

655—5.3(152) Continuing education — providers.

5.3(1) Board authority. The board derives its authority under Iowa Code chapter 272C to create requirements for becoming an approved provider and maintaining that status. The board also has the authority to develop an audit, a mechanism to verify compliance with criteria for approved providers.

5.3(2) Criteria for approved providers. The approved providers shall show evidence of capability to adhere to criteria indicative of quality continuing education activities for nurses.

a. Criteria related to appropriate subject matter. Appropriate subject matter for continuing education credits reflects the educational needs of the nurse learner and the health needs of the consumer. Subject matter is limited to offerings that are scientifically founded and predominantly for professional growth. The following areas are deemed appropriate subject matter for continuing education credit:

- (1) Nursing practice related to health care of patients/clients/families in any setting.
- (2) Professional growth and development related to nursing practice roles and designed to enhance the delivery of patient care and health service.
- (3) Sciences upon which nursing practice, nursing education, or nursing research is based, e.g., nursing theories and biological, physical, behavioral, computer, social, or basic sciences.
- (4) Social, economic, ethical and legal aspects of health care.
- (5) Management or administration of health care, health care personnel, or health care facilities.
- (6) Education of patients or their significant others, students, or personnel in the health care field.

b. Criteria related to operation of an approved continuing education providership. The provider shall:

(1) Have a consistent, identifiable authority who has overall responsibility for the operation of the providership and execution of the informal offerings who is knowledgeable in administration and has the capability to organize, execute, and evaluate the overall operations of the providership.

(2) Have an organizational chart to delineate lines of authority and communication within the providership as well as within the parent organization, if applicable, and other cooperative or advisory committees.

(3) Develop and implement a philosophy, goals and objectives consistent with the controlling institution, if applicable, which reflect the provider beliefs about nursing, education, and continuing education. These shall indicate the overall direction of the providership for a five-year period.

(4) Maintain financial integrity so that participants receive the continuing education for which they have paid.

(5) Maintain participant and program records as specified in paragraph “c” of this subrule.

(6) Demonstrate active nursing participation in the planning and administration of informal offerings. Nursing participation shall be documented in a written statement of policy, denotation on the organizational chart, and planning minutes.

(7) Select appropriate subject matter designed to fulfill the educational needs of nurses in order to meet the health care needs of consumers. Have a subject matter plan which indicates the mechanism of assessing the learning needs of the population to be served and describes how the provider shall meet the appropriate subject matter criteria as specified in subrule 5.3(2), paragraph “a,” subparagraphs (1) to (6).

(8) Demonstrate planning for each offering that includes a statement of purpose and measurable, educational objectives.

(9) Provide notification to licensees of the availability of informal offerings. A brochure or written advertisement shall be developed for all informal offerings other than learner designed self-study and a copy shall be sent to the board prior to each offering. The brochure or advertising shall accurately describe the activities by including the date, time, location, statement of purpose, educational objectives, intended audience, credentials of instructors, amount of continuing education credit to be awarded, and, if applicable, costs and items covered by the fee and refund policy. The board-approved provider number shall appear on the brochure or written advertisement.

(10) Structure program content and learning experience to relate to the stated purpose and objectives. Program content shall cover one topic or a group of closely related topics. Current, relevant, scientifically based supportive materials shall be used.

(11) Develop policies and procedures for verification of satisfactory completion of the activity by each participant including a system for verification of satisfactory completion, the control methods to ensure completion and a method to inform participants that completion of the offering is required prior to the award of credit. The provider shall not require exchanging an evaluation form for a certificate of completion. The provider may award credit to other members of the providership who attend but do not serve as organizers during the actual offering. The provider may make an exception and award partial credit in extreme emergency conditions. The provider may make an exception and award credit for the portion of time the speaker attended the offering excluding the presentation time; however, full credit may be awarded to a speaker who presents the offering for the first time. The provider may base the verification of satisfactory completion of an extended course on the participant's meeting the course objectives rather than on the number of sessions attended.

(12) Develop policies and procedures for management of continuing education programs including registration procedures, tuition refund, and enrollee grievances.

(13) Assign credit according to a uniform measure of credit as defined in subrule 5.2(2), paragraph "d." No credit shall be awarded for less than one contact hour or .1 CEU.

