Recommendations Related to Technical Standards for Nursing Education

**Summary:** A large percentage of nursing education programs in California utilize technical standards (non-academic admission requirements) that are written in a way that could have an adverse impact on the equal participation of students with disabilities. It is difficult to determine the precise numerical impact since the California Board of Registered Nursing (BRN) does not collect disability demographic data for the Pre-Licensure Nursing Program Annual School Report or for the Biennial Survey of Registered Nurses. CCEPD recommends Agencies address this high impact barrier currently limiting educational and employment opportunities within California’s health workforce for students with disabilities by working with the California Business Consumer Services and Housing Agency (BCSHA) to encourage nursing education programs in California to revise their technical standards to align with a model state technical standard and to ensure disability demographic data is collected as part of the BRN’s regular reporting requirements.

**CCEPD Goal:** “By June 30, 2014, California launches an initiative to increase the current employment participation rate for workers with disabilities in the health services sector (3.7%). Students and workers with disabilities in California will have the necessary skills, equal opportunities, and supports to achieve integrated, competitive employment in California’s health workforce.”

**Related Goals from the National Governors Association’s Blueprint for Governors, A Better Bottom Line: Employing People with Disabilities**

- “Make disability employment part of the state workforce development strategy;”
- “Find and support businesses in their efforts to employ people with disabilities” by using “sector strategies, which are among the few workforce interventions that statistical evidence shows to improve employment opportunities for workers and increase their wages once on the job.”

**CCEPD Recommendations:**

1. The Department of Consumer Affairs (DCA), in partnership with the California Health and Human Services Agency (CHHS) Office of Statewide Health Planning and Development (OSHPD) and California Labor and Workforce Development Agency (LWDA), should issue a joint “dear colleague” letter to all
public and private pre-licensure nursing education programs in California recommending they revise their technical standards to align with the “Model California Technical Standard for Nursing Education Programs.”

This draft model technical standard was developed by Dr. Beth Marks from the University of Illinois at Chicago (the current President of