

21 NCAC 36 .0303 EXISTING NURSING PROGRAM

(a) All nursing programs that are governed by the rules in this Chapter may obtain national program accreditation by a nursing accreditation body as defined in 21 NCAC 36 .0120(30).

(b) Board action is based upon each program's performance and demonstrated compliance with the Board's requirements and responses to the Board's recommendations. The Board may, depending on the severity and pattern of violations of this Chapter, require corrective action for identified deficiencies, impose a monitoring plan, conduct a program survey, change program approval status, issue discipline, or close a program.

(c) Full Approval

(1) The Board shall review approved programs at least every eight years as specified in G.S. 90-171.40. Reviews of individual programs shall be conducted at shorter intervals upon request from the individual institution or as considered necessary by the Board. National accreditation self-study reports shall provide a basis for review of accredited programs.

(2) The Board shall send a written report of the review no more than 20 business days following the completion of the review process. Responses from a nursing education program regarding a review report or warning status as referenced in Paragraph (d) of this Rule shall be received in the Board office by the deadline date specified in the letter accompanying the report or notification of warning status. If no materials or documents are received by the specified deadline date, the Board shall act upon the findings in the review report and the testimony of the Board staff.

(3) If the Board finds a pattern of noncompliance with one or more rules in this Section, the Board may take action as outlined in Paragraph (b) of this Rule.

(d) Warning Status

(1) If the Board finds that a program is not complying with the rules in this Section, the Board shall assign the program warning status and shall give written notice by certified mail to the program specifying:

(A) the areas in which there is noncompliance;

(B) the date by which the program must comply with the rules in this Section. The maximum time for compliance shall be two years after issuance of the written notice; and

(C) the opportunity to schedule a hearing. Any request for a hearing regarding the program warning status shall be submitted to the Board. A hearing shall be afforded pursuant to the provisions of G.S. 150B, Article 3A.

(2) On or before the required date of compliance specified in Part (d)(1)(B) of this Rule if the Board determines that the program is complying with the rules in this Section, the Board shall assign the program full approval status.

(3) If the Board finds the program is not in compliance with the rules in this Section by the date specified in Part (d)(1)(B) of this Rule, the program shall remain on warning status, a review by the Board shall be conducted during that time and the Board shall either:

(A) continue the program on warning status; or

(B) withdraw approval, constituting a program closure consistent with Subparagraph (c)(3) of this Rule.

(4) Upon written request from the program submitted within 10 business days of the Board's written notice of warning status, the Board shall schedule a hearing at the next available meeting of the Board for which appropriate notice can be provided, or at a meeting of the Board that is scheduled by consent of the parties.

(5) If a hearing is held at the request of the program and the Board determines that the program is not in compliance with the rules in this Section, the program shall remain on warning status, a review by the Board shall be conducted during that time and the Board shall either:

(A) continue the program on warning status; or

(B) withdraw approval, constituting program closure consistent with Subparagraph (c)(3) of this Rule.

History Note: Authority G.S. 90-171.23(b); 90-171.38; 90-171.39; 90-171.40; Eff. February 1, 1976; Amended Eff. December 1, 2016; August 1, 2011; July 3, 2008; March 1, 2006; January 1, 2004; June 1, 1992; January 1, 1989; Readopted Eff. January 1, 2019.