(14) If desired, cosponsor an offering provided by a nonapproved provider. When cosponsoring is done, the approved provider is responsible for assurance that all criteria in subrule 5.3(2) are met. A cosponsorship contract or letter of agreement shall delineate responsibilities of all parties, which includes the approved provider awarding the credit and maintaining the program and participant records. Cosponsoring is not acceptable for learner designed self-study.

(15) An approved provider shall notify the board within 30 days of changes in the administrative authority or address of the providership or the inability to meet the criteria.

c. Criteria related to record system and maintenance of continuing education programs. The provider shall:

(1) Maintain participant records for a minimum of four years from the date of program completion. The participant records shall include the name of licensee, license number, contact hours or CEUs awarded, offering titles, and dates of offerings. The record system shall provide for secure storage and retrieval of the participant records of continuing education. Secure storage shall include limiting employee access and describing security measures. Individual attendance and information regarding each offering shall be available within two weeks upon request from individual nurses or the board. If individual nurses are assessed a fee for this retrieval service, the fee shall be specified.

(2) Maintain program records for a minimum of four years from the date of program completion.

Program records for all informal offerings, other than learner designed self-study, shall include a brochure or advertising, roster of participants to whom credit was awarded, and a summary of the program including participant and provider evaluations. The provider shall maintain records for one informal offering which includes all required materials for renewal for approved providers as specified in subrule 5.3(4), paragraph "a," subparagraph (6).

Program records for learner designed self-study shall include the written agreement between the learner and provider, date of completion, and learner and provider evaluations.

(3) Furnish a certificate to each participant documenting the date the credit was earned. The front of the certificate shall display: participant's name, provider number, contact hours or continuing education units awarded, dates of the offering, subject matter taken, and a reminder to the participant to retain the certificate for four years. A certificate issued by electronic means must be a print-only file.

d. Criteria related to faculty of informal offerings. The faculty shall:

(1) Be current, knowledgeable, and skillful in the subject matter of the offering by having evidence of further education in the subject. Such education shall be acquired through course completion or an advance degree, experience in teaching in the specialized area within the three years preceding the offering, or six months' work experience in the specialized area within the three years preceding the offering.

(2) If applicable, be skillful in assisting a nurse in designing a learner designed self-study program by having experience or education in course design.

(3) Include a nurse if the subject matter is nursing or if it is learner designed self-study.

- (4) Encourage active participation of the nurse learners enrolled in the offerings.
 - (5) Utilize principles of adult education in teaching strategies.
 - (6) Utilize teaching methodologies appropriate to the subject, audience, and time allotment.
 - (7) Utilize current supportive materials by drawing from resources that are predominantly less than five years old unless the topic is of an historical nature.
 - (8) Not receive credit when teaching participants; however, an exception may be made as specified in subrule 5.3(2), paragraph “b,” subparagraph (11).
 - (9) Not receive credit for learner designed self-study from a provider which employs them in the regular administration of the providership.
 - e. Criteria related to evaluation of continuing education programs. The provider shall include:
 - (1) A design for participants to assess achievement of program objectives, faculty effectiveness, and teaching-learning methodologies, resources and facilities for each offering.
 - (2) Evaluation techniques to assess the effectiveness of each offering and plan for future offerings.
 - (3) A method of notifying the participants that the evaluation may be submitted directly to the board.
 - f. Additional criteria related to management of learner designed self-study for providers who wish to guide this type of education. The provider shall:
 - (1) Provide a written application process through which the learner describes the following:
 - Individual’s assessed need for the learning activity which meets the criteria related to appropriate subject matter found in this subrule, paragraph “a.”
 - Purpose for pursuing the learning activity.
 - Objectives clarifying the purpose and providing a description of expected learning outcomes in measurable, behavioral terms.
 - Learning experiences or activities detailed in a plan for achieving the behavioral objectives.
 - Learning resources identifying people, materials, and facilities to be utilized to achieve the purpose and objectives.
 - Timetable for completion of learning activities.
 - Method of evaluation to be used which ensures completion of the learning activities, the objectives, and the number of hours required.
 - (2) Provide a written agreement with the learner. The written agreement shall include:
 - The approved written application.
 - Cost and refund policy.
 - Number of contact hours to be awarded.
 - The board-approved provider number.
 - Signatures of the nurse learner and the faculty managing this learner designed self-study.
 - Date of the agreement.
 - (3) Provide an evaluation which indicates successful completion of the terms of the written agreement and the award of a certificate of completion.
- 5.3(3) Initial approval process for providers.** Initial approval is granted upon the submission of required materials and the determination by the board or its representative that the materials fulfill the criteria for approved providers specified in subrule 5.3(2).
- a. Upon request, the board office shall send an application to a potential provider which requires the submission of the following materials:
 - (1) Designation of the administrative authority and biographical information about the administrative authority.
 - (2) Organizational chart.
 - (3) Philosophy, goals and objectives.
 - (4) List of program offerings.
 - (5) Evidence of nursing participation.
 - (6) Plan on subject matter.
 - (7) A policy for record system and maintenance.
- A policy regarding the certificate and a sample of the certificate to be used.

