

# California Code of Regulations

## Title 16, Division 14, Article 5. Continuing Education

California Department of Consumer Affairs

Board of Registered Nursing

### 1450. Definitions.

(a) For purposes of this Article:

(1) "Continuing Education" means the variety of forms of learning experiences, including, but not limited to, lectures, conferences, academic studies, in service education, institutes, seminars, workshops, extension studies, and independent/home study programs undertaken by registered nurses for relicensure. These learning experiences are meant to enhance the knowledge of the registered nurse in the practice of nursing in direct and indirect patient care.

(2) "Course" means a systematic learning experience, at least one hour in length, which deals with and is designed for the acquisition of knowledge, skills, and information in direct and indirect patient care.

(3) "Content Relevant to the Practice of Nursing" means content related to the development and maintenance of current competency in the delivery of nursing care as specified in Section 1456.

(4) "Independent/Home Study Courses" means continuing education courses offered for individual study by an approved provider.

(5) "Hour" means at least fifty (50) minutes of participation in an organized learning experience;

(6) "Approved Providers" means those individuals, partnerships, corporations, associations, organizations, organized health care systems, educational institutions, or governmental agencies offering continuing education as approved by the Board.

### 1451. License Renewal Requirements.

(a) Pursuant to Section 2811 of the Code, each licensee shall pay the renewal fee and submit proof, satisfactory to the Board that during the preceding renewal period or preceding two years, the licensee has started and successfully completed thirty (30) hours of continuing education approved by the Board.

(b) In Lieu of submitting such proof, the licensee may take and must successfully complete an examination given by the Board and designed to test current knowledge in the registered nursing field. A licensee who fails the examination must successfully complete thirty (30) hours of continuing education approved by the Board before his/her active license can be renewed. The examination may not be repeated within any one renewal cycle.

(c) Licensees shall submit proof to the Board of successful completion of the required number of approved continuing education hours by signing a statement under penalty of perjury, indicating compliance and agreeing to supply supporting documents on request.

(d) Licensees shall not be allowed to claim partial credit for a continuing education course, however, instructors who participate in a part of

an offering may receive full credit if the total offering is attended.

(e) Licensees shall keep the certificates or gradeslips from academic institutions pursuant to Section 1458(b)(7) for four years from the date they complete approved continuing education courses and must submit such certificates or gradeslips to the Board when requested.

### 1451.1. Expiration of Licenses.

(a) Licenses issued by the Board will expire unless renewed. To renew a license, the applicant shall submit proof, satisfactory to the Board of completion of thirty (30) hours of continuing education and shall pay the renewal fee.

(b) A licensee who participates in and successfully completes a continuing education course which overlaps a renewal period may apply the credit earned for the renewal period in which the course ends.

(c) An expired license may, within eight years of the date of expiration, be reinstated by the Board if the applicant meets the requirements of Section 2811 of the Code and is otherwise eligible to obtain a reinstatement, and if the applicant meets the requirements set forth in Section 1419.3.

### 1451.2. Continuing Education Courses.

(a) Continuing Education course credit may be given for the following continuing education courses:

(1) Courses offered by an approved Provider as specified in Section 1454. In addition to classroom courses, courses may be designed by an approved Provider for participation in activities which include nursing practice, publishing and/or research, provided that such courses meet the requirements of Section 1456.

(2) Out of state courses which have been approved for voluntary or mandatory continuing education by Registered Nurse licensing agencies of other states and/or state nurses' associations, as well as offerings by nationally recognized health associations and/or their regional subdivisions provided that such courses meet the requirements of Section 1456.

\* (3) Out of state academic courses in an accredited post-secondary institution which are related to the specific knowledge and/or technical skills required for the practice of nursing.

(4) Other courses as may be approved by the Board at its sole discretion.

\* Minimum requirement is regional accreditation.

### 1452. Exemption from Continuing Education Requirements.

(a) During the first two years immediately following initial licensure in California or other jurisdictions, licensees shall be exempt from

completion of the continuing education requirements specified in Section 1451.

(b) At the time of making application for renewal, an applicant may request exemption from continuing education requirements if:

(1) The licensee is requesting inactive status for the license; or

(2) The licensee can show evidence, satisfactory to the Board that

(A) he or she has been employed overseas for a period of one (1) year or more, or a resident overseas for a period of one (1) year or more and currently employed; or

(B) he or she is employed by a Federal Institution or Agency or one of the Military Services (USA), where that person is practicing nursing outside of the State of California on a California license, or

(C) he or she has had hardship of one or more years' duration, if

1. there is a total physical disability for one (1) year or more and verification of readiness or ability to return to work; or

2. there is a total disability of a member of the immediate family for whom licensee has total responsibility for one (1) year or more.

### 1453. Falsifying Renewal Application.

A licensee who falsifies or makes a material misrepresentation of fact on a renewal application will be subject to disciplinary action as provided for in Section 2750 of the Business and Professions Code.

### 1454. Approved Providers.

(a) For the purpose of this Article, the title "approved provider" can only be used when an individual, partnership, corporation, association, organization, organized health care system, educational institution or governmental agency, having committed no act which would lead to disciplinary action pursuant to Section 1459.1, has submitted a provider application on forms supplied by the Board, remitted the appropriate fee and has been issued a provider number.

(b) An individual, partnership, corporation, association, organized health care system, governmental agency, educational institution and other organizations may be issued only one provider number; provided, however, that any autonomous entity within such organization may be issued one provider number.

(c) An approved provider shall have a written and published policy, available on request, which provides information on:

(1) refunds in cases of non-attendance

(2) time period for return of fees

(3) notification if course is canceled.

