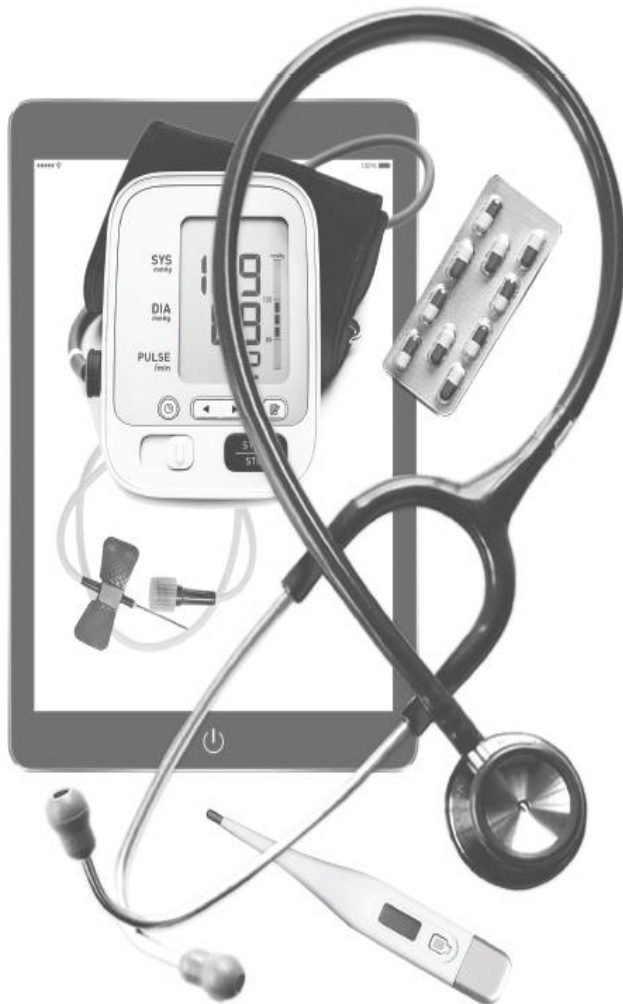


Missouri State University-West Plains

ASSOCIATE OF SCIENCE IN NURSING STUDENT HANDBOOK

NURSING



2023-2024

MISSOURI STATE UNIVERSITY- WEST PLAINS MISSION:

EMPOWERS STUDENTS TO ACHIEVE PERSONAL SUCCESS AND TO ENRICH THEIR LOCAL AND GLOBAL COMMUNITIES. AS A TWO-YEAR PUBLIC INSTITUTION, WE PROVIDE ACCESSIBLE, AFFORDABLE AND QUALITY EDUCATIONAL OPPORTUNITIES.

MISSOURI STATE UNIVERSITY – WEST PLAINS ASSOCIATE OF SCIENCE IN NURSING (ASN) PROGRAM MISSION:

EMPOWERS NURSING STUDENTS TO ACHIEVE PERSONAL SUCCESS WHILE ENHANCING THE HEALTHCARE OF THE LOCAL AND GLOBAL COMMUNITIES. AS AN ASN PROGRAM IN THIS AREA, WE PROVIDE AFFORDABLE, QUALITY NURSING EDUCATIONAL OPPORTUNITIES TO OUR STUDENTS.

Approval and Accreditation:

The Associate of Science in Nursing (ASN) program at Missouri State University-West Plains (MSU-WP) is fully approved by:

- The Missouri State Board of Nursing
- The Missouri Coordinating Board for Higher Education, and the Department of Elementary and Secondary Education

The ASN program at MSU-WP has ongoing continued accreditation by:

- Accreditation Commission for Education in Nursing, Inc. (ACEN).
3390 Peachtree Rd. NE, Suite 1400
Atlanta, GA 30326
Phone: 404-975-5000
Fax: 404-975-5020

MSU-WP is accredited by:

- The Higher Learning Commission (HLC) of the North Central Association
230 South LaSalle Street, Suite 7-500
Chicago Illinois 60604-1411
Phone: 800-621-7440 / 312-263-0456
Fax: 312-263-7462
<https://www.hlcommission.org>

CONTACT INFORMATION:

Lisa Wade, MSN-NP-C
Dean of Nursing and Allied Health
417-255-7970
LisaWade@Missouristate.edu

Barbara Caton, MSN, RN CNE
ASN Program Coordinator
417-255-7251
BarbaraCaton@Missouristate.edu

Lacey Campbell, MSN RN
LPN-to-RN Bridge Coordinator
Assistant Professor of Nursing
417-255-7712
LaceyCampbell@MissouriState.edu

Marcella Bean, AS
Nursing and Allied Health
Academic Administrative Assistant III
Nursing Admissions Coordinator
417-255-7739
MBean@Missouristate.edu
Main Nursing Office 417-255-7245

NURSING FACULTY ROSTER

NAME/TITLE/E-MAIL ADDRESS	OFFICE PHONE #	OFF. #	Degree (s)
<i>FULL-TIME FACULTY</i>			
JESSICA BARTON Instructor of Nursing JessicaBarton@MissouriState.edu	417-255-7254	L-302	M.S.N. Missouri State University-Springfield (2023) B.S.N. Chamberlain College of Nursing (2017) A.S.N. Missouri State University (2007)
LACEY CAMPBELL Assistant Professor of Nursing LaceyCampbell@MissouriState.edu	417-255-7712	L-208	M.S.N. University of Central Missouri (2016) B.S.N. College of the Ozarks (2008) A.S.N. Missouri State University-West Plains (2008)
BARBARA A. CATON Associate Professor of Nursing Coordinator BarbaraCaton@MissouriState.edu	417-255-7251	L-300	M.S.N. Missouri State University (1999) B.S.N. Univ. of Missouri-Columbia (1986)
KIRSTEN COTTER Instructor of Nursing KirstenCotter@MissouriState.edu	417-255-8087	L-307	M.S.N. Missouri State University – Springfield (2023) B.S.N. Arkansas State University (2004)
LINDSAY D. HILL Assistant Professor of Nursing LHill@MissouriState.edu	417-255-7713	L-301	M.S.N. Missouri State University (2016) M.S.ED. William Woods University (2012) B.S.N. University of Missouri (2009)
CARLA J. HUDDLESTON Assistant Professor Simulation/Clinical Coordinator CarlaHuddleston@MissouriState.edu	417-255-7252	L-107A	M.S.N. Missouri State University (2012) B.S.N. St. Johns College of Nursing/SBU (2009) A.S.N. Southwest Missouri State University (1994)
SHEILA RATHER Instructor of Nursing SRather@MissouriState.edu	417-255-7250	L-209	M.S.N. Missouri State University – Springfield (2023) B.S.N. Arkansas State University (2017)
LISA WADE Dean of Nursing and Allied Health Assistant Professor of Nursing LisaWade@MissouriState.edu	417-255-7970	L-207	M.S.N. Saint Louis University (2014) B.S.N. University of Missouri - Columbia (2009) ASN – Missouri State University – West Plains (2007)
<i>CLINICAL FACULTY</i>			
ANGIE DAVIS Clinical Instructor	417-255-7245		B.S.N.
JENNIFER STRONG Clinical Instructor	417-255-7245		B.S.N.
JENNI TILSON Clinical Instructor	417-255-7245		M.S.N.
JOANNA PATILLO Clinical Instructor	417-255-7245		M.S.N.

