ARKANSAS STATE BOARD OF NURSING

Enabling Laws

Act 82 of 14 A.C.A. §17-87-203 & 205

History and Organization

The "State Board of Nurse Examiners" was created by Act 128 of 1913. The Board is composed of thirteen members, appointed by the Governor, subject to confirmation by the Senate. The mission of the Arkansas State Board of Nursing is to protect the public and act as their advocate by effectively regulating the practice of nursing.

Statutory Responsibility & Primary Activities: Pursuant to A.C.A. §17-87-203, the Board of Nursing carries out the following responsibilities in the interest of public protection: (1) Cause the prosecution of persons violating the nurse practice act; (2) Employ personnel necessary for carrying out its functions; (3) Study, review, develop and recommend role levels of technical classes of nursing service and practice to state and federal health agencies and to public and private administrative bodies; (4) Prescribe minimum standards and approve curricula for educational programs preparing persons for licensure as registered nurses, advanced practice registered nurses, registered nurse practitioners, licensed practical nurses, licensed psychiatric technician nurses and preparing persons for certification as medication assistants; (5) Provide for surveys of such programs at such times as it deems necessary, or at the request of the schools; (6) Approve programs that meet the requirements of the law; (7) Deny or withdraw approval from educational programs for failure to meet prescribed standards; (8) Examine, certify, and renew the certifications of qualified applicants for medication assistants; (9) Examine, license and renew the licenses of duly qualified applicants for professional nursing, practical nursing, and psychiatric technician nursing; (10) License and renew the licenses of qualified applicants for registered nurse practitioner and advanced practice nursing; (11) Grant certificates of prescriptive authority to qualified advanced practice registered nurses; (12) Convene an advisory committee as provided for in the law. There are currently 54,816 licenses, 1,455 certificates and 558 temporary permits issued by the Board.

Advisory Board or Commission: A.C.A. §17-87-205 created a Prescriptive Authority Advisory Committee to assist the Board in implementing the provisions for prescriptive authority, which was authorized by Act 409 of 1995. This is a six (6) member multidisciplinary committee, which meets as needed to deal with prescriptive issues. A.C.A. §17-87-710 created a Medication Assistive Persons Advisory Committee to assist the Board in implementing the provisions of the medication assistant legislation passed in 2005. This is a six (6) member multidisciplinary committee also meets as needed to deal with issues related to medication assistants.

In addition, the Board has an advisory group comprised of directors of each nursing education program in the State. The Nurse Administrators of Nursing Education Programs (NANEP) is a sixty-three (63) member advisory group, composed of the deans of nursing education programs, which advises the Board on nursing educational issues in the State.



Agency Commentary

Receipts from license fees finance the Board of Nursing's operations. The Board is responsible for licensing, examination, endorsement, education and discipline of over 54,000 nurses and has sufficient revenue and fund balance to accommodate the requests described herein. In order to execute the Board's responsibilities and fulfill the public protection mission, the following change requests are imperative.

The Board of Nursing requests Base Level for the 2015 - 2017 Biennium plus the following Change Level requests:

Arkansas State Board of Nursing (ASBN) requests the title and grade for the Licensing Coordinator C113 be changed to Computer Operator C114 to allow ASBN to attract qualified personnel when advertising for the position since the current job description does not match the function of the position. The Agency also requests the addition of an ASBN Reinstatement Investigator C115, and an ASBN Program Coordinator C126. The number of investigations has doubled since 2008, and the need for additional disciplinary staff to support the work load is required to process investigations in a timely manner.

The online processing of examinations and endorsements has changed the process by which criminal background checks are paid. In the past, students could pay for their criminal background checks thru their school. Now that it is part of the online application for examinations and endorsements with the Board, these funds are no longer going thru the school but coming to the Board. ASBN is requesting an increase in the appropriation for FY16 and FY17 to be able to reimburse Information Network of Arkansas (INA) for the fees now being processed thru ASBN. The agency was granted a cash increase letter in the last biennium in order to pay the federal and state background checks, and respectfully requests the continuance of this ability for the next biennium.

ASBN is requesting \$73,699 in FY16 and \$51,265 in FY17 to cover projected increases in investigation expenses, building rent, airfare and to replace the agency vehicle which is more than 11 years old and is becoming unreliable and expensive to maintain.

