



## **Continuing Education Provider Orientation**

**NSBN provides this information to help new providers of Continuing Education to understand the Nevada nursing regulations regarding Continuing Education for nursing.**

**This packet consists of the**

- 1. Nevada Regulations**
- 2. ANA guidelines**
- 3. Article clarifying continuing education**

**NSBN hopes this orientation packet will be helpful. If you have any questions or concerns please contact [rcolosimo@nsbn.state.nv.us](mailto:rcolosimo@nsbn.state.nv.us).**

## CONTINUING EDUCATION

### **NAC 632.340 Attestation of compliance; audits; certificates of completion**

1. Each nurse shall attest to his compliance with the requirements for continuing education at the time for the renewal of his licensure. The attestation must be made on forms provided by the Board.
2. The Board will perform random audits of nurses for compliance with the requirements for continuing education.
3. If audited by the Board, a nurse shall prove that he has participated in 30 contact hours of continuing education during the 24 months which immediately precede the nurse's most recent birthday by presenting authenticated photocopies of original certificates of completion to the Board. The certificate of completion must include:
  - a. The title of the course;
  - b. The name of the provider of the course;
  - c. The name of the body which approved the course;
  - d. The date on which the course was presented;
  - e. The name and license number of the nurse; and
  - f. The number of contact hours earned in the course;
4. A nurse shall retain an original certificate of completion for 4 years

### **NAC 632.355 Approval of courses; employment of coordinator' review of courses; audits of courses; expiration of approval**

1. A course of continuing education shall be deemed to be approved by the Board if the course:
  - a. Meets the requirements of NRS 632.343' and
  - b. Is provided by
    1. A provider approved by the Board;
    2. A national nursing organization;
    3. An academic institution;
    4. A provider of continuing education that is recognized by another board of nursing; or
    5. A provider of continuing education that is recognized by the regulatory body of a related discipline that approves courses of continuing education
2. Each provider shall employ a coordinator and shall notify the Board of the name of its coordinator. A coordinator shall hold a current license as a registered nurse in Nevada and is responsible for ensuring that:
  - a. The contents of the course of continuing education meet the national standards for the continuing education of nurses;
  - b. The course incorporates principles of instruction which are specifically designed to facilitate learning by adult students; and
  - c. The certificates of completion which are provided to the successful participants of the course are accurate and comply with the requirements set forth in NAC 632.340
3. The Board will review all courses offered for the completion of the requirements for continuing education by:
  - a. Considering each application to the board for approval to act as a provider of continuing education;
  - b. Maintaining a list of all providers approved by the board; and
  - c. Investigating any complaint regarding a course of continuing education
4. The Board will perform random audits of courses of continuing education. For the purposes of an audit by the Board, a provider shall maintain a description of the contents of a course of continuing education, a list of persons who attend the course and copies of the certificates of completion provided to the participants of the course for at least 4 years after the course was presented. If a provider or its coordinator fails to reflect the national requirements for the continuing education of nurses in its business practice, the Board will remove the provider from the list of providers approved by the Board.
5. Approval of a course of continuing education by the Board expires on the date specified by the Board or on July 31 of the year after the date on which the course is deemed approved.

### **NRS 632.343 Continuing education: Prerequisite to renewal of license; exemption; review of courses by Board; required and recommended courses.**

1. The Board shall not renew any license issued under this chapter until the licensee has submitted proof satisfactory to the Board of completion, during the 2-year period before renewal of the license, of 30 hours in a program of continuing education approved by the Board. The licensee is exempt from this provision for the first biennial period after graduation from:
  - a. An accredited school of professional nursing;
  - b. An accredited school of practical nursing;
  - c. An approved school of professional nursing in the process of obtaining accreditation; or
  - d. An approved school of practical nursing in the process of obtaining accreditation.
2. The Board shall review all courses offered to nurses for the completion of the requirement set forth in subsection 1. The Board may approve nursing and other courses which are directly related to the practice of nursing as well as others which bear a reasonable relationship to current developments in the field of nursing or any special area of practice in which a licensee engages. These may include academic studies, workshops, extension studies, home study and other courses.

# Guideline for Commercial Support for Continuing Nursing Education

**Summary:** The attached guidelines on "Commercial Support of Continuing Nursing Education" have been developed by the American Nurses Association (ANA) to assist/guide nursing continuing educators who wish to utilize the resources of corporations to provide continuing education programs. These guidelines enable the provider to maintain a balance between the need for industry-supported dissemination of scientific information and promotional activities which meet the requirements of law, as well as professional standards of the American Nurses Association.