TABLE OF CONTENTS

Missouri State Board of Nursing Approval & Accreditation	
Commission for Education in Nursing, Inc. Addresses.....	2
Nursing Faculty Roster.....	3
Program Standards & Program Outcomes.....	5
Fee and Course Fee Notification	6
Policies & Procedures for Nursing students.....	7
Academic Integrity	7
Student Grievance	7
Community Service	7
Classroom/Clinical Attendance Policy.....	8
Substance Abuse and Drug Testing Policy/Consent Form.....	9-10
Medical Marijuana Policy.....	10
Informed Consent and Release Drug & Alcohol Test Form.....	11
Course Progression Policy.....	12
Grading Scale.....	12
Examination Policy.....	13
Paper/Assignment Completion Policy.....	13
Withdrawal Policy.....	13
Dismissal Policy.....	14
Readmission Policy.....	15-16
Privacy Training Policy.....	16
Electronic Devices in the Classroom/Clinical Recording/Exam.....	17-18
Clinical Dress Code	18
Final Clinical Evaluation Policy	19
Clinical Failure Policy	19
Discipline Policy and Procedures.....	19
Ethical/Professional Expectations.....	20
At Risk Remediation Plan form	21
Non-Passing Remediation Plan form	22
Infection Control Policy.....	23
Required Health Record Information.....	24-25
Responsibility for Treatment Policy.....	25
Nondiscrimination Policy	26
State of Missouri Nursing Practice Act (Chapter 335.066)	27-33

Nursing Program Standards and Graduate Outcomes:

NURSING PROGRAM STANDARDS

1. Communication
2. Clinical Reasoning
3. Health Information Management/Evidence Based Practice
4. Valuing Professional Accountability
5. Culturally Conscious Nursing Care

END OF PROGRAM STUDENT LEARNING OUTCOMES

Upon completion of the program, the graduate will:

- 1) Demonstrate the ability to provide a safe, effective care environment (including safely administering medications) for persons experiencing health deviations throughout the life cycle.
- 2) Demonstrate the ability to utilize clinical reasoning in order to coordinate and manage patient care within legal, ethical, and moral standards
- 3) Implement effective verbal and nonverbal communication for the promotion of psychosocial integrity of individuals from a variety of cultural backgrounds
- 4) Reduce risk potential and assist patients in adaptations that affect one's health
- 5) Utilize various information systems for problem solving, decision making and improving quality of patient care.
- 6) Recognize and integrate evidence-based practice as best practice for guiding clinical practice.

ORIGINAL ADOPTION DATE: 07/83
REVIEWED/REVISED: 07/23

Fees and Course Fees Notification:

FIRST YEAR STUDENTS		
<p><u>PRE-NURSING</u> Criminal Background Check Fee CPR certification Immunization Record</p>	<p><u>SEMESTER ONE:</u> <u>Course Fees include:</u> Drug Testing Fee Lab Supply Fee Malpractice Insurance Fee Integrated Testing Package</p>	<p><u>SEMESTER TWO:</u> <u>Course Fees include:</u> Lab Supply Fee Integrated Testing Package</p>
SECOND YEAR STUDENTS		
	<p><u>SEMESTER THREE:</u> PPD Update</p> <p><u>Course Fees include:</u> Insurance Fee Integrated Testing Package Drug Test</p>	<p><u>SEMESTER FOUR:</u> NCLEX (National Council Licensure Examination) Fee FBI Background Fee</p> <p><u>Course Fees include:</u> Integrated Testing Package</p>

Policies and Procedures for Nursing Students:

The Associate of Science in Nursing Degree Program adheres to all Missouri State University policies and procedures as outlined in the Missouri State University-West Plains Catalog. These policies are subject to change.

Academic Integrity:

A student found to be guilty of academic dishonesty on any exam or assignment will receive a zero grade for the occurrence and written documentation will be forwarded to the Dean of Academic Affairs. If a student is found academically dishonest a second time, the student will receive an XF grade in the course and will fail the course with no opportunity for a withdrawal or “W” grade on the transcript (financial aid implications may arise).

Any student who receives a failing grade for academic dishonesty will be ineligible for readmission to the nursing program. All nursing students will be required to sign and submit the ASN Honor Code prior to the start of the nursing program and will be accountable to the code throughout the program.

The MSU-WP Academic Integrity Policy can be located online at:
www.wp.missouristate.edu/catalog/policy-academic-integrity.htm

ORIGINAL ADOPTION DATE: 05/88
REVIEWED/REVISED: 07/23

Student Grievance:

If registering concerns, Missouri State University-West Plains students must follow the policies and procedures that have been established within the unit about which the concern is being filed. Generally, these policies and procedures require that you begin by discussing the matter with the staff, faculty, or department in which the issue originated.

The MSU-WP Student Grievance Policy can be located online at:
<https://wp.missouristate.edu/studentgrievance/>

ORIGINAL ADOPTION DATE: 05/17
REVIEWED/REVISED: 07/23

Community Service:

Missouri State University-West Plains is a civic minded institution that believes in community engagement and public affairs. As part of the public affairs mission of Missouri State University-West Plains, most nursing courses will require community service as an assignment of the course. Non-paid community service in a variety of formats will work for service hours. Your instructor of each course will outline the community service component for the course in the course syllabus.

ORIGINAL ADOPTION DATE: 04/14
REVIEWED/REVISED: 07/23

Attendance Policy-Classroom:

Because class attendance and course grades are demonstrably and positively related, the University expects students to attend all class sessions of courses in which they are enrolled. This is especially true for nursing courses. In addition, the faculty feels that students arriving late to class cause a disruption in class and an unprofessional habit that will not be tolerated by employers. Students need to be aware that poor attendance may affect their financial aid. All instructors are required to track attendance for this reason.

Please review the attendance policy for Missouri State University-West Plains
<http://wp.missouristate.edu/catalog/policy-attendance.htm>

ORIGINAL ADOPTION DATE: 05/18
REVIEWED/REVISED: 07/23

Attendance Policy-Clinical:

Clinical experience is an integral part of the Associate of Science in Nursing (ASN) Degree Program at Missouri State University-West Plains. Because of its intrinsic value, the **entire clinical experience must be completed** to receive a passing grade for the course. Clinical time is counted in hours, not days. Students **must** notify their clinical instructor if they are unable to attend a clinical experience. The student should call his/her instructor prior to the starting time for clinical (no e-mail). Students should not leave messages with clinical facility personnel or other students. If unable to reach the clinical instructor, the student should notify the nursing office at 417-255-7245. Voice messages can be left at this number 24 hour a day. Clinical experiences are required to meet the objectives of the nursing courses. Clinical facilities have agreed to allow students the opportunity to apply skills and knowledge and expect students to conduct themselves in a professional manner.