The IT related expenses of \$60,850 in FY16 and \$52,500 in FY17 would allow the Board to purchase a new server and scanner and to cover expenses of equipment malfunction and replacement as needed. These items are included in the agency's IT Plan.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT AUDIT OF:

ARKANSAS STATE BOARD OF NURSING

FOR THE YEAR ENDED JUNE 30, 2013

Findings	Recommendations
None	None

State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2014

None

Employment Summary

	Male	Female	Total	%
White Employees	2	18	20	80 %
Black Employees	0	4	4	16 %
Other Racial Minorities	0	1	1	4 %
Total Minorities			5	20 %
Total Employees			25	100 %

Publications

A.C.A. 25-1-201 et seq.

	Statutory	Required for		# of	Reason(s) for Continued	Unbound Black & White Copies	Cost of Unbound Copies Produced
Name	Authorization	Governor	General Assembly		Publication and Distribution	Produced During the Last Two Years	During the Last
Annual Report	17-87-203(4)	Y	N	200	Statutory requirement and public information for workforce data	0	0.00

Department Appropriation Summary

Historical Data

Agency Request and Executive Recommendation

	2013-20	14	2014-20	15	2014-20	15			2015-20	16					2016-20	17		
Appropriation	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
286 Board of Nursing-Operations	2,443,016	27	2,594,259	27	2,592,281	27	2,588,744	27	2,831,113	29	2,822,770	29	2,590,092	27	2,801,677	29	2,793,334	29
2MA Nursing Education Workshops	21,042	0	35,000	0	35,000	0	35,000	0	35,000	0	35,000	0	35,000	0	35,000	0	35,000	0
56K Background Check Fee	195,525	0	156,750	0	156,750	0	156,750	0	192,500	0	192,500	0	156,750	0	192,500	0	192,500	0
58J Scholar Loans	70,100	0	236,691	0	387,065	0	236,691	0	236,691	0	236,691	0	236,691	0	236,691	0	236,691	0
Total	2,729,683	27	3,022,700	27	3,171,096	27	3,017,185	27	3,295,304	29	3,286,961	29	3,018,533	27	3,265,868	29	3,257,525	29
Funding Sources		%		%				%		%		%		%		%		%
Fund Balance 4000005	2,961,863	52.0	2,962,769	52.2	ĺ		2,656,656	49.1	2,656,656	49.1	2,656,656	49.1	2,616,777	48.7	2,338,658	45.9	2,347,001	46.0
Special Revenue 4000030	2,522,823	44.3	2,530,481	44.6			2,531,000	46.8	2,531,000	46.8	2,531,000	46.8	2,531,000	47.1	2,531,000	49.7	2,531,000	49.6
Cash Fund 4000045	207,766	3.6	186,106	3.3			223,200	4.1	223,200	4.1	223,200	4.1	223,200	4.2	223,200	4.4	223,200	4.4
Total Funds	5,692,452	100.0	5,679,356	100.0			5,410,856	100.0	5,410,856	100.0	5,410,856	100.0	5,370,977	100.0	5,092,858	100.0	5,101,201	100.0
Excess Appropriation/(Funding)	(2,962,769)		(2,656,656)				(2,393,671)		(2,115,552)		(2,123,895)		(2,352,444)		(1,826,990)		(1,843,676)	
Grand Total	2,729,683		3,022,700				3,017,185		3,295,304		3,286,961		3,018,533		3,265,868		3,257,525	

Variance in Fund Balance due to unfunded appropriation in 58J - Scholar Loans.

Agency Position Usage Report

	FY2012 - 2013 FY2013 - 2014									FY2014 - 2015							
Authorized		Budgete	d	Unbudgeted		Authorized				Unbudgeted		Authorized	Budgeted			Unbudgeted	% of
in Act	Filled	Unfilled	Total	Total	Authorized Unused	in Act	Filled	Unfilled	Total	Total	Authorized Unused	in Act	Filled	Unfilled	Total	Total	Authorized Unused
27	27	0	27	0	0.00 %	27	26	1	27	0	3.70 %	27	26	1	27	0	3.70 %

Appropriation: 286 - Board of Nursing-Operations **Funding Sources:** SBN - State Board of Nursing Fund

The State Board of Nursing is funded from the receipt of fees charged by the Agency, as authorized by Arkansas Code Annotated §17-87-306. The mission of the Board is to protect the public and act as their advocate by effectively regulating the practice of nursing.

