Nurse Apprentices work according to established standards of practice, including a designated skill list, and may use some work time to satisfy clinical requirements for their education programs. The skill list is progressive and allows each apprentice to transition as they progress in their education program. The Board established rules governing Apprentices and began issuing permits in June 2022. |

Decision Making Structure and Trust

- Ensure consistency: Board approved staff guidelines
Licensure, APRN licensure, Discipline, Education Program, and Monitoring Programs
- Legal Discipline shells and agreements
- The APPLE model in all rule changes
- Revised Cover Sheets on Board decision points to include research or data points

A: Administratively feasible

P: Publicly credible

P: Professionally acceptable

L: Legally defensible

E: Economically affordable

Guide decision making and build trust

Frame the discussion for change, include data, and research to fully inform board members what the actual practice is within the community and provide the why the change is needed to the Board.

ABN ADMINISTRATIVE CODE §610-X-3-.09

BOARD ACTION REQUESTED:

APPROVE, AS INITIAL SUBMISSION, REVISION TO ABN ADMINISTRATIVE CODE §610-X-3-.09 - Out of State Programs conducting clinical in Alabama.

BACKGROUND AND RATIONALE: Board staff recommends revision to the rules related to nursing education programs to comport to current practice.

A: Administratively feasible: The proposed changes are administratively feasible.

P: Publicly credible: The changes are consistent with the Board's mission to protect health and safety of the public.

P: Professionally acceptable: The changes do not negatively affect public protection and are professionally acceptable.

L: Legally defensible: The proposed changes comply with statute.

E: Economically affordable: The change is not economically impactful.

RESEARCH IF INDICATED: NCSBN Survey attached

BENEFITS AND CONSEQUENCES: The changes are consistent with current practice throughout the country.

FISCAL IMPACT: None.

LEGAL COMMENT: None requested.

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Transparency and Openness

- Social Media and Communications Plan
- Voluntary Alternative Discipline (VDAP) Campaign
- Clinical rotation for Graduate Nursing students
- Center for Nursing Excellence Plan
- Transformed Continuing Education for Nursing

ABN Social Media Plan

PURPOSE

To provide a forum for nurses and consumers to be engaged and readily receive information and interact with the ABN related to nursing regulation, scope of practice, nursing practice, patient safety, education, and continuing education.

OBJECTIVES:

- Promote relevant content through Facebook and Twitter
- Engage and excite nursing constituents
- Enhance awareness of Board/regulatory functions and role
- Utilize tweets to disseminate information and education
- Improve ABN service and satisfaction
- Focus on building relationships and receiving feedback (survey results)
- Build reputation as the place to go for relevant up-to-date information related to nursing practice in Alabama
- Educate nurses and consumers related to patient safety, resources, [practice](#), and advanced practice roles

COMMUNICATION STRUCTURE AND PROCESS

All items to be posted shall be submitted to the executive officer for review to include the content to be posted and the website view that will be visible to the public. Media Specific to ABN, with Facebook and Twitter, as well as posting existing content to YouTube and ABN website. The frequency and duration is situational.

CONTENT:

The Social Media Communication Plan includes pertinent information related to the practice of nursing in Alabama. No commercial endorsements will be allowed. The CCO and EO will develop a routine content calendar each January for routine communication content planning. Examples included but are not limited to the list provided below:

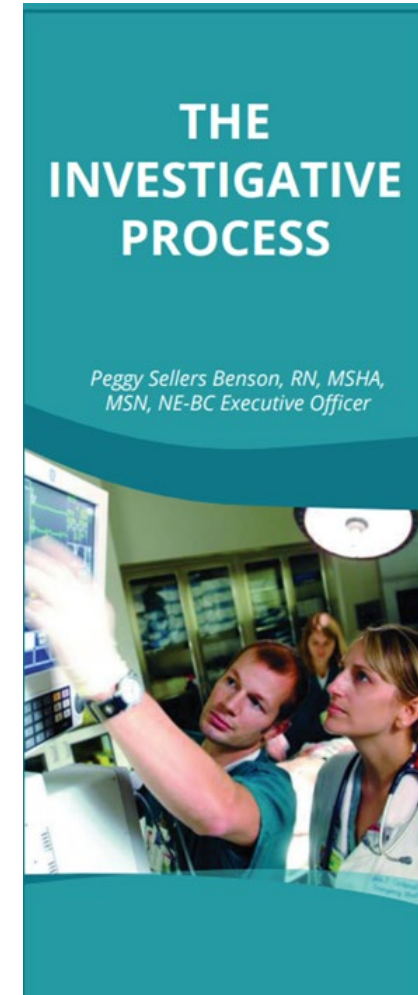
- a. Patient Safety Information
- b. Legislative updates impacting nursing
- c. Continuing Education
- d. Patient Care Issues
- e. ABN resources
- f. Nurse Survey opportunities
- g. Scope of Practice
- h. Meeting notices
- i. Practice changes
- j. Board of Nursing Action Updates
- k. Consumer Education

