

OFFICE OF THE SECRETARY OF STATE  
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SECRETARY OF STATE  
  
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DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION  
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## NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 851  
**BOARD OF NURSING**

**FILED**

04/24/2025 9:11 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Division 51 - alignment with statutes, rules incorporated into Division 21 to improve accessibility

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/21/2025 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

CONTACT: Brandy Ritter  
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17938 SW Upper Boones Ferry Rd  
Portland, OR 97224

Filed By:  
Brandy Ritter  
Rules Coordinator

### HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 05/20/2025

TIME: 11:00 AM

OFFICER: Brandy Ritter

### REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 253-215-8782

CONFERENCE ID: 83283075700

### SPECIAL INSTRUCTIONS:

Meeting URL: <https://us06web.zoom.us/j/83283075700>

Meeting ID: 832 8307 5700

One tap mobile

+12532158782,,83283075700#

Presenters: Only those registered to provide testimony will be called to present comments.

To register to testify for this hearing, please contact: [brandy.ritter@osbn.oregon.gov](mailto:brandy.ritter@osbn.oregon.gov) at least 24 hours prior to the start of the hearing and provide name, address, and affiliation (This is required per OAR 137-001-0030).

Presenters may also register at the beginning of the hearing but are encouraged to pre-register to reserve time during the hearing for the presentation of testimony.

Each presenter will have 3 minutes to testify. Be prepared to summarize your comments to fit within the allotted time.

The hearing will close no later than 12:00 PM and may close earlier if all individuals that have registered to testify have had the opportunity to enter their comments into the record.

Submit Written Comments: Via email: [brandy.ritter@osbn.oregon.gov](mailto:brandy.ritter@osbn.oregon.gov).

All written comments and materials must be received by the close of the comment period on May 21, 2025 at 5:00 PM. Late comments will not be reviewed or considered.

For accommodations or questions, please contact the OSBN Rule Coordinator at least 72 hours prior to the hearing.

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#### NEED FOR THE RULE(S)

The rules identified are proposed for repeal.

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#### DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

OAR 851-051; <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3934>

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#### STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

There is no anticipated impact on racial equity in the state following the repeal of these rules.

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#### FISCAL AND ECONOMIC IMPACT:

No fiscal or economic impact is anticipated regarding the proposed rule repeals.

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#### COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

There is no anticipated cost of compliance associated with the proposed rule repeals.

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#### DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

No involvement with small businesses

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#### WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

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#### RULES PROPOSED:

851-051-0020, 851-051-0030, 851-051-0040, 851-051-0050

REPEAL: 851-051-0020

**RULE SUMMARY:** Language has been updated to align with statutes. These rules have been incorporated into Division 21 to improve accessibility by having all the education rules in one division for institutions wishing to establish a nursing education program.

#### CHANGES TO RULE:

~~851-051-0020~~

~~Oregon-based Educational Programs Requirements for Board Approval~~

The Board's curriculum and faculty standards for all Oregon-based advanced practice registered nurse (APRN) programs are as follows:¶¶

(1) Educational programs preparing APRNs must be nationally accredited by a nursing program accrediting body approved by the United States Department of Education (USDE). For the purpose of licensure, students who graduate from a program which was accredited at the time of their completion must be considered to have graduated from an accredited program regardless of the current program status. The Board retains the authority to access and review all accreditation documents and the option to participate simultaneously in the accrediting survey.¶¶

(2) The curriculum content must contain theory and clinical experience in the APRN role and population focus specified in OAR 851-055-0020 preparing graduates to meet all competencies within the scope including graduate level courses encompassing concepts in:¶¶

(a) Advanced health assessment which includes assessment of all human systems, advanced assessment techniques, concepts and approaches;¶¶

(b) Advanced physiology and pathophysiology, including general principles that apply across the lifespan;¶¶

(c) Advanced pharmacology, which includes pharmacodynamics, pharmacokinetics and pharmacotherapeutics of all broad categories of agents;¶¶

(d) Health promotion, health maintenance, differential diagnosis and management of diseases across all practice settings appropriate to program focus; and¶¶

(e) Basic understanding of the principles of independent decision making in the identified role.¶¶

(3) The curriculum content requirements will be applicable for all graduates of the APRN education programs as of:¶¶

(a) June 30, 2015 for clinical nurse specialist (CNS) graduates¶¶

(b) January 1, 2015 for certified registered nurse anesthetist (CRNA) graduates¶¶