(d) The approved provider is required to accept full responsibility for each and every course, including, but not limited to recordkeeping, advertising course content as related to Board standards, issuance of certificates and instructor qualifications. When two or more providers co-sponsor a course, only one provider number shall be used for that course and that provider must assume full responsibility for recordkeeping, advertising course content as related to Board standards, issuance of certificates and instructor(s) qualifications.

(e) Providers may not grant partial credit for continuing education.

(f) Approved providers shall keep the following records for a period of four years in one location within the State of California, or in a place approved by the Board:

- (1) course outlines of each course given
- (2) record of time and places each course given
- (3) course instructor vitae or resumes
- (4) name and license number of registered nurses taking any approved course and a record of any certificate issued to them.

(g) Approved providers must notify the Board, within thirty (30) days, of any changes in organizational structure of a provider and/or the person(s) responsible for the provider's continuing education course(s), including name and address changes.

(h) Provider approval is non-transferable.

(i) The Board shall audit records, courses, instructors and related activities of a provider.

#### **1455. Continuing Education Hours.**

The Board will accept hours of approved continuing education on the following bases:

- (a) Each hour of theory shall be accepted as one hour of continuing education.
- (b) Each three hours in course-related clinical practice will be accepted as one hour of continuing education.
- (c) Courses less than one (1) hour in duration will not be approved.
- (d) One (1) CEU (continuing education unit) is equal to ten (10) continuing education contact hours.
- (e) One (1) academic quarter unit is equal to ten (10) continuing education hours.
- (f) One (1) academic semester unit is equal to fifteen (15) continuing education hours.

#### **1456. Continuing Education Courses.**

The content of all courses of continuing education must be relevant to the practice of nursing and must:

- (a) be related to the scientific knowledge and/or technical skills required for the practice of nursing, or
- (b) be related to direct and/or indirect patient/client care.

(c) Learning experiences are expected to enhance the knowledge of the Registered Nurse at a level above that required for licensure. Courses related to the scientific knowledge for the practice of nursing include basic and advanced courses in the physical, social, and behavioral sciences, as well as advanced nursing in general or specialty areas. Content which includes the application of scientific knowledge to patient care in addition to advanced nursing courses may include courses in related areas, i.e., human sexuality; death, dying, and grief; foreign languages (conversational); therapeutic interpersonal relationship skills; pharmacology; and those related to specialty areas of nursing practice.

Courses in nursing administration, management, education, research, or other functional areas of nursing relating to indirect patient/client care would be acceptable.

Courses which deal with self-improvement, changes in attitude, financial gain, and those courses designed for lay people are not acceptable for meeting requirements for license renewal.

#### **1457. Instructor Qualifications.**

(a) It is the responsibility of each approved provider to use qualified instructors.

(b) Instructors teaching approved continuing education courses shall have the following minimum qualifications:

(1) The registered nurse instructor, shall

(A) hold a current valid license to practice as a registered nurse and be free from any disciplinary action by this Board, and

(B) be knowledgeable, current and skillful in the subject matter of the course as evidenced through:

1. holding a baccalaureate or higher degree from an accredited college or university and validated experience in subject matter; or
2. experience in teaching similar subject matter content within the two years preceding the course; or
3. have at least one year's experience within the last two years in the specialized area in which he/she is teaching.

(2) The non-nurse instructor, shall

(A) be currently licensed or certified in his/her area of expertise if appropriate, and

(B) show evidence of specialized training, which may include, but not be limited to a certificate of training or an advanced degree in given subject area, and

(C) have at least one year's experience within the last two years in the practice of teaching of the specialized area in which he/she teaches.

(3) Nothing in this Section exempts an individual from the legal requirements of the California Nursing Practice Act.

#### **1458. Course Verification.**

(a) Approved providers shall issue a document of proof, i.e., gradeslip, or transcript to each licensee to show that the individual has met the established criteria for successful completion of a course.

(b) A certificate or diploma documenting successful completion shall contain the following information:

- (1) Name of student and registered nurse license number or other identification number.
- (2) Course title.
- (3) Provider name (as approved by the Board), address, and provider number.
- (4) Date of course.
- (5) Number of continuing education contact hours.
- (6) Signature of instructor and/or provider, or provider designee.
- (7) This document must be retained by the licensee for a period of four years after the course concludes.

(c) Course verification must be issued within a reasonable length of time after the completion of the course, not to exceed ninety days.

#### **1459. Advertisement.**

Information disseminated by approved providers publicizing continuing education shall be true and not misleading and shall include the following:

1. The statement "Provider approved by the California Board of Registered Nursing, Provider Number \_\_\_\_ for \_\_\_\_ contact hours."
2. Provider's policy on refunds in cases of non-attendance by the registrant.
3. A clear, concise description of the course content and/or objectives.
4. Provider name as officially on file with the Board.

#### **1459.1. Withdrawal of Approval.**

(a) The Board may withdraw its approval of a provider or deny a provider application for causes which include, but are not limited to, the following:

(1) Conviction of a felony or any offense substantially related to the activities of a provider.

(2) Failure to comply with any provision of Chapter 6, Division 2, of the Business and Professions Code and/or Chapter 14 of Title 16 of the California Code of Regulations.

(b) Any material misrepresentation of fact by a continuing education provider or applicant in any information required to be submitted to the Board is grounds for withdrawal of approval or denial of an application.

(c) The board may withdraw its approval of a provider after giving the provider written notice setting forth its reason for withdrawal and after affording a reasonable opportunity to be heard by the board or its designee after thirty (30) days written notice of the specific charges to be heard.

(d) Should the BRN deny the provider approval, applicant has the opportunity to formally appeal the action to the Board within a thirty (30) day period.