- It is the student's responsibility to arrive on time and be present for the entire clinical experience.
- If the student is anticipating arriving late or being absent from clinical, the student must notify the clinical instructor/preceptor, as described in the course syllabi. Except in the case of an extreme emergency, lack of proper notification will result in an unexcused absence and possible clinical and course failure.
- It is the responsibility of the student to contact the clinical coordinator and clinical instructor to schedule clinical make-up time.
- Arriving late for clinical will result in disciplinary action. Clinical lateness or absence may be subject to make-up at the discretion of the clinical instructor. Being late or absent from clinical may involve disciplinary action.
- Campus Labs and Simulation Days are considered clinical and absence policy stands.
- No call/No Show results in appearing before Nursing Faculty Organization for disciplinary action. A No call/No Show will result in a (U) or Unmet for the clinical day.
- Anytime a faculty member deems clinical absences or clinical rescheduling to be excessive, the student must appear before NFO to discuss progression in the nursing program.

Clinical Absences will be sanctioned as in the clinical failure policy (see weekly clinical evaluation).

ORIGINAL ADOPTION DATE: 12/87
REVIEWED/REVISED: 07/23

Substance Abuse and Drug Testing:

The Associate of Science in Nursing Program adheres to Missouri State University-West Plains Drug and Alcohol Abuse Program and the Drug-Free Schools and Communities Act Amendments of 1989.

The Missouri State University-WP Drug and Alcohol Abuse Program states:

“The unlawful possession, use, or distribution of alcohol is prohibited on university property and in conjunction with University activities.

Also prohibited is:

- 1) the unlawful or unauthorized use and/or possession of narcotics, drugs, drug paraphernalia, and/or other chemicals,
- 2) the distribution and/or sale of alcoholic beverages, except as officially authorized by the Board of Governors or its delegate, in accord with state law, and
- 3) the unlawful or unauthorized distribution and/or sale of narcotics, drugs, and/or chemicals.”

Violations of this policy can result in disciplinary action up to and including dismissal for students and referral for prosecution. Violations of this policy by students will be considered violation of the University disciplinary code, which may result in dismissal, suspension, or imposition of a lesser sanction. Sanctions may also include referrals for appropriate rehabilitation. (www.wp.missouristate.edu/StudentLife/drug.htm)

Offers of acceptance to the Associate of Science in Nursing Program are made as conditional offers. The conditions include satisfactory completion of pre-nursing courses, a satisfactory criminal background check, and a negative drug, and/or controlled substance test. Student acknowledgement/consent forms to be tested for the presence of drugs and controlled substances will be signed when a conditional offer of admission to the nursing program is made. An applicant or current nursing student who refuses to authorize and pay for testing or who tests positive for drugs, or controlled substances will not receive a final offer of admission or will not be allowed to continue in the nursing program.

To ensure compliance with the Drug Free Schools and Communities Act Amendments of 1989, nursing students will be tested:

1. as a condition of admission or transfer to the nursing education program, or readmission to the program if the student has been out of the program for more than 12 months.
2. upon reasonable suspicion and at the expense of the student.
3. as a random screen at the expense of the nursing program.

Any student who tests positive for a drug or controlled substance must be able to verify that it was obtained legally and legitimately. If an initial drug or controlled substance test is positive, a second test on the same specimen will be performed to confirm the initial result. If an alcohol test is positive, a second test will be performed to confirm the initial result. Any confirmed alcohol result of 0.02 or greater will be considered positive. A positive test result on the confirming test for drugs or alcohol will result in dismissal from the nursing program.

Any student dismissed following a positive drug, controlled substance, or alcohol test will be removed from all nursing courses. A grade of “W” will be transcribed if prior to the University last day to drop or withdraw date. A grade of “F” will be transcribed if the student is removed from courses following the University last day to drop or withdraw date.

Students in clinical agencies are subject to the policies of Missouri State University-West Plains and must also abide by the policies of the agency in which they are practicing as a student nurse. A student may be required to have alcohol or drug testing alone or in combination. Any student who refuses to submit to initial or subsequent testing will be dismissed from the nursing program.

The Dean of Nursing/Allied Health must authorize reasonable suspicion testing on a student before such a test is administered. In the absence of the Director, the Dean, or designated administrator may authorize a test. Reasonable suspicion may include, but not be limited to: accidents and injuries caused by human error, unusual or serious violations of rules, secured drug supply disappearance, irrational or extreme behavior, or unusual inattention or personal behavior, such as smelling of alcoholic beverages.

Students must abide by the terms of the above policy and must report any conviction under a criminal drug or alcohol statute for violations occurring on or off University premises. A conviction must be reported within five (5) days after the conviction. Students convicted of involvement in a criminal drug or alcohol offense will be dismissed from the nursing program.

Dismissed students will be considered for readmission one time. Dismissed students will be eligible for consideration of readmission to the nursing program upon successful completion and documented evidence of treatment remedying the rationale for dismissal.

ORIGINAL ADOPTION DATE: 04/98
REVIEWED/REVISED: 07/23

Medical Marijuana Policy:

National Council State Boards of Nursing published The NCSBN (National Council of State Boards of Nursing) National Nursing Guidelines for Medical Marijuana in Volume 9 of the July Supplement to the Journal of Nursing Regulation. Based on the United States federal government classification of cannabis as a Schedule I Controlled Substance, students within the nursing program would not be eligible to obtain or take cannabis or marijuana for personal use. Physicians cannot prescribe medical marijuana even with the State legislation that allows a physician to recommend medical marijuana within Missouri.

Nursing students accepted to the nursing program cannot continue in the program with any substance abuse violation which includes marijuana or cannabis. Students who test positive for marijuana or any other Schedule I controlled substance will be dismissed from the nursing program.

Students dismissed from the nursing program for this purpose do have the option to reapply (based on Nursing Program Readmission Policy) and may be considered for readmission. All nursing students will have substance abuse screening throughout the program and any student may be randomly tested at any given time.

INFORMED CONSENT AND RELEASE OF LIABILITY
DRUG AND ALCOHOL TESTING

I understand that as a student in Missouri State University-West Plains Associate of Science in Nursing Program, a drug/alcohol test will be a condition of admission, progression, readmission, or transfer to the program, and may be requested at any time throughout the progression of the program. I understand that I may be responsible for the cost of the screening. I understand that the presence of certain drugs, alcohol, or controlled substances is grounds for immediate dismissal from the program. I further understand that I am not obligated to comply with this screening; however, refusal to consent or to pay for the screening will result in dismissal.

I hereby consent to have my urine tested for drugs and alcohol. I consent to a breath test for alcohol if required by policy.

I hereby release Missouri State University-West Plains and the Associate of Science in Nursing Degree Program from any liability from and against any claims, actions, or losses that arise out of the testing. I agree to the release of the test results to the Associate of Science in Nursing Degree Program of Missouri State University-West Plains.

I authorize Missouri State University-West Plains Associate of Science in Nursing Program to release drug test results to clinical agencies as needed to ensure my participation in clinical experiences.

Print Name

Date

Student signature

Date

ORIGINAL ADOPTION DATE: 05/04
REVIEWED/REVISED 07/23

Course Progression Policy:

Failure to achieve at least a “C” grade on exams in a nursing course demonstrates a lack of mastery of a significant amount of material, impairs the ability of the student to care for patients in the clinical setting, and jeopardizes the student’s ability to pass the NCLEX-RN. Therefore, a student must achieve a mean grade of 78% or better on tests in nursing courses before other grades (papers, case studies, class entry assignments, etc.) will be added to the final grade calculation. (If a student does not achieve the required 78% test grade average, the student will receive the mean test score earned in the course either a “D” or “F”).