## Background

The American Nurses Association (ANA) strongly supports continuing education for nurses and other health care providers as a means of ensuring high quality care for patients and clients. In recent years, businesses that provide continuing education (CE) have experienced tremendous growth accompanied by increased cost to conduct a program. As a result, with increasing frequency, CE programs and research projects involving the nursing profession are funded or sponsored by pharmaceutical companies, the airline industry and health care product companies. Combining education and promotion of products or procedures can potentially entail the loss of objectivity in the educational mission, and can detract from the important benefits of continuing nursing education (CNE) to nurses. Consequently, it is critical that ANA provide guidelines for the profession to facilitate responsible oversight of commercial support for CNE.

In 1992, the Food and Drug Administration (FDA) issued a policy statement on industry supported scientific and educational activities for health care professionals. An important element of the policy is a written agreement between the supporting company and

the provider of an educational program, stating that the activity is to be educational and non-promotional, and that the company is to play no role in the design or conduct of the program that might bias the treatment of the topic. FDA regulations clearly affect drug and product company exhibitors at nursing and other health discipline conferences. ANA agrees that the goal should be the free exchange of information in a non-biased scientific independent manner, and that a policy of full disclosure and independent provider activity must be pursued.

CE providers have benefited by corporate support of educational programs for many years. However, in today's environment, with the public highly focused on health care and its cost, one of the areas being closely scrutinized is pharmaceutical expenditures for advertising and promotion, much of which occurs at medical, dental, and other health care educational or scientific conferences. It is clear that with an increasing number of states granting prescriptive privileges for nurses there will be increased interest by pharmaceutical and other commercial companies in gaining access to these nurses. A major means of gaining access is through supporting CNE. Additionally, many advanced practice nurses are currently employed in institutional settings and have the opportunity to influence purchasing power within those institutions. It is timely for ANA to explore these issues and in particular examine professional policy, and ethical codes which guide the practice of nursing continuing educators.

## References

- \* Association of American Medical Colleges. Guidelines for Faculty Involvement in Commercially Supported Continuing Medical Education. Washington, D.C., 1992, p. 4.
  - \* Accreditation Council for Continuing Medical Education. Standards for Commercial Support of Continuing Medical Education, Lake Bluff, Illinois. 1992.
  - \* Food and Drug Administration. Industry Supported Scientific/Educational Activities Policy Statement. 57 Federal Register 56, 412 (1992).
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Originated by: Council on Continuing Education and Staff Development  
Adopted by: ANA Board of Directors

Related Past Action:

1. Code for Nurses with Interpretive Statements, 1985
2. [Attachment I](#): American Nurses Association Guidelines for Commercial Support of Continuing Nursing Education

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## **PREAMBLE**

The purpose of continuing nursing education (CNE) is to build upon the educational and experiential bases of the professional nurse for the enhancement of practice, education, administration, research or theory development to the end of improving the health of the public. It is the responsibility of the provider of a CNE activity to assure that the activity is designed primarily for that purpose.

Commercial companies often provide financial support of these continuing education activities. These activities include: (a) education sessions within the conference program, and/or (b) education sessions developed by the exhibitor. The relationship between the provider and the commercial supporter necessitates a separation of the independent education activities and promotion of commercial products or procedures. Combining education and promotion can entail the potential loss of a critical element of objectivity in the educational mission and can detract from the important benefits of CNE to nurses and the health care consumer. Guidance from ANA is offered to prevent conflict of interest. These guidelines are designed to facilitate responsible oversight of commercial support for the provision of continuing nursing education in both audiences.

## Guiding Principles

There are several guiding principles which will help to avoid conflict of interest and the introduction of bias in CNE activities. These are:

- \* CNE is conducted for the education of the audience and for the benefit of the health care consumer. It builds upon the knowledge and competence levels of nurses. It should not be primarily for the benefit of the commercial supporters, providers, or presenters involved in the activity.
- \* CNE programs should be objective and, where legitimate differences or contrasting views exist, balanced. The assurance of objectivity and balance is the responsibility of the provider.
- \* Factors that can result in the introduction of bias must be avoided. These may include monetary inducements beyond necessary expenses, gifts of more than nominal value, or personal amenities.
- \* Presenters, topics, course materials and "enduring materials" must be subject to the approval of and be the responsibility of the provider and not be at the discretion of commercial sponsor(s).
- \* Disclosure of affiliations, sponsorships, financial support and other potentially biasing factors must routinely be made to the audience by the provider and participating presenters.
- \* The educational activity records document evidence of compliance with the Guidelines for Commercial Support of Continuing Education.