Base Level Regular Salaries and Personal Services Matching include the continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases. The Base Level request for Regular Salaries includes board member stipend payments. The Base Level salary of unclassified positions reflects the FY15 line item maximum plus the previously authorized 2015 1% Cost of Living Adjustment.

This is the operations appropriation for the Board of Nursing and Base Level supports 27 full-time positions as well as maintenance and operation expenses totaling \$2,588,744 in FY16 and \$2,590,092 in FY17.

The Agency Change Level request totals \$242,369 in FY16 and \$211,585 in FY17 and includes the following increases:

- Regular Salaries and Personal Services Matching totaling \$107,820 each year to support two (2) positions: one (1) ASBN Program
 Coordinator (C126), and one (1) ASBN Reinstatement Investigator (C115), and to reclassify one (1) Licensing Coordinator position to a
 Computer Operator (C114). These positions will be used to conduct investigations and process disciplinary proceedings in a timely
 manner.
- Operating Expenses totaling \$74,588 in FY16 and \$79,865 in FY17 to provide for a rent increase of \$17,339 in FY16 and \$22,616 in FY17; \$27,249 each year for enforcement investigation expenses; and \$30,000 each year to convert agency documents into digital images. This change is compliant with the Agency's Information Technology (IT) Plan (page 17).
- Conference & Travel Expenses totaling \$1,400 each year to provide for additional airfare and conference related travel expenses.
- Capital Outlay totaling \$27,711 in FY16 to replace the agency vehicle as needed due to high mileage and/or maintenance costs. The vehicle will be used to conduct agency business and provide continuing education statewide.
- Technology related Capital Outlay totaling \$30,850 in FY16 and \$22,500 in FY17 to replace as needed a data server and scanner. This equipment provides critical support to agency operations.

The Technology related requests are documented in the Agency's Information Technology (IT) Plan (page 17).

The Executive Recommendation provides for Agency Request with following exceptions:

- The ASBN Program Coordinator (C126) position is recommended as a Regulatory Board Chief Investigator (C123).
- The ASBN Reinstatement Investigator (C115) position is recommended as an Administrative Analyst (C115).

The Executive Recommendation also provides for the Agency Request for Capital Outlay to replace aging, high mileage vehicles in accordance with A.C.A. §22-8-201 et seq., Automobile and Pickup Truck Acquisition Act, which establishes guidelines for automobile replacement.

Appropriation: 286 - Board of Nursing-Operations **Funding Sources:** SBN - State Board of Nursing Fund

Historical Data

Agency Request and Executive Recommendation

		2013-2014	2014-2015	2014-2015		2015-2016			2016-2017	
Commitment Iter	n	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	1,361,802	1,404,188	1,407,772	1,417,997	1,497,804	1,490,992	1,419,097	1,498,904	1,492,092
#Positions	_	27	27	27	27	29	29	27	29	29
Personal Services Matching	5010003	436,517	443,976	438,414	451,147	479,160	477,629	451,395	479,408	477,877
Operating Expenses	5020002	595,574	632,075	632,075	632,075	706,663	706,663	632,075	711,940	711,940
Conference & Travel Expenses	5050009	20,413	29,048	29,048	29,048	30,448	30,448	29,048	30,448	30,448
Professional Fees	5060010	11,800	57,477	57,477	57,477	57,477	57,477	57,477	57,477	57,477
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Refunds/Reimbursements	5110014	852	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Capital Outlay	5120011	16,058	26,495	26,495	0	58,561	58,561	0	22,500	22,500
Total		2,443,016	2,594,259	2,592,281	2,588,744	2,831,113	2,822,770	2,590,092	2,801,677	2,793,334
Funding Sources	;									
Fund Balance	4000005	2,611,463	2,691,270		2,627,492	2,627,492	2,627,492	2,569,748	2,327,379	2,335,722
Special Revenue	4000030	2,522,823	2,530,481		2,531,000	2,531,000	2,531,000	2,531,000	2,531,000	2,531,000
Total Funding		5,134,286	5,221,751		5,158,492	5,158,492	5,158,492	5,100,748	4,858,379	4,866,722
Excess Appropriation/(Funding)		(2,691,270)	(2,627,492)		(2,569,748)	(2,327,379)	(2,335,722)	(2,510,656)	(2,056,702)	(2,073,388)
Grand Total		2,443,016	2,594,259		2,588,744	2,831,113	2,822,770	2,590,092	2,801,677	2,793,334