To receive credit toward graduation for a course, the student must earn at least a 78% on the testing component of the course, at least a “C” grade on the overall theory component of the course (testing plus other graded assignments), pass the clinical component of the course, and successfully complete all requirements of the course. In order to progress through the sequence of nursing courses, students must attain a final grade of at least “C” in all nursing courses.

In order to graduate with an Associate of Science in Nursing Degree, students must pass all nursing courses and support courses with a “C” or better.

If any student is proving to be unsuccessful in a nursing course, it will be the responsibility of the student to meet with the instructor to develop a remediation plan. Remediation’s may include but are not limited to tutoring, simulation, extra clinical time, outside work, webinars, online case studies, etc.

Students may not progress in the program with a standing D or F in a clinical course (NUR 100, NUR 101, NUR 204, NUR 212) or a pre-requisite course. Students may progress in the program with a standing D or F grade in a non-clinical course (NUR 201, NUR 202). If a student withdraws and/or receives a failing grade in two nursing courses, they may not progress in the program. See re-admission policy.

ASN GRADING SCALE		
PERCENTAGE		GRADE
91-100%	=	A
84-90%	=	B
78-83%	=	C
72-77%	=	D
less than 72%	=	F

ORIGINAL ADOPTION DATE: 03/23
REVIEWED/REVISED: 07/23

Examination Policy:

Students are required to take all exams. If a student needs to miss an exam as scheduled, the following procedures are in place:

1. Students missing an exam must notify the instructor of the course within 24 hours of the exam time as to why the exam was missed and the plan to take the exam. Failure to notify the instructor within 24 hours will result in a score of 78% of the points earned on the exam.
2. Students must arrange a time with the course instructor to make up the exam within one week and /or prior to the next exam or the score will be a zero "0".
3. Students are expected to be on time for exams. Students arriving late for exams may be subject to a grade reduction at the discretion of the Nursing Faculty.
4. Students will be allowed to take one make-up exam per nursing course per semester. Points for subsequent missed exams will result in a maximum score of 78% (If score earned is below 78% that will be their score.)

ORIGINAL ADOPTION DATE: 08/83

REVIEWED/REVISED: 07/23

Paper/Assignment Completion Policy:

Unless otherwise specified in the syllabus, required papers/assignments are to be completed and turned into the instructor(s) on the specified day and time. Grades for late papers/assignments will be lowered by 10% each day that it is late, and submission will not be accepted after one week past the due date.

ORIGINAL ADOPTION DATE: 08/83
REVIEWED/REVISED: 07/23

Withdrawal Policy

Students withdrawing from the nursing program should give notice to the Dean or Nursing Program Coordinator. Students withdrawing from the University for any reason must initiate the withdrawal process in the Registration and Records Office. The Financial Aid office should be contacted as appropriate.

ORIGINAL ADOPTION DATE: 05/94
REVIEWED/REVISED: 07/23

Dismissal Policy:

The ASN Program reserves the right to interpret, maintain, and enforce the standards of conduct and professional performance for nursing. The Program also reserves the right to recommend dismissal or refuse admissions/re-admissions into the program to any student who in the judgment of the Admissions/Nursing Faculty Organization (NFO) Committee, by a majority vote, has violated the standards of ethical/professional behavior.

The student is expected to reflect personal conduct and behavior appropriate to the nursing profession. The faculty reserves the right to dismiss a student from the program of nursing for any of the following reasons:

1. Unresponsible attitude toward self, other students, faculty and university administration.
2. Clinical incidents involving performance detrimental to the protection and welfare of patients and the public served.
3. Excessive clinical absences. (**See Clinical Attendance policy**)
4. Violation of clinical facility smoking policies.
5. Failure of the clinical component of a course as stated in the clinical evaluation policy.
6. Final grade below 78% in the theory component of a course.
7. Violations of the University Disciplinary Code, which is found at www.wp.missouristate.edu/StudentLife/Policies.htm
8. Academic Dishonesty
www.wp.missouristate.edu/academics/academicintegritypolicy.htm

ORIGINAL ADOPTION DATE: 05/94
REVIEWED/REVISED: 07/23

Readmission Policy:

The Nursing Program understands that a student must withdraw from the program for a variety of reasons. To ensure the success of both the program and the student, guidelines and policies must exist for readmission. **While the program cannot make situational guidelines to fit all student scenarios, the program will allow students to apply for readmission to the program if the student understands the following:**

1. The decision for a student to be considered for readmission will come from the Dean of Nursing and Allied Health. That decision will be prompted after a letter from the student is received by the Dean that outlines the request for readmission and a personal plan for success if the student is readmitted to the program.
2. The decision for consideration is then forwarded to the Nursing Admissions Committee and a recommendation for readmission (admissions testing, coursework to be taken, etc.) will be formulated and communicated to the Dean and the nursing student by university email. This readmission decision may be accepted or rejected by the student, but the **decision is final.**
3. It is up to the student to verify that their admission status to MSU-WP is current and active. Students who have interrupted their education for a semester or more may have to be readmitted to the university as well. The student should consult with the admissions office.
4. Readmission will only be considered in these instances:
 - a. There is an open and available seat in the course AFTER offers have been made to any transfer students.
 - b. The student has maintained all admissions eligibility for the nursing program (GPA, etc.)
5. Students requesting readmission will submit a new negative drug screen and satisfactory criminal background check at the expense of the student at the time of readmission.

The Nursing Admissions Committee will consider multiple factors when developing a recommendation for readmission. Factors to be considered will include:

1. Time of the semester that the student withdrew from coursework.
2. Nature of the reason the student withdrew (should be included in the request letter)
3. Student level of competency and understanding in class/lab/clinical at the time of withdrawal
4. Ability of the student to complete the program within the 150% rule set forth by accreditation.
5. Ability of the student to meet professional guidelines set forth in the student handbook.

Readmission Policy (cont.)

Readmission to the nursing program is NOT possible if:

1. The student has failed 2 nursing courses (course grade of “D” or “F”) OR,
2. The student has withdrawn from 2 nursing courses OR,
3. The student has failed the same nursing course twice OR,
4. The student has a failing grade in a support course (course grade of “D” or “F”).

When the Admission Committee has determined that readmission is not possible, the student may opt to reapply to the nursing program as a new student and start the program over from the beginning (NUR 100). The student must reapply for competitive ranking among the incoming applicant pool at the time of application. There may be financial aid implications that the student must address with the Financial Aid office. The student may start the program over only 1 time.

REVIEWED/REVISED: 07/23

Privacy Training:

Missouri State University-West Plains ASN Program has a legal and ethical responsibility to safeguard the protected health information of all patients. Nursing faculty will provide Health Insurance Portability and Accountability (HIPAA) privacy training to all nursing students the first semester of study prior to entering clinical facilities.