Adapted from: Association of American Medical Colleges.(1992). Guidelines for Faculty Involvement in Commercially Supported Continuing Medical Education. Washington D.C.: Association of American Medical Colleges.(p4).

## **INDEPENDENCE OF APPROVED CONTINUING NURSING EDUCATION PROVIDERS**

\* The design and production of continuing nursing educational activities shall be the responsibility of the providers. This responsibility includes approval of topics, presenters, educational materials, and the administration of the activities.

\* The educational activities shall be free of endorsement and bias for or against any product and shall not be used for promotional purposes.

## **EXHIBITS**

When commercial exhibits are part of a CNE activity, arrangements for the exhibits shall not influence planning or interfere with the presentation of the CNE activity. If at all possible, exhibits and promotional materials should not be displayed or distributed in the same room as the educational activity. If this is not possible, there should be some method of separating the exhibits from the part of the room used for educational presentation.

Providers may allow representatives of commercial supporters to attend educational activities as long as the representatives do not engage in sales or promotional activities while the educational presentation is taking place.

Contact hours shall not be awarded for time spent visiting exhibits. Legitimate learning experiences with commercial products, as part of the educational design, documented with objectives, content outlines and evaluation, may be awarded contact hours. Such activities may include experience on computer systems and with software to learn the use of information systems for clinical decision making.

## **DISCLOSURE**

The provider of continuing nursing education shall have a policy requiring disclosure to the audience of any and all potentially biasing factors in the educational activities. Such factors include financial or professional interests of the presenter with the commercial products used in the educational presentation. Disclosure shall occur in brief statements on program materials such as brochures, syllabi, and publications. Disclosure to participants shall be documented and entered into the provider file.

## **FINANCIAL**

Management of funds from commercial supporters:

- \* Independence of the provider(s) in the use of contributed funds
- \* The provider should be responsible for and accountable for the administration of the financial aspects of CNE activities. Generally, commercial support should be given to the provider unit in the form of designated or unrestricted educational grants. The terms and conditions of the support should be documented.
- \* All support associated with a CNE activity must be given with the full knowledge and approval of the provider. No other funds from a commercial supporter should be paid to the administrator of the provider unit, presenter(s), or others involved in the educational activity.
- \* Payments to Presenter(s)
- \* Payment of reasonable honoraria and reimbursement of out of pocket expenses for presenters is customary and proper. Providing honoraria, accommodations, or travel arrangements for faculty beyond those normally needed to accomplish the educational function is not appropriate.
- \* Acknowledgement of Commercial Support
- \* Commercial support must be acknowledged in print to the audience. Reference to specific products should not be made.

- \* Accountability for Commercial Support
- \* Following the CNE activity, upon request, the provider should be prepared to report to each commercial supporter, information concerning the expenditure of funds each has provided.
- \* Each commercial supporter shall report information concerning their expenditures in support of the activity to the provider.
- \* Social Events
- \* Commercially supported social events at CNE activities should not compete with, nor take precedence over the educational events.
- \* Financial Support for Participation in Educational Activities
- \* In connection with an educational activity, the provider may not use funds originating from a commercial source to pay travel, lodging, registration fees, or personal expenses for non-participants.
- \* Scholarship or other special funding to permit participants to attend CNE activities may be provided.
- \* The provider shall have a written protocol for awarding of scholarships, if applicable.

## **DOCUMENTATION**

To document compliance with disclosure, financial and independence guidelines, the following should be maintained for each educational activity receiving commercial support:

- \* a letter of agreement with the commercial supporter(s) specifying:
  1. 1) the terms of acceptance of the educational grant;
  2. 2) the specific financial or other assistance provided;
  3. 3) the clear statement of provider responsibility for planning, content, and execution of the educational activity
  4. 4) any assistance with materials/information provided by the commercial supporter at the provider's request.
- \* a letter of agreement with presenters including policies and forms for declaring conflict of interest.
- \* written evidence of follow-up on any problem or complaint related to the commercial support of the CNE activity.

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## How Do You Know If It Is Really Continuing Education?

Those of us with professional development responsibilities in hospitals and approved or provider units have, on more than one occasion, had to respond to the question, "Is this really continuing education or is it in-service education?"

*The Scope and Standards of Practice for Nursing Professional Development* defines continuing education as "systematic professional learning experiences designed to augment the knowledge, skills and attitudes of nurses and therefore enrich the nurses' contributions to quality health care and the pursuit of their professional career goals" (American Nurses Association, 2000, p. 24). A key to this definition is that the learning experiences should build on nurses' basic education or prepare nurses to move to a different area of nursing. Continuing education can include lectures, conferences, teleconferences, print materials, compact discs, or Internet programs. Typically, continuing education activities provide contact hour credit for successful completion.