A sample of a written agreement for learner designed self-study, if applicable.

(8) Policies and procedures for verification of satisfactory completion of an offering.

(9) A policy for registration procedures and tuition refund.

(10) A policy for the written advertisement.

(11) A policy regarding enrollee grievances.

(12) A policy regarding participant and provider evaluation.

(13) A policy regarding faculty selection.

(14) A policy regarding the use of the uniform measure of continuing education credit.

(15) Documents from a typical sample course offering. Documents for this offering shall include:

A narrative of the planning of the offering including evidence of nursing participation.

A sample brochure or advertising.

Content of course, e.g., topical outline.

Teaching-learning methodologies and supportive materials.

Bibliography.

A sample evaluation form for participant completion.

A sample evaluation form for provider completion.

(16) A policy for cosponsorship of offerings, if applicable, and a sample contract or letter of agreement.

b. Upon receipt of the completed application and two copies, a review is held by a committee.

(1) The committee is composed of at least three appointees of the board. The review is held at the board office within 60 days of receipt of the application.

(2) The review is based on the criteria as specified in subrule 5.3(2).

(3) If the submitted materials meet the requirements, the committee shall approve the provider for five years and issue a provider number. The approved provider shall be notified of the decision within two weeks of the committee review.

(4) If the committee finds submitted materials to be incomplete or unsatisfactory, it shall notify the provider applicant of the decision within two weeks of the committee review. The applicant is given the opportunity to meet the criteria with an additional review to be held within six weeks of receipt of the revised application materials at the board office.

(5) If the applicant is unable to meet the criteria within three committee reviews or one year from the receipt of the initial application at the board office, whichever comes first, the committee shall recommend nonapproval at the next regularly scheduled board meeting.

(6) Notice of this recommendation of nonapproval shall be provided to the applicant at least 30 days before the board meeting.

(7) The board shall make the final decision.

c. At any time the provider applicant disagrees with the committee's actions, the applicant may request board action. At this time the matter becomes a contested case and an evidentiary hearing as specified in Iowa Code chapter 17A shall be held by the board at its next regularly scheduled meeting.

(1) If the final decision of the board is approval, approval shall be granted up to five years and an approved provider number is issued. The applicant shall be notified of the decision within two weeks of the board's final decision.

(2) If the final decision of the board is a denial, the applicant shall be notified of the decision within two weeks of the board's final decision. Provisions for making a request for reconsideration and appeal are found in Iowa Code sections 17A.16 and 17A.19.

d. A provider applicant who has been denied approved provider status may apply no sooner than one year after denial to become an approved provider by starting the initial approval process specified in this subrule.

5.3(4) Reapproval process for approved providers. Reapproval is granted upon the submission of required materials and the determination by the board or its representatives that the materials fulfill the criteria for approved providers specified in this chapter.

a. The board shall send an application for reapproval to an approved provider six months before the expiration of the current approval. The completed application shall be submitted to the board office

no later than three months prior to the expiration of the current approval. The application requires submission of the following materials:

(1) Identification of the current administrative authority. The information shall include the name(s) and title(s) of the authority.

(2) Current table of organization. The table shall:

Delineate the administrative authority for the providership.

Define the line relationships within the providership as well as within the parent organization, if applicable.

Illustrate cooperative or advisory relationships, if applicable.

(3) Goals, philosophy, and objectives. These shall:

Be described in regard to accomplishments, strengths, and weaknesses during the approval period.

Indicate the overall direction of the providership for the next five-year period, taking into consideration the strengths and weaknesses of the providership.

(4) List of course offerings from the previous year.

(5) Explanation of changes. A new policy or procedure shall be submitted for each change made since the previous approval.

(6) Documents from a typical course offering. The following documents shall be included:

A narrative of the planning of the offering.

