

# STATEMENT OF SCOPE

## BOARD OF NURSING

Rule No.:     N 1    

Relating to:     Clinical Learning Experiences    

Rule Type:     Emergency and Permanent    

### 1. Finding/nature of emergency (Emergency Rule only):

Administrative rules require schools of nursing to provide patient experiences that occur in a variety of clinical or simulated settings of nursing practice, and limit simulation to no more than 50% of the time designated for meeting clinical learning requirements. The spread of COVID-19 and the resulting closures and safety precautions have severely limited the ability of schools to adhere to the limitation on simulation as a means for students to complete clinical learning requirements. An expeditious promulgation of the proposed rule is in the best interest of Wisconsin's economy and public welfare, as it will help ensure the opportunity for nursing students to graduate and begin a nursing career in Wisconsin is not delayed or denied.

### 2. Detailed description of the objective of the proposed rule:

The Board's primary objective is to promulgate an emergency rule that will temporarily suspend s. N 1.08 (5m) (b), which provides that simulation may not be utilized for more than 50% of the time designated for meeting clinical learning requirements.

The Board will also conduct a comprehensive review of ch. N 1, which will include evaluating how effectively simulation-based clinical learning is being utilized in schools of nursing under the Board's oversight and considering other models for clinical learning that are being developed. The Board may, as a result of this evaluation, revise the requirements for approval of schools of nursing under ch. N 1. These revisions may be included in the emergency rule, promulgated in a permanent rule, or both.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Section N 1.08 contains standards schools of nursing are required to meet, including a limitation on the amount of simulation that may be utilized to complete clinical learning requirements. If the rules are not updated to temporarily suspend this limitation, some nursing students may be unable to complete the clinical learning required for graduation. In addition, the Board will evaluate how effectively simulation-based clinical learning is being utilized in schools of nursing under the Board's oversight and consider other models for clinical learning that are being developed, and may as a result revise the requirements for approval of schools of nursing under ch. N 1.

### 4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board "[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . ."

Section 227.24 (1) (a), Stats., provides “[a]n agency may, except as provided in s. 227.136 (1), promulgate a rule as an emergency rule without complying with the notice, hearing, and publication requirements under this chapter if preservation of the public peace, health, safety, or welfare necessitates putting the rule into effect prior to the time it would take effect if the agency complied with the procedures.”

Section 441.01 (3), Stats., provides “[t]he board may establish minimum standards for schools for professional nurses and schools for licensed practical nurses, including all related clinical units and facilities, and make and provide periodic surveys and consultations to such schools. It may also establish rules to prevent unauthorized persons from practicing professional nursing. It shall approve all rules for the administration of this chapter in accordance with ch. 227.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

80 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Schools of nursing, nursing students, nursing school graduates, entities that hire or may hire nursing students and nursing school graduates, and individuals accessing health care services.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state’s economy as a whole.

**Contact Person:** Dale Kleven, (608) 261-2377, DSPSAdminRules@wisconsin.gov



---

Authorized Signature

August 17, 2020

---

Date Submitted