COMMUNICATION MANAGEMENT:

Content Approval Process: All content will be approved by the Executive Officer if available and the Chief Policy and Communication Officer.

Transparency/Engagement Examples

- Probation and VDAP monitoring on-line
- “My Profile” portal
- FAQs Discipline and Brochure
- Published “New Direction” and Strategies for Change
- Improved information access points
- Communicated the disciplinary process to all licensees to build
- Implemented “Just in Time” Training videos on Board process to ensure consistent information



Engagement – Building Trust

- Appointed numerous Advisory Committees to assist with regulatory barrier reduction and rule revisions to build on their knowledge and repair collaborative relationships
- ABN newsletter to engage, share, and educate
- Annual Reports to our licensees as well as executive branch
- Center for Nursing Excellence, ANRC, Leadership Institute
- Implemented a dynamic speakers bureau (30-50 presentations annually)

Engagement

- Eliminated the silo mentality for our Board
- Participated in NURSYS and implemented the NLC
- State and national level participation 13 state and 12 national committees, associations, organizations and task forces etc.
- New Executive Officer mentor



CENTER FOR NURSING EXCELLENCE

ANRC
ALABAMA NURSING RESOURCE CENTER



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FINANCIAL – FUNDING

Made difficult decisions: The Right Thing for the Right Reason

- Raised our licensure fees 2 years in advance to offset cost of joining the NLC
- Revised late renewal rules reducing revenue 650,000
- Revised rules to eliminate the purchase of licensee mail address to protect our licensee's reducing revenue by 100,000 annually
- Developed free CE (over 100 hours) for all licensees
- Reduced the cost of the subscription service to ensure that small business and small rural hospitals could afford to enroll reducing revenues by 70,000 annually.

Performance Evaluation

- Implemented NURSYS
- Performed the first ever ABN licensee survey related to the Board performance and posted the results without modification.
- Published all required program Annual Reports on-line related to workforce, education programs, and licensee discipline.

Communicate your Performance

<https://www.abn.alabama.gov/about/#tab-Publications>



**Expanding
Access to
Care**

**ALABAMA
BOARD
OF
NURSING**

**ANNUAL
REPORT
2021**



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Post your Research and Data



Journey Notes

- Personally led 21 agency CQI change teams first 2 years
- Involved the board staff directly working on the issue
- Created synergy between board staff and advisory councils
- Focused on customer service training for staff
- Placed all regulations and rule revisions on website for ease of access
- Developed staff guidelines and policies (non existed)

- Developed plan documents for:
- Social Media/Engagement Plan
 - Communication Plan
 - VDAC Campaign Plan
 - ARNC Plan
 - Leadership Institute Plan
 - Center for Nursing Excellence Plan
 - Created a Board orientation plan
 - Created a Board Member Resource Manual
 - Create staff orientation plan

The Results Board/Staff Recognition

- 2022 Power of One, Leadership Award Nurse Practitioner Alliance of Alabama (NPAA)
- 2022 D. O. McClusky, Leadership Alabama State Nurses Association (ASNA)
- 2020 Nurse State Award for Excellence, American Association of Nurse Practitioner (AANP)
- 2019 Individual Regulatory Excellence Award, Council on Licensure Enforcement and Regulation (CLEAR)
- 2019 State Board Excellence Award in Regulation, National Council State Boards of Nursing (NCSBN)

Questions?

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