(c) January 1, 1996 for nurse practitioner (NP) graduates¶¶

(4) All nursing faculty in a program preparing the nurse for licensure as an APRN must have an unencumbered RN license. If the educational institution is a member of the NC-SARA, an unencumbered RN license in the state where clinical practicums will be completed is required.¶¶

(5) The Board's additional requirements for an APRN program are as follows:¶¶

(a) The Dean or Director of the Educational Institution Nursing Program who provides one or more APRN programs or tracks must:¶¶

(A) Be accountable to the Board of Nursing for identification and appointment of qualified nurse administrators, educators and preceptors.¶¶

(B) Ensure each program or track within a program which prepares an APRN has a program administrator or designee with defined position responsibility for curricular design and implementation and program evaluation;¶¶

(C) Ensure the program administrator or designee is an Oregon licensed APRN.¶¶

(b) Qualifications of the APRN with administrative responsibilities for direct oversight of one or more APRN programs or tracks must include:¶¶

(A) An active unencumbered Oregon APRN state license;¶¶

(B) National certification in the same APRN role as the program for which they have direct oversight with the exception of a CNS for whom there is no national certification;¶¶

(C) An earned doctoral degree and experience related to the scope and content of the APRN program;¶¶

(D) Educational preparation and experience in teaching and learning principles for adult education, including curriculum development and administration, and at least five years of APRN clinical experience which meets Oregon's practice requirements.¶¶

(c) Duties of the APRN with administrative responsibilities in (5)(b):¶¶

(A) Ensuring the program has course requirements to meet the objectives of the program to prepare APRNs for independent practice including, if applicable, the requirements for prescribing and dispensing medication;¶¶

(B) Providing evidence of oversight for student supervision by an APRN qualified in that specific program's population focus and spheres of impact necessary at this level.¶¶

(C) Ensure the following criteria are met by the program:¶¶

(i) Adherence to applicable federal and state laws;¶¶

(ii) Appropriate informational resources for the attainment of program objectives;¶¶

(iii) Assessment of clinical application of didactic content;¶¶

(iv) Specific learning assessments used to determine successful completion;¶¶

(v) Student faculty ratios sufficient to meet program goals and objectives;¶¶

(vi) Providing leadership and accountability for the administration, planning, implementation and evaluation of the program;¶¶

(vii) Input to the program budget;¶¶

(viii) Facilitating faculty recruitment, development, performance review, promotion and retention;¶¶

- (ix) Confirming cooperative agreements with clinical practice sites are current.¶
- (x) Provide a process for the evaluation of clinical site preceptors, and;¶
- (xi) At the request of the Board, provide documents evaluating the clinical site preceptors.¶
- (d) Qualifications of APRN faculty must include:¶
  - (A) A current active unencumbered Oregon state RN and APRN license and¶
  - (B) An earned doctoral degree in nursing; or¶
  - (C) A master's degree with a major in nursing; and¶
  - (D) Two years of clinical experience as an APRN with full scope of practice; and¶
  - (E) Current knowledge, competence, and state license as an APRN in the population foci consistent with teaching responsibilities; or¶
- (i) National Board Certification and¶
- (ii) A minimum of 400 practice hours in the previous two years in the population foci consistent with teaching responsibilities.¶
- (e) Duties of APRN faculty must include: ¶
  - (A) Assessment of Academic and Course Progression; ¶
    - (i) Program faculty or contracted clinical evaluator must assess a student's individual course progression by remote use technology through videoconferencing or a physical, on-site visit to the Oregon clinical site; and¶
    - (ii) Must hold an unencumbered Oregon APRN license relative to the student's specialty track or within the population experiences congruent to the student's specialty track. ¶
  - (B) Addressing clinical competency concerns when a program receives reports from the preceptor or student regarding the student's inability to obtain course objectives. The program faculty or clinical evaluator must include the following activities: ¶
    - (i) Perform additional site visits in Oregon; and ¶
    - (ii) Observe a student's interaction with an Oregon client; and ¶
    - (iii) Review evidence of student documentation of client care to determine if the student is meeting the course outcomes; or ¶
    - (iv) Observe student progress in high fidelity simulation at the program home campus ¶
- (f) Non APRN Faculty who teach courses must have: ¶
  - (A) At least two years of experience in the content area; ¶
  - (B) Educational preparation congruent with program content; ¶
  - (C) If applicable or required by the course description, licensure in the appropriate specialty congruent with course content. ¶
- (g) Qualifications of the clinical preceptors for APRN programs: ¶
  - (A) For programs preparing NPs and CNSs, the preceptor must be licensed as an APRN, MD, DO, PA, Clinical PharmD, or other allied health professional as appropriate. ¶
  - (B) For CRNA programs, the student must be precepted by either another CRNA or an Anesthesiologist. ¶
  - (C) Clinical qualification and state licensure or certification for the state in which the practicum is located; ¶
  - (D) A minimum of 2080 hours of licensed practice. For CRNA programs, this qualification applies to the director of the service contracted with the program to provide clinical preceptorship. ¶
  - (E) For NP and CNS programs, a written agreement must be between the agency, the preceptor and the clinical program. The written agreement must outline learning objectives and preceptor responsibilities to include: ¶
    - (i) The student to individual preceptor ratio must not be greater than 2:1 at any time; ¶
    - (ii) The clinical practicum may include interprofessional independent practitioner preceptors; ¶
  - (F) For CRNA programs, a written agreement must be between the agency and the clinical program rather than an individual preceptor. ¶
  - (G) Complete program's preceptor guidelines via manuals, electronic media, workshops or online learning; ¶
  - (H) Immediately disclose to the educational program if the subject of a Board investigation. ¶
- (h) APRN students in their clinical learning experience, must hold a current unencumbered RN license in state(s) that correspond to their practicum placement(s).