FY15 Budget amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2013-2015 Biennium.

Change Level by Appropriation

Appropriation: 286 - Board of Nursing-Operations **Funding Sources:** SBN - State Board of Nursing Fund

Agency Request

	Change Level	2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	2,588,744	27	2,588,744	100.0	2,590,092	27	2,590,092	100.0
C01	Existing Program	180,874	2	2,769,618	107.0	158,440	2	2,748,532	106.1
C08	Technology	60,850	0	2,830,468	109.3	52,500	0	2,801,032	108.1
C10	Reclass	645	0	2,831,113	109.4	645	0	2,801,677	108.2

Executive Recommendation

	Change Level	2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	2,588,744	27	2,588,744	100.0	2,590,092	27	2,590,092	100.0
C01	Existing Program	172,531	2	2,761,275	106.7	150,097	2	2,740,189	105.8
C08	Technology	60,850	0	2,822,125	109.0	52,500	0	2,792,689	107.8
C10	Reclass	645	0	2,822,770	109.0	645	0	2,793,334	107.8
C14	Title Change	0	0	2,822,770	109.0	0	0	2,793,334	107.8

	Justification
C01	The Board requests two positions an ASBN Reinstatement Investigator C115, and an ASBN Program Coordinator C126. The number of investigations has doubled since 2008, and the need for additional disciplinary staff to support the work load is required to process investigations in a timely manner. The Arkansas State Board of Nursing requests appropriation in the amount of \$73,699 in FY16 and \$51,265 in FY17 to cover projected increases in investigation expenses, building rent, airfare, and to replace the agency vehicle which is more than 11 years old is becoming unreliable and expensive to maintain.
C08	IT related expenses of \$60,850 in FY2016 and \$52,500 in FY2017 is requested by the Board to cover expenses of IT equipment and to scan prior year documents into digital images. The IT equipment request is to add a scanner, a server and to replace IT equipment that has become obsolete. This request is included in the agency's IT Plan.
C10	ASBN requests the title and grade for the Licensing Coordinator C113 be changed to Computer Operator C114 to allow ASBN to attract qualified personnel when advertising for the position since the current job description does not match the function of the position.
C14	ASBN Reinstatement Investigator position is recommended as an Administrative Analyst.

Appropriation: 2MA - Nursing Education Workshops

Funding Sources: NNB - Cash in Treasury

The Board conducts Continuing Education Workshops as mandated by A.C.A. §17-87-207. Currently, the Board is conducting onsite workshops as well as online courses for nurses. Funding for this appropriation is from registration fees.

The Board is requesting Base Level appropriation of \$35,000 each year of the 2015-2017 Biennium.

The Executive Recommendation provides for Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation: 2MA - Nursing Education Workshops

Funding Sources: NNB - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

		2013-2014	2014-2015	2014-2015		2015-2016			2016-2017	
Commitment Iten	n	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	19,942	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	1,100	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		21,042	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000
Funding Sources										
Fund Balance	4000005	42,168	31,279		21,279	21,279	21,279	11,279	11,279	11,279
Cash Fund	4000045	10,153	25,000		25,000	25,000	25,000	25,000	25,000	25,000
Total Funding		52,321	56,279		46,279	46,279	46,279	36,279	36,279	36,279
Excess Appropriation/(Funding)		(31,279)	(21,279)		(11,279)	(11,279)	(11,279)	(1,279)	(1,279)	(1,279)
Grand Total		21,042	35,000		35,000	35,000	35,000	35,000	35,000	35,000

Appropriation: 56K - Background Check Fee

Funding Sources: NNB - Cash in Treasury

The appropriation allows the Board to continue online criminal background check services provided by Information Network of Arkansas (INA). The INA bills the Board \$22 for each state criminal background check and \$16.50 for each federal background check conducted online.