A brochure, advertising, or written agreement.

Content of course, e.g., topical outline.

Teaching-learning methodologies and supportive materials.

Bibliography.

Attendance record.

Participant evaluation form.

Summary of participant and provider evaluations.

A sample of the current participant evaluation form and certificate.

b. Upon receipt of the application for reapproval, a review shall be made by a board designee at the board office within 30 days of receipt of the application.

(1) The review is based on the criteria as specified in subrule 5.3(2).

(2) If the submitted materials meet the requirements, the designee shall issue a renewal of the approved provider status for a five-year period.

(3) If the submitted materials are incomplete or unsatisfactory, the designee shall notify the provider of the decision within two weeks of the committee review. The provider shall be given the opportunity to meet the criteria within 30 days of the receipt of the board office notification. If the provider is unable to meet the requirements, the designee shall recommend nonapproval at the next regularly scheduled board meeting.

(4) Notice of this recommendation of nonapproval shall be provided to the applicant at least 30 days before the board meeting.

(5) The board shall make the final decision.

(6) At any time the renewal applicant disagrees with the designee's actions, the applicant may request board action. At this time the matter becomes a contested case and an evidentiary hearing as specified in Iowa Code chapter 17A shall be held by the board at its next regularly scheduled meeting, when the board shall issue a final decision.

(7) If the final decision of the board is reapproval, approval shall be granted up to five years. The approved provider shall be notified of the decision within two weeks of the board's final decision.

(8) If the final decision of the board is denial, the reapproval applicant shall be notified of the decision within two weeks of the board's decision. Provisions for making a request for reconsideration and appeal are found in Iowa Code sections 17A.16 and 17A.19.

(9) A reapproval applicant who has been denied reapproval may apply no sooner than one year after denial to become an approved provider by starting the initial approval process specified in subrule 5.3(3).

5.3(5) *Audit of approved providers.* The board shall monitor approved providers for adherence to criteria as established in this chapter.

a. The board may order an audit of an approved provider or may audit as a result of a written complaint. A written complaint may be filed with the board against a provider for acts or omissions which indicate a failure to meet the criteria established in this chapter. If the complaint is in regard to a particular offering, it shall be filed within one month of the completion of the offering.

b. The board may revoke the approved provider status for willful or repeated failure to meet one or more of the criteria specified in subrule 5.3(2).

c. A notice of revocation shall be issued to the provider. The provider will have 30 days to request a hearing for reconsideration of revocation. If a request for hearing is not received within the 30 days, the revocation shall be considered final.

d. The hearing will be conducted by the board pursuant to 655—4.13(17A,147,152,272C).

e. A provider who wishes to request rehearing shall do so within 20 days from the date of receipt of decision. The provider shall submit a statement which shows cause why action should not have been taken by the board. This statement shall be acted upon by the board within 20 days.

f. A provider who wishes to appeal the sanction imposed by the board may do so pursuant to Iowa Code section 17A.19.

g. A provider whose approved provider status has been revoked shall no longer advertise that it is an approved provider. The provider number shall no longer be used or appear in brochures, advertisements, certificates, or other materials.

h. A provider whose approved provider status has been revoked shall maintain the records required in subrule 5.3(2) until four years after the last credit was granted or transfer the records to the custody of the board.

i. The board shall notify other states which have mandatory nursing continuing education of the revocation of the approved provider status and the reason(s) for withdrawal.

j. A provider whose approved provider status has been revoked may apply no sooner than one year after the withdrawal of approval to become an approved provider by the initial approval process described in subrule 5.3(3).

5.3(6) *Voluntary relinquishment of an approved providership.* An approved provider may voluntarily relinquish its provider number. If an approved provider does not submit the required materials for reapproval or is unable to be located by the board, by certified mail, the board will consider that the provider voluntarily relinquished its approved provider status effective with the return of the certified mail or as determined by the executive director. When the approved providership has been voluntarily relinquished, the provider shall discontinue providing continuing education that is acceptable for license renewal in Iowa.

a. The provider shall maintain the records required in subrule 5.3(2) until four years after the last credit was granted or transfer the records to the custody of the board.

b. The board shall notify other states which have mandatory nursing continuing education of the relinquishment of the approved provider status and the reason(s) for relinquishment.

c. The provider whose approved provider status has been voluntarily relinquished may apply to become an approved provider by starting the initial approval process specified in subrule 5.3(3).