Statutory/Other Authority: ORS 678.150, ORS 678.285, ORS 678.372, ORS 678.380

Statutes/Other Implemented: ORS 678.150, ORS 678.285, ORS 678.372, ORS 678.380

REPEAL: 851-051-0030

RULE SUMMARY: Language has been updated to align with statutes. These rules have been incorporated into Division 21 to improve accessibility by having all the education rules in one division for institutions wishing to establish a nursing education program.

CHANGES TO RULE:

851-051-0030

Approval of a New Oregon Based APRN Educational Program

Any university or college wishing to establish an APRN education program that prepares students for APRN licensure must submit a letter of intent and application to the Board at least one year before proposed enrollment of students.¶¶

(1) The following information must be included with the initial letter of intent along with supporting documentation:¶¶

(a) Purpose for establishing the nursing education program;¶¶

(b) State needs and studies made as the basis for establishing a nursing education program;¶¶

(c) Type of program including clear identification of proposed licensure role, degree awarded and population foci for graduates;¶¶

(d) Accreditation status, relationship of educational program to parent institution;¶¶

(e) Financial provision for the educational program;¶¶

(f) Potential student enrollment;¶¶

(g) Provision for qualified faculty;¶¶

(h) Proposed program physical facilities;¶¶

(i) Proposed time schedule for initiating the program. If initial approval is denied, the applicant may request a hearing before the Board and the provisions of the Administrative Procedures Act must apply.¶¶

(j) Exit level for an APRN program must be a Board-approved clinical nursing doctorate for:¶¶

(A) CNS programs: by January 1, 2031¶¶

(B) NP programs: by January 1, 2025¶¶

(C) CRNA programs: by January 1, 2025¶¶

(k) The Board, after timely review and consideration of the information contained in the letter of intent and any supplementary information, must either grant or deny permission to begin development of a program, including rationale for the decision in the notification to the program.¶¶

(l) The Board must provide notice to the nurse administrator and academic administrator of all existing Oregon APRN programs within 30 days of development approval. The existing programs must submit information to the Board regarding the impact of the proposed program to their programs within 30 days of receipt of Board notification.¶¶

(m) If the Board denies permission to begin development of the program, the program may submit a revised letter of intent and application no earlier than six months from previous submission.¶¶

(n) If the Board denies program development based upon the revised documents, a hearing may be requested, and the provisions of the Administrative Procedures Act apply.¶¶

(o) If the program receives initial approval and is authorized to begin the developmental plan, the plan must be submitted within 12 months of the approval date or the initial plan approval will expire. At that point, the program must restart the process beginning with submitting the letter of intent.¶¶

(2) After receipt of development approval, the program must submit the following for review by the Board:¶¶

(a) Copy of the notification from the Board of approval to proceed.¶¶

(b) Verification of accreditation from all accrediting agencies within 30 days of receipt by the program;¶¶

(c) Submit curricula, self-evaluation reports, interim reports or notice of accreditation reports as required by the Board.¶¶

(3) After timely review of all documents and the program has provided evidence of compliance with these rules, the Board will determine if initial approval of the program is granted. The Board must consider full program approval:¶¶

(a) After graduation of the first cohort of students; and¶¶

(b) Within six months of first cohort graduation submission of a self-study report addressing the program compliance with the standards of these rules; and¶¶

(c) On-site survey of the program by Board staff.¶¶

(4) If full approval is denied, the program may request a hearing and the Administrative Hearing Procedures Act applies.

