



Washington State Board of Nursing

Education Subcommittee Meeting Minutes

Tuesday, September 3, 2024 at 9:00am-10:00am

Committee Members:

Kim Tucker PhD, RN, CNE, Chair
Ajay Mendoza PhD, CNM, ARNP, CM
Norma Perez, M.Ed, CM
Julie Benson MHA, MN, RN, CNE, Pro Tem
Patty Cochrell, MBA, RN, NE-BC, Pro Tem
Fionnuala Brown, DNP, MSN, FNP-C, RN, Pro
Tem
Helen Myrick, Public Member (Ad-HOC)
Tracy Rude, LPN Member (Ad-HOC)

Staff:

Alison Bradywood, DNP, MN/MPH, RN, NEA-BC, Executive Director
Gerianne Babbo, EdD, MN, RN, Director of Nursing Education
Sarah Bear, EdD, MSN, RN, Nursing Education Consultant
Kathy Bay, PhD, MN, RN, Nursing Education Consultant
Margaret Holm, JD, RN Nursing Education Consultant
Practice Sara Kirschenman, WABON Attorney
Anita Nath, WABON Attorney
Judy Soeum, BA, Health Services Consultant

12:00 PM Opening – Kim Tucker Chair Call to Order

- Introductions
- Public Disclosure Statement
- Roll Call

1. Standing Agenda Items

a. Announcements

- None

b. Old Business

- None

c. New Business

- Discussion of Limiting NCLEX Attempts- Dr. Alison Bradywood

Ending Items

- Public Comments
- Date of Next Meeting: TBD
- Adjournment

New Business

Discussion of Limiting NCLEX Attempts:

Presentation by Dr. Alison Bradywood:

Prior to 2007, Washington limited attempts to 2 years post-graduation or 3 attempts, whichever came first.

Operation Nightingale was noted as one impetus for this discussion.

The FBI opened Operation Nightingale investigation looking at information from 2016.

As of 2023, at least 7600 fraudulent diplomas have been issued nationwide.

As of 2024, 19 programs have been identified and the list continues to grow.

One additional consideration for the discussion was Washington has entered the Nurse Licensure Compact. Transcripts are not reviewed for those practicing in Washington with a Multistate License (MSL).

Transcripts are reviewed for all initial applications to Washington and for single state endorsements when from unfamiliar education programs.

One possible way to protect patients and limit licensure if an individual has not attended a nursing program that provides adequate nursing education would be to limit testing time or limit the number of testing attempts.

Limiting may deter those with fraudulent transcripts from testing in Washington but since other states have unlimited attempts at this point in time, applicants may shop around and test elsewhere. Limiting testing in Washington could have minimal impact as a single state at this point.

NCSBN 2022 NCLEX Attempt Data presented.

NCSBN 2022 NCLEX Nightingale Attempt Data presented.

Data from other states presented.

Remediation approach used by other states discussed.

Subcommittee comment: Could applicants state what school they attended then if from a legitimate school, the applicant would have unlimited attempts but if from a Nightingale identified school, limited attempts? Is there data addressing the pass rates after remediation?

Recommendations for the Subcommittee to consider:

1. Washington limits testing by time from graduation?
2. Washington limits testing by number of attempts?
3. Remediation: ATI/Kaplan or individualized plan.

Note: Nightingale data hasn't been shared widely yet so other states may make changes when fully informed with the data.

Subcommittee Discussion:

- Unintended impacts to students with test anxiety?
- With unlimited number of attempts does the person testing retain the knowledge over time to be able to pass NCLEX? Wouldn't there be a decreased knowledge base?
- Remediation comment: If mandated, but a financial burden on the people who are trying to be licensed as products are not cheap.
- Focused on licensed nurses, but does this include CNAs?
Response: No – LPN and RN discussion today.
- Test anxiety – Would need a process in place for student to prove they have test anxiety and had accommodations such as extended testing time. Is there a way to have a different process for single state vs multistate? Maybe don't limit the number of attempts but at 3 or 5 attempts (for example), would trigger remediation but could keep testing. It was noted that current process does allow those with accommodation during the nursing program to have the accommodation recognized during the NCLEX.
- With MSL, only as strong as weakest link, so shopping students will find a state to test. What are other states in compact going to do?
- Is there data on the sweet spot for allowing testing attempts related to the number of years out of school? Could there be different rules for those graduating from Washington schools than from out of state schools? Does NCSBN have best practices to share?
- Are any states limiting the number of attempts and the time from graduation?
Dr. Bradywood provided names of a handful of states.

Public Comment:

- Excited about the conversation. Students challenged with test taking is a concern. Operation Nightingale/fraudulent schools presentation supports this as a relevant topic for consideration. If limit time or the number of attempts, would there be state funds students could access to help with remediation costs? Or possibly schools who offer remediation?

- Interesting there isn't a lot of research on the topic. It would be helpful to have additional data from other states in relation to the decision. It's interesting that the focus is on MSL and Nightingale, but not necessarily connected with disciplinary issues WABON has seen. There was concerns about the financial impact for students with required remediation.

Subcommittee Discussion of Recommendations:

How do other disciplines address this issue in Washington? Physical Therapy can test up to 6 times, Physicians and Pharmacists up to 3 times.

1. Washington limits testing by time from graduation?
2. Washington limits testing by number of attempts?
3. Remediation: ATI/Kaplan or individualized plan.

Discussion included the following:

- Newness of the topic and the lack of available data;
- The role of WABON in protection of the public;
- The need to be inclusive and equitable and consider resources for students who may need them;
- The difficulty with defending protection of the public with the current process (lack of limits to number or years from graduation and lack of limits to number of attempts); and
- Consideration of timeliness of receiving testing dates.

Education Subcommittee recommendation to WABON:

Open the rulemaking process at the Sept 13, 2024, meeting to set limits on NCLEX testing.

Meeting adjourned at 9:55am