Answers to the question, "How do you know if it's really continuing education?" are easy to give when the cases are black and white. For example, an educational activity was planned and implemented by a continuing education unit in a college whose mission is to provide education for practicing nurses. The course was held at a conference site and was taught by several content experts. Nurses from a variety of

facilities attended. Content was applicable to the nurses' roles in each of the settings; it did not include the particulars and nuances of institutional policies and procedures. This case clearly fits the definition of continuing education.

Another example is a self-study course that was provided in a print publication. The content built on basic material and focused on the nursing management of a complex diagnosis. Signs and symptoms, pathophysiology, diagnostic tests, treatments, nursing care, and patient education requirements were included. There was no content on the requirements or protocols of providing care in a specific institution.

The key to defining these programs as continuing education is that the knowledge is transferable, the content builds on basic education, and the information is useful in a variety of settings.

### WHAT IS STAFF DEVELOPMENT?

*The Scope and Standards of Practice for Nursing Professional Development* defines staff development as the "systematic process of assessment, planning, development and evaluation that enhances the performance or professional development of health care providers and their continuing competence" (American Nurses Association, 2000, p. 5). Typically, staff development activities are designed to enhance performance in the nurses' current

roles and are based on the facility's policies, procedures, equipment, and resources. Staff development can be a "three-legged stool" and include in-service education, orientation, and continuing education. It is a term for the education of employees in relation to specific roles, policies, and procedures within the institution.

In-service education can focus on increasing competence in a specific area or helping staff to keep abreast of technological changes, new procedures, or new products within the organization. In-service activities are provided in the work setting to assist staff members in performing their assigned functions in that agency or institution (American Nurses Association, 2000). Examples might include instruction on how to use a new piece of equipment or a briefing on changes in policies and procedures. The key to the definition of in-service education is that the content is specific to the employing organization and the knowledge may not be transferable.

Orientation is intended to familiarize new employees with their employer and their job. Orientation does not comply with the definition or purposes of continuing education.

### GRAY AREAS

Gray areas within the definition of continuing education can occur when employers provide educational activities. Some staff development departments offer continuing

education in addition to orientation and in-service programs. A portion of some educational programs that staff development departments offer can be a blend. Some of the content could meet the definition of continuing education, and the remainder could be specific to the job or employer. In such cases, contact hours can be awarded for the portion of the program that meets the definition of continuing education.

When I serve as a reviewer for programs submitted to the state nurses association for contact hour credit, I always assess whether the content is transferable knowledge or whether it is institution specific. This helps me to decide whether it is continuing education or an in-service program.

### RELICENSURE REQUIREMENTS

States with mandatory continuing education for licensure renewal can have their own regulations as to what qualifies as continuing education. Refresher programs are an example of the kinds of courses that may be accepted in some states and not in others. Although some states have incorporated the American Nurses Credentialing Center's system of ac-

creditation, others have not. Be sure to check your own state's board of nursing for information on what qualifies for continuing education in your state.

### NEW CRITERIA FOR CONTACT HOURS

In the past, according to the American Nurses Credentialing Center, an activity had to be a minimum of 50 minutes long to qualify for contact hour approval. With the revision of the *Manual for Accreditation as an Approver or a Provider of Continuing Nursing Education, 2006*, the definition of a contact hour has changed. The new definition is a "unit of measurement that describes 60 minutes of an organized learning activity that is either a didactic or clinical experience" (American Nurses Credentialing Center Commission on Accreditation, 2005, p. 65). Contact hours can be awarded for those portions of an educational activity devoted to didactic or clinical experience, or to the time participants spend evaluating the activity.

Contact hours may be awarded in fractions. For example, a learning activity that consists of 30 minutes equals 0.5 contact hours. This is a

major philosophical change and may reflect an acceptance of just-in-time learning.

### CONCLUSION

To decide whether an activity qualifies as continuing education, the audience and the transferability of knowledge should be considered. Is the goal of the program to broaden the learner's knowledge? Is it to help staff to keep abreast of technological changes, new procedures, or new products within the organization? Or is it designed to enrich the nurses' pursuit of their professional goals? The answers to these questions will help to determine which content qualifies as continuing education.

### REFERENCES

- American Nurses Association. (2000). *Scope and standards of practice for nursing professional development*. Washington, DC: Author.
- American Nurses Credentialing Center Commission on Accreditation. (2005). *Manual for accreditation as an approver or a provider of continuing nursing education, 2006*. Silver Spring, MD: Author.

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