Statutory/Other Authority: ORS 678.150, ORS 678.285, ORS 678.372, ORS 678.380

~~Statutes/Other Implemented: ORS 678.150, ORS 678.285, ORS 678.372, ORS 678.380~~

REPEAL: 851-051-0040

RULE SUMMARY: Language has been updated to align with statutes. These rules have been incorporated into Division 21 to improve accessibility by having all the education rules in one division for institutions wishing to establish a nursing education program.

CHANGES TO RULE:

~~851-051-0040~~

~~Continuing Accreditation Requirements and Board Notification Process for Oregon-based APRN Programs  
Institutions accredited by national nursing education accrediting agencies, preparing APRNs for licensure under these rules and requirements, must submit to the Board:~~

- ~~(1) The institution's most recent self-evaluation report;~~
- ~~(2) Any report of non-compliance with accreditation standards;~~
- ~~(3) Current and interim accreditation and survey reports from the institutional national nursing accrediting agency.~~
- ~~(4) Documents must be submitted to the Board within 30 days of completion or receipt of report from the accrediting agencies and, in the case of non-compliance, the program must report this to the Board within five business days.~~

~~Statutory/Other Authority: ORS 678.150, ORS 678.285, ORS 678.372, ORS 678.380~~

~~Statutes/Other Implemented: ORS 678.150, ORS 678.285, ORS 678.372, ORS 678.380~~

REPEAL: 851-051-0050

RULE SUMMARY: Language has been updated to align with statutes. These rules have been incorporated into Division 21 to improve accessibility by having all the education rules in one division for institutions wishing to establish a nursing education program.

CHANGES TO RULE:

851-051-0050

Approval Periods, Reports, and Special Conditions

- (1) Initial full program approval must be for a period of three years with subsequent approvals aligning with the frequency of national program accrediting surveys. Continued approval must be based on any accrediting body reports and site survey visits by Board staff. At the discretion of the Board, the site survey may be adjusted to coincide with program national accrediting survey.¶¶
- (2) If, in the opinion of the Board, the established standards for a new or existing program are not being met, notice must be made to the program specifying deficiencies and the time frame within which correction must occur.¶¶
- (3) At the discretion of the Board, the Board may perform an interim site survey to address a specific issue or multiple issues reported to the Board by the program or by complaint. Reasonable notification of site survey must be provided to the program.¶¶
- (4) The program must cause a report to be submitted to the Board representative for approval at least six months prior to any of the following program changes:¶¶
  - (a) Major curriculum change:¶¶
    - (A) Deletion, addition, and merging of APRN education tracks.¶¶
    - (B) Revision of the length of the program.¶¶
    - (C) Revision of the objectives of the program.¶¶
    - (D) Any revision of the curriculum of a program that affects the ability of the program to comply with the requirements of the curriculum as established in OAR 851-051-0020.¶¶
    - (E) A revision of the type or amount of clinical experience approved for the program such as replacing more than 20% of direct patient care hours with simulation.¶¶
  - (b) A change in the order in which courses must be taken is not considered a major curriculum change.¶¶
- (5) The program must notify the Board representative in writing within 30 days of development of the following circumstances:¶¶
  - (a) Change in the nurse administrator of the program. Must be accompanied by a request for approval of interim or replacement Nurse Administrator as established in OAR 851-051-0020,¶¶
  - (b) Plans to move the entire program to a new location or establish a satellite campus within the current service area, including:¶¶
    - (A) Address of the new location;¶¶
    - (B) Rationale for moving the nursing program or establishing a satellite campus;¶¶
    - (C) Anticipated date of completed move or establishment of satellite campus; and,¶¶
    - (D) Anticipated impact on students and faculty.¶¶
  - (c) Major changes in availability of adequate clinical sites for the program that results in reduction in student enrollment or faculty positions;¶¶
  - (d) Change in accreditation status of the nursing program or the accrediting body; and,¶¶
  - (e) Major reductions in the financial support for the program; and¶¶
  - (f) Request for exemption to faculty qualifications.

Statutory/Other Authority: ORS 678.150, ORS 678.285, ORS 678.372, ORS 678.380

Statutes/Other Implemented: ORS 678.150, ORS 678.285, ORS 678.372, ORS 678.380