An Acknowledgment of Privacy Training will be signed by each student and maintained in the student’s file in the Nursing Office. Any failure to comply with privacy of any Protected health information will be considered for sanction by the Nursing Faculty Organization (NFO).

Policy regarding electronics in the classroom/clinical:

CLASSROOM

The faculty of the ASN program understands the value of using electronic devices such as smartphones/cell phones, laptops, etc. in the learning environment. These devices **are** allowed in the classroom as an option for the student for taking notes or to enrich the lesson being taught. It will be at the discretion of each instructor to determine when the device becomes a distraction (for example: cell phones ringing during class or students using websites not applicable to class) to any other student in the class. If at any time the instructor feels the device is detrimental to the class being taught the student will be required to surrender the device until the end of the class session. Further incidents will result in the following action:

- I. Dismissal from classroom
- II. Prohibition from bringing electronics to class.
- III. Grade reduction of up to 20 points for each incident

In addition, it is important to note that some students find that a computer screen in the front of the room distracts from the instructor's presentation. It may also be up to the individual instructor to ask those with laptop computers to sit toward the rear of the classroom.

CLINICAL

Students using handheld devices in clinical will be required to adhere to the following guidelines:

1. The device will be in airplane mode at all times while in the clinical agency.
2. The camera on the device will not be accessed at any time while in the clinical agency.
3. No pictures will be taken of any person, equipment, or location that is related to the clinical agency, without prior written consent of the supervisor of that location, the director of the nursing program and the faculty member present at the clinical agency.
4. **No** texting, email or communication of any type will ever be done in front of a client or clinical agency staff member. The student will only use the device for communication while on a break in designated break areas away from patient care areas. Inappropriate use of the device such as using the internet for personal, non-school functions is prohibited. Inappropriate use of the device or any HIPAA violation is cause for dismissal from the ASN Program.
5. All students will be responsible for HIPAA regulations. If questions arise as to whether any data/information can be shared, or stored students agree to refrain until clarified. All transmissions related to a client or client concept (social media or otherwise) must be de-identified prior to transmission per HIPAA. All HIPAA violations will be sanctioned—the ultimate sanction being dismissal from the ASN Program and legal action toward the student.

RECORDING

Any lecture recorded in the classroom is intended for instructional use and should be posted only by faculty. Any other use is prohibited such as posting on social networking sites as Facebook and YouTube.

EXAMS

NO electronics are allowed during any exam. Students should not be able to hear/feel/see the device during the exam. Therefore, all students will be asked to leave the device outside of the testing area or with the proctor. If a student is found to have an electronic device in the testing room, they will be immediately dismissed from the testing room and receive a “ZERO” for the exam grade. If a calculator is required for the exam, the instructor will either furnish a calculator approved by the ASN Program or instruct the student to use the computer’s calculator.

ORIGINAL ADOPTION DATE: 08/14
REVIEWED/REVISED: 07/23

Clinical Dress Code Policy:

The dress code may be altered to comply with sponsoring clinical agencies' requirements.

1. General appearance will be well-groomed, clean, and professional.
2. Hair will be kept clean, secured from the face, and of a natural hair color (no rainbow colors).
3. Neutral color shoes with an enclosed toe are to be worn and are to be kept neat and clean. (No canvas shoes)
4. Beards and mustaches are to be kept neat and trimmed.
5. Royal blue scrubs will be required. Clothing will not be restrictive or tight.
 - a. Skirt length will be no shorter than mid knee or longer than mid-calf.
6. Name badge shall be visible at all times during clinical experience.
7. The abdomen and back are to be covered at all times.
8. Personal hygiene practices are to be followed (bathing, hair washed, oral care, deodorant). Perfume or after shave is prohibited.
9. One small post earring may be worn in each ear. No other ornaments in facial or tongue piercings will be allowed.
10. Rings must be limited to no more than a total of two.
11. Fingernails must be trimmed to the tip of each finger and must be clean. No polish or artificial nails will be allowed.
12. No sunglasses.
13. Sleeves may be worn under scrubs as long as sleeves are in one color that is neutral or MSU-WP colors of red, white, or royal blue.
14. No hoodies or jackets.

ORIGINAL ADOPTION DATE: 08/83
REVIEWED/REVISED: 07/23

Final Clinical Evaluation Policy:

Clinical evaluation by the clinical instructor indicates Pass (P) or Unmet (U). For the final clinical evaluation, students must achieve the minimal expected level of performance for each competency in the evaluation in order to pass the course and progress in the program.

ORIGINAL ADOPTION DATE: 04/14
REVIEWED/REVISED: 07/23

Clinical Failure Policy:

Any student who receives a third “Unmet” clinical day in a semester will fail the clinical component for the nursing course. Any student that fails the clinical component of a course must petition for readmission.

ORIGINAL ADOPTION DATE: 04/14
REVIEWED/REVISED: 07/23

Discipline Policy and Procedures:

POLICY: As noted in the **Ethical/Professional Behavior Expectations and Dismissal Policy**, there are violations for which a student may be sanctioned. The offenses listed in these policies may not cover all behaviors that could result in disciplinary action against a student.

Serious offenses, as noted in the Dismissal policy, may lead to immediate dismissal. Patient safety and personal integrity are the foundation for nursing care. Students who violate these trusts may be dismissed from the program without remediation.

PROCEDURE: Disciplinary action may include any of the following steps. The general procedure will include:

1. First offense/Student contract
When a student has violated a given policy, or when previous instructions fail to bring about acceptable results, a written remediation will be issued and kept in the student’s file in the nursing office. The faculty and the student will formalize a plan to correct the behavior, with a follow-up meeting to be scheduled at the time of remediation. For a serious offense a student may be required to meet with the Nursing Faculty Organization.
2. Second offense/Student contract
When a student violates a policy a second time, violates a second policy, or when the first remediation plan fails to bring the student into compliance, a second written remediation will be issued. The student will meet with the Nursing Faculty Organization and receive written instructions that any further violation will result in dismissal from the program.
3. Third offense/Dismissal
On the third offense, the student will be dismissed from the program.

ORIGINAL ADOPTION DATE: 04/04
REVIEWED/REVISED: 07/23

Ethical/Professional Expectations:

All nursing students are expected to consistently exhibit the following behaviors:

- A. Respect for the inherent worth and uniqueness of an individual by demonstrating caring, trust, and empathy. This behavior is demonstrated by being accessible and prompt in meeting the needs of those under their care and encouraging and motivating individuals with whom they come in contact.
- B. Commitment to nursing and an attitude of enthusiasm, cooperation, and self-direction. The student demonstrating this behavior appears to enjoy nursing and presents a willingness to learn.
- C. Intellectual and personal integrity which involves the following behaviors:
 - 1. Demonstrates honesty, rationality and accountability. The student displaying this behavior is one who readily admits mistakes and oversights and accepts responsibility and tries to take corrective action.
 - 2. Maintains forthrightness with peers, staff, and faculty and handles conflicts with others objectively.
 - 3. Utilizes safe techniques even when not being supervised.
 - 4. Bases statements only on information and facts known to be correct, and does not participate in malicious or slanderous conversation.
 - 5. Complies voluntarily with the spirit, rules and policies of the school and laboratory settings.
 - 6. Safeguards personal health information in compliance with HIPAA laws.
 - 7. Performs assigned duties and is willing to help peers.
 - 8. Exhibits professionalism at all times. The student displaying this behavior is one who will maintain a professional demeanor, attitude and appearance that supports the image of nursing and MSU-WP.

ORIGINAL ADOPTION DATE: 05/94
REVIEWED/REVISED: 07/23

**MISSOURI STATE UNIVERSITY-WEST PLAINS
ASSOCIATE OF SCIENCE IN NURSING DEGREE PROGRAM**

REMEDIATION PLAN:

At current risk for not passing NUR _____

Student: _____ Date: _____

Area of Concern (Objective): _____

Date of Performance: _____

Faculty Input:

___ Failure to turn in assignments. Missing assignments resulting in course grades below 78%.

___ Excessive classroom absences. Dates: _____

___ Excessive clinical absences (with notification) Dates: _____

___ Absence from clinical time (no notification or follow-up) Date(s): _____

___ Failure to meet clinical objectives.

___ Other _____

Student Behavior Toward Meeting Objective:

Faculty Plan/Requirements:

1. Students will create and discuss a plan of action to become successful in the course. Plan should be listed in detail below under "student plan." Students must meet with course instructor to discuss plan by _____.
2. Students will initiate assistance from instructor(s) as needed.

Student Plan:

I realize that the behaviors described in this remediation plan reflects performance that is not adequate for a student at this level of NUR _____.

Student

Instructor: ____

Date

ORIGINAL ADOPTION DATE: 08/83
REVISED: 04/22 REVIEWED: 07/23

**MISSOURI STATE UNIVERSITY-WEST PLAINS
ASSOCIATE OF SCIENCE IN NURSING DEGREE PROGRAM**

REMEDIATION PLAN:

Non-passing test grade average

Student: _____ Date: _____

Area of Concern (Objective): _____

Per policy, a student must achieve an average exam score of 78% to pass the course. The current exam average is _____%.

Date of Performance: _____ beginning of course to _____

Faculty Input:

Currently you have a test average of _____%. There are approximately _____ points remaining in testing. _____ points/_____ total points in testing = 77.5% (rounding to 78%) are needed for meeting the required test grade average.

You have earned _____ points so far. You need _____ more points in testing to achieve the 78% test score average in the class. You need to achieve approximately an _____% on remaining exams.

Please note this number is based upon approximate number of remaining exam points; this number may change due to test adjustments which would in turn adjust the student's minimum required score.

Student Behavior Toward Meeting Objective:

Faculty Plan/Requirements:

3. Students will create and discuss a plan of action/study to improve testing average. Plan should be listed in detail below under "student plan." Students must meet with the course instructor to discuss plan by _____.
4. Students will initiate assistance from instructor(s) as needed.

Student Plan:

I realize that the behaviors described in this remediation plan reflect performance that is not adequate for a student at this level of NUR _____.

Student

Instructor:

Date

ORIGINAL ADOPTION DATE: 08/83
REVISED: 04/22 REVIEWED: 07/23

Infection Control Policy:

The Department of Nursing at Missouri State University-West Plains requires the method used for infection control known as Standard precautions. This method treats all body fluids and human blood as infectious.

All students must use personal protective equipment such as gloves, gown, eye protection or a mask whenever there is a possibility of being exposed to blood or other potentially infectious material. The Occupational Safety and Health Administration (OSHA) mandates that all health care facilities follow the guidelines set forth by the Center for Disease Control (CDC). It is the responsibility of the student to know the policy of the institution sponsoring the clinical practicum.

Mandatory testing of health care professionals for HIV and HBV (Hepatitis B vaccination) is not justified; but health care professionals who perform invasive procedures should know their HIV and Hepatitis B antigen status. Any student who is HIV or HBV positive should voluntarily consult his/her private physician. The student's ability to perform invasive procedures will be determined by the physician, in conjunction with experts, as specified in RSMo 191.700.

The Department of Nursing will supply all cooperating clinical agencies assurance that all faculty and students in a participating role have been informed and will practice the standards set by OSHA in regard to 29CFR in part 1910.1030 "Occupational Exposure to Bloodborne Pathogens"

ORIGINAL ADOPTION DATE: 08/92
REVIEWED/REVISED: 07/23

Required Health Record Information

Students majoring in nursing have a **special responsibility** to follow infection control guidelines, for their own protection as well as that of clients and the general public they are/will be serving. The nursing faculty have adopted the following policies and procedures to meet clinical agency requirements. **Students are responsible for any incurred charges.** It is noted some series immunizations may be ongoing into the clinical experience. These must be reported as they occur (e.g., Hepatitis B). **Students will not be allowed to attend clinical until immunization records are complete. These clinical absences will be addressed by the clinical absence policy.**

The student **must complete** the immunization record for the following illnesses/immunizations:

- Varicella (chicken pox)—2 dose series or proof of positive titer.
- Proof of Hepatitis B immunizations— (2 or 3 depending on type of vaccine) or titer.
- Diphtheria, pertussis, tetanus (T-Dap), Td booster, within last 10 years. **T-Dap booster recommended.**
- Measles, mumps, *rubella (MMR)—Two (2) immunizations as a child or one (1) after 18th birthday.
- Proof of Rubella immunity is required by positive titer or immunization after 18th birthday. **NOTE: If you have been pregnant within the last 5 years, you probably had a rubella titer. Please contact your obstetrician for your titer to avoid the cost of a second one. Include date and result numbers, if possible.**
- Influenza vaccine required.
- Covid-19 vaccine required.
- Tuberculosis
 - **Initial Screening:** Students entering the nursing program must complete a tuberculin skin test (also known as Mantoux tuberculin skin test) or tuberculin blood test (interferon-gamma release assay – Ex: T-SPOT) prior to beginning classes; **OR** provide proof of negative result of a test listed above within the past 12 months, **unless positive.**
 - **Recurring Screening:** After initial screening is completed, students are required to complete a tuberculosis risk screening assessment/survey at the beginning of each subsequent semester throughout the nursing program.
 - **Documentation of follow-up for a positive skin test is required.**
 - A student with a positive reaction to the skin test is required to obtain an initial negative chest x-ray. Annual chest x-rays will be required if symptomatic (see Nursing Department Policy for T.B. Reactors). In the event of a pre-existing or temporary health condition, such as pregnancy, the student should submit a statement from a health care provider indicating the reasons for noncompliance.

Immunization status is the responsibility of the student. Students are required to upload proof of their immunizations and health records documents to ATI Program Manager. The following video will show how to upload those documents. [How to Add a Compliance Requirement on Vimeo](#).

Immunization status can and should be tracked prior to each clinical rotation by logging into ATI Program Manager Compliance Management System. Deficient records are to be updated by the student or clinical participation will be delayed risking failure in the nursing program.

If a student desires to decline or be exempt from a specific vaccine, they must obtain approval from the specific clinical agency where they will be completing their rotations. The clinical coordinator will supply the exemption or declination forms for the clinical agency to the student and submit them for approval. Ultimately, the clinical agency has the authority to approve or deny any vaccine exemption or declination requests. Once the clinical agency has approved the vaccine exemption it must be uploaded to the student's health record documents in ATI Program Manager. This is important for documentation purposes, as it provides a record of the student's vaccination status and any approved exemptions or declinations. It also helps to ensure the nursing program remains in compliance with any requirements related to vaccination and immunization.

Responsibility for Treatment Policy:

Missouri State University-West Plains Associate of Science in Nursing program does not assume any liability for students in the event of an accident or illness while on clinical assignments or while traveling to assigned clinical practicums.

In certain situations, Missouri State University-West Plains personnel or an affiliating agency personnel may require a student to seek medical treatment or care at his/her own expense.

Neither Missouri State University-West Plains nor the affiliating clinical agency will assume the cost of treatment of care for injury or a medical condition occurring during any clinical or laboratory experiences. If at remote sites, students will be referred to the nearest local health facility as directed by the clinical instructor or affiliating agency personnel.

ORIGINAL ADOPTION DATE: 05/01
REVIEWED/REVISED: 07/23

Nondiscrimination Policy:

Missouri State University is a community of people with respect for diversity. The University emphasizes the dignity and equality common to all persons and adheres to a strict nondiscrimination policy regarding the treatment of individual faculty, staff and students. In accord with federal law and applicable Missouri statutes, the University does not discriminate on the basis of race, color, national origin (including ancestry, or any other subcategory of national origin recognized by applicable law), religion, sex (including marital status, family status, pregnancy, sexual orientation, gender identity, gender expression, or any other subcategory of sex recognized by applicable law), age, disability, veteran status, genetic information or any other basis protected by applicable law in employment or in any program or activity offered or sponsored by the University. Sex discrimination encompasses sexual harassment, which includes sexual violence, and is strictly prohibited by Title IX of the Education Amendments of 1972.

This policy shall not be interpreted in a manner as to violate the legal rights of religious organizations or of military organizations associated with the Armed Forces of the United States of America.

The University maintains a grievance procedure incorporating due process available to any person who believes he or she has been discriminated against. Missouri State University is an Equal Opportunity/Affirmative Action/ Minority/Female/Veterans/Disability/ Sexual Orientation/Gender identity employer. Inquiries concerning the complaint/grievance procedure, related to sexual discrimination, including sexual harassment and sexual assault, should be addressed to the West Plains campus Equal Opportunity and Title IX Liaison at (417) 255-7966 or the Equal Opportunity Officer, Office for Institutional Equity and Compliance, Carrington Hall 205, Springfield Missouri 65897, equity@missouristate.edu (417) 836-4252 or to the Office for Civil Rights. (Res. Board Policies No. 70-11; Bd. Min. 10-28-11.)

(MISSOURI STATE BOARD OF NURSING { APRIL 2022 } THE NURSING PRACTICE ACT, CHAPTER 335)

335.066. Denial, revocation, or suspension of license, grounds for, civil immunity for providing information — complaint procedures.

1. The board may refuse to issue or reinstate any certificate of registration or authority, permit or license required pursuant to this chapter 335.066 for one or any combination of causes stated in subsection 2 of this section or the board may, as a condition to issuing or reinstating any such permit or license, require a person to submit himself or herself for identification, intervention, treatment, or monitoring by the intervention program and alternative program as provided in section 335.067. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by sections 335.011 to 335.096 or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use or unlawful possession of any controlled substance, as defined in chapter 195, by the federal government, or by the department of health and senior services by regulation, regardless of impairment, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 335.011 to 335.096. A blood alcohol content of .08 shall create a presumption of impairment.

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 335.011 to 335.096, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation, or bribery in securing any certificate of registration or authority, permit or license issued pursuant to sections 335.011 to 335.096 or in obtaining permission to take any examination given or required pursuant to sections 335.011 to 335.096.

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation.

(5) Incompetency, gross negligence, or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter*. For the purposes of this subdivision, "**repeated negligence**" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession.

(6) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct, or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

- (a) Willfully and continually overcharging or overtreating patients; or charging for visits which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records.
- (b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation.
- (c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests, or nursing services.
- (d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience, or licensure to perform such responsibilities.
- (e) Performing nursing services beyond the authorized scope of practice for which the individual is licensed in this state.
- (f) Exercising influence within a nurse-patient relationship for purposes of engaging a patient in sexual activity.
- (g) Being listed on any state or federal sexual offender registry.
- (h) Failure of any applicant or licensee to cooperate with the board during any investigation.
- (i) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board.
- (j) Failure to timely pay license renewal fees specified in this chapter.
- (k) Violating a probation agreement, order, or other settlement agreement with this board or any other licensing agency.
- (l) Failing to inform the board of the nurse's current residence within thirty days of changing residence.
- (m) Any other conduct that is unethical or unprofessional involving a minor.
- (n) A departure from or failure to conform to nursing standards.
- (o) Failure to establish, maintain, or communicate professional boundaries with the patient. A nurse may provide health care services to a person with whom the nurse has a personal relationship as long as the nurse otherwise meets the standards of the profession.
- (p) Violating the confidentiality or privacy rights of the patient, resident, or client.

(q) Failing to assess, accurately document, or report the status of a patient, resident, or client, or falsely assessing, documenting, or reporting the status of a patient, resident, or client.

(r) Intentionally or negligently causing physical or emotional harm to a patient, resident, or client.

(s) Failing to furnish appropriate details of a patient's, client's, or resident's nursing needs to succeeding nurses legally qualified to provide continuing nursing services to a patient, client, or resident.

(7) Violation of, or assisting or enabling any person to violate, any provision of sections 335.011 to 335.096, or of any lawful rule or regulation adopted pursuant to sections 335.011 to 335.096.

(8) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school.

(9) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 335.011 to 335.096 granted by another state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state.

(10) A person is finally adjudged insane or incompetent by a court of competent jurisdiction.

(11) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 335.011 to 335.096 who is not registered and currently eligible to practice pursuant to sections 335.011 to 335.096.

(12) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact.

(13) Violation of any professional trust or confidence.

(14) Use of any advertisement or solicitation which is false, misleading, or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government.

(16) Placement on an employee disqualification list or other related restriction or finding pertaining to employment within a health-related profession issued by any state or federal government or agency following final disposition by such state or federal government or agency.

(17) Failure to successfully complete the intervention or alternative program for substance use disorder.

(18) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630, or for payment from Title XVIII or Title XIX of the federal Medicare program.

(19) Failure or refusal to properly guard against contagious, infectious, or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof.

(20) A pattern of personal use or consumption of any controlled substance or any substance which requires a prescription unless it is prescribed, dispensed, or administered by a provider who is authorized by law to do so or a pattern of abuse of any prescription medication.

(21) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525.

(22) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement, or licensee's professional health program.

(23) Failure to submit to a drug or alcohol screening when requested by an employer or by the board. Failure to submit to a drug or alcohol screening shall create the presumption that the test would have been positive for a drug for which the individual did not have a prescription in a drug screening or positive for alcohol in an alcohol screening.

(24) Adjudged by a court in need of a guardian or conservator, or both, obtaining a guardian or conservator, or both, and who has not been restored to capacity.

(25) Diversion or attempting to divert any medication, controlled substance, or medical supplies.

(26) Failure to answer, failure to disclose, or failure to fully provide all information requested on any application or renewal for a license. This includes disclosing all pleas of guilt or findings of guilt in a case where the imposition of sentence was suspended, whether or not the case is now confidential.

(27) Physical or mental illness, including but not limited to deterioration through the aging process or loss of motor skill, or disability that impairs the licensee's ability to practice the profession with reasonable judgment, skill, or safety. This does not include temporary illness which is expected to resolve within a short period of time.

(28) Any conduct that constitutes a serious danger to the health, safety, or welfare of a patient or the public.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

4. For any hearing before the full board, the board shall cause the notice of the hearing to be served upon such licensee in person or by certified mail to the licensee at the licensee's last known address. If service cannot be accomplished in person or by certified mail, notice by publication as described in subsection 3 of section 506.160 shall be allowed; any representative of the board is authorized to act as a court or judge would in that section; any employee of the board is authorized to act as a clerk would in that section.

5. An individual whose license has been revoked shall wait one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the board after compliance with all the requirements of sections 335.011 to 335.096 relative to the licensing of an applicant for the first time.

6. The board may notify the proper licensing authority of any other state concerning the final disciplinary action determined by the board on a license in which the person whose license was suspended or revoked was also licensed of the suspension or revocation.

7. Any person, organization, association, or corporation who reports or provides information to the board of nursing pursuant to the provisions of sections 335.011 to 335.259** and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

8. The board may apply to the administrative hearing commission for an emergency suspension or restriction of a license for the following causes:

(1) Engaging in sexual conduct as defined in section 566.010, with a patient who is not the licensee's spouse, regardless of whether the patient consented.

(2) Engaging in sexual misconduct with a minor or person the licensee believes to be a minor. "Sexual misconduct" means any conduct of a sexual nature which would be illegal under state or federal law.

(3) Possession of a controlled substance in violation of chapter 195 or any state or federal law, rule, or regulation, excluding record-keeping violations.

(4) Use of a controlled substance without a valid prescription.

(5) The licensee is adjudicated incapacitated or disabled by a court of competent jurisdiction.

(6) Habitual intoxication or dependence upon alcohol or controlled substances or failure to comply with a treatment or aftercare program entered into pursuant to a board order, settlement agreement, or as part of the licensee's professional health program.

(7) A report from a board-approved facility or a professional health program stating the licensee is not fit to practice. For purposes of this section, a licensee is deemed to have waived all objections to the admissibility of testimony from the provider of the examination and admissibility of the examination reports. The licensee shall sign all necessary releases for the board to obtain and use the examination during a hearing; or

(8) Any conduct for which the board may discipline that constitutes a serious danger to the health, safety, or welfare of a patient or the public.

9. The board shall submit existing affidavits and existing certified court records together with a complaint alleging the facts in support of the board's request for an emergency suspension or restriction to the administrative hearing commission and shall supply the administrative hearing commission with the last home or business addresses on file with the board for the licensee. Within one business day of the filing of the complaint, the administrative hearing commission shall return a service packet to the board. The service packet shall include the board's complaint and any affidavits or records the board intends to rely on that have been filed with the administrative hearing commission. The service packet may contain other information in the discretion of the administrative hearing commission. Within twenty-four hours of receiving the packet, the board shall either personally serve the licensee or leave a copy of the service packet at all of the licensee's current addresses on file with the board. Prior to the hearing, the licensee may file affidavits and certified court records for consideration by the administrative hearing commission.

10. Within five days of the board's filing of the complaint, the administrative hearing commission shall review the information submitted by the board and the licensee and shall determine based on that information if probable cause exists pursuant to subsection 8 of this section and shall issue its findings of fact and conclusions of law. If the administrative hearing commission finds that there is probable cause, the administrative hearing commission shall enter the order requested by the board. The order shall be effective upon personal service or by leaving a copy at all of the licensee's current addresses on file with the board.

11. (1) The administrative hearing commission shall hold a hearing within forty-five days of the board's filing of the complaint to determine if cause for discipline exists. The administrative hearing commission may grant a request for a continuance but shall in any event hold the hearing within one hundred twenty days of the board's initial filing. The board shall be granted leave to amend its complaint if it is more than thirty days prior to the hearing. If less than thirty days, the board may be granted leave to amend if public safety requires.

(2) If no cause for discipline exists, the administrative hearing commission shall issue findings of fact, conclusions of law, and an order terminating the emergency suspension or restriction.

(3) If cause for discipline exists, the administrative hearing commission shall issue findings of fact and conclusions of law and order the emergency suspension or restriction to remain in full force and effect pending a disciplinary hearing before the board. The board shall hold a hearing following the certification of the record by the administrative hearing commission and may impose any discipline otherwise authorized by state law.

12. Any action under this section shall be in addition to and not in lieu of any discipline otherwise in the board's power to impose and may be brought concurrently with other actions.

13. If the administrative hearing commission does not find probable cause and does not grant the emergency suspension or restriction, the board shall remove all reference to such emergency suspension or restriction from its public records. Records relating to the suspension or restriction shall be maintained in the board's files. The board or licensee may use such records in the course of any litigation to which they are both parties. Additionally, such records may be released upon a specific, written request of the licensee.

14. If the administrative hearing commission grants temporary authority to the board to restrict or suspend the nurse's license, such temporary authority of the board shall become final authority if there is no request by the nurse for a full hearing within thirty days of the preliminary hearing. The administrative hearing commission shall, if requested by the nurse named in the complaint, set a date to hold a full hearing under the provisions of chapter 621 regarding the activities alleged in the initial complaint filed by the board.

15. If the administrative hearing commission refuses to grant temporary authority to the board or restrict or suspend the nurse's license under subsection 8 of this section, such dismissal shall not bar the board from initiating a subsequent disciplinary action on the same grounds.

16. (1) The board may initiate a hearing before the board for discipline of any licensee's license or certificate upon receipt of one of the following:

(a) Certified court records of a finding of guilt or plea of guilty or nolo contendere in a criminal prosecution under the laws of any state or of the United States for any offense involving the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense involving fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed.

(b) Evidence of final disciplinary action against the licensee's license, certification, or registration issued by any other state, by any other agency or entity of this state or any other state, or the United States or its territories, or any other country.

(c) Evidence of certified court records finding the licensee has been judged incapacitated or disabled under Missouri law or under the laws of any other state or of the United States or its territories.

(2) The board shall provide the licensee not less than ten days' notice of any hearing held pursuant to chapter 536.

(3) Upon a finding that cause exists to discipline a licensee's license, the board may impose any discipline otherwise available.

□□

(L. 1975 S.B. 108 § 12, A.L. 1981 S.B. 16, A.L. 1995 S.B. 452, A.L. 1999 H.B. 343, A.L. 2007 H.B. 780 merged with S.B. 308, A.L. 2013 H.B. 315, A.L. 2018 H.B. 1719)

*Words "chapter 335" appear in original rolls.

**Section 335.259 was repealed by S.B. 52, 1993.

(MISSOURI STATE BOARD OF NURSING { APRIL 2022 } THE NURSING PRACTICE ACT, CHAPTER 335)