The Board is requesting Base Level appropriation of \$156,750 each year of the 2015-2017 Biennium.

The Agency's Change Level Request of \$35,750 each year is requested to process additional background checks as needed.

The Executive Recommendation provides for Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation: 56K - Background Check Fee **Funding Sources:** NNB - Cash in Treasury

Historical Data

Agency Request and Executive Recommendation

		2013-2014	2014-2015	2014-2015		2015-2016			2016-2017	
Commitment Iter	n	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	195,525	156,750	156,750	156,750	192,500	192,500	156,750	192,500	192,500
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		195,525	156,750	156,750	156,750	192,500	192,500	156,750	192,500	192,500
Funding Sources	3									
Fund Balance	4000005	14,692	1,287		0	0	0	35,750	0	0
Cash Fund	4000045	182,120	155,463		192,500	192,500	192,500	192,500	192,500	192,500
Total Funding		196,812	156,750		192,500	192,500	192,500	228,250	192,500	192,500
Excess Appropriation/(Funding)		(1,287)	0		(35,750)	0	0	(71,500)	0	0
Grand Total		195,525	156,750		156,750	192,500	192,500	156,750	192,500	192,500

Change Level by Appropriation

Appropriation: 56K - Background Check Fee

Funding Sources: NNB - Cash in Treasury

Agency Request

	Change Level	2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	156,750	0	156,750	100.0	156,750	0	156,750	100.0
C01	Existing Program	35,750	0	192,500	122.8	35,750	0	192,500	122.8

Executive Recommendation

Change Level		2015-2016 Pos		Cumulative	% of BL 2016-2017		Pos	Cumulative	% of BL
BL	Base Level	156,750	0	156,750	100.0	156,750	0	156,750	100.0
C01	Existing Program	35,750	0	192,500	122.8	35,750	0	192,500	122.8

Justification

In FY14 ASBN started making available examination and endorsement applications online. The criminal background checks are part of these applications. In the past, applicants could make payments for their criminal background checks thru their school. Now that the process is online, all those application fees are no longer going thru their school, but are now coming to ASBN. As we have phased out paper applications for online applications, the number of criminal background check applications coming to ASBN has increased dramatically. ASBN is requesting an increase in the appropriation for FY16 and FY17 to be able to reimburse Information Network of Arkansas (INA) for the fees now being processed thru ASBN.

Appropriation: 58J - Scholar Loans

Funding Sources: NNB - Cash In Treasury

This appropriation is used by the Board to provide loans to persons studying to become a registered or licensed practical nurse and nurse educator. In FY10, Act 656 of 2009 authorized the transfer of funds from the State Board of Nursing Fund and the Nursing Student Loan Revolving Fund for the loan program. The Board contracts with the Department of Higher Education to review applications.

The Board is requesting Base Level appropriation of \$236,691 each year of the 2015-2017 Biennium.

The Executive Recommendation provides for Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation: 58J - Scholar Loans Funding Sources: NNB - Cash In Treasury

Historical Data

Agency Request and Executive Recommendation

	2013-2014	2014-2015	2014-2015	2015-2016			2016-2017			
Commitment Item		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Nursing Student Loan Program	5900046	70,100	236,691	387,065	236,691	236,691	236,691	236,691	236,691	236,691
Total		70,100	236,691	387,065	236,691	236,691	236,691	236,691	236,691	236,691
Funding Sources	5									
Fund Balance	4000005	293,540	238,933	Ī	7,885	7,885	7,885	0	0	(
Cash Fund	4000045	15,493	5,643		5,700	5,700	5,700	5,700	5,700	5,700
Total Funding		309,033	244,576		13,585	13,585	13,585	5,700	5,700	5,700
Excess Appropriation/(Funding)		(238,933)	(7,885)		223,106	223,106	223,106	230,991	230,991	230,991
Grand Total	·	70,100	236,691		236,691	236,691	236,691	236,691	236,691	236,691

Expenditure of appropriation is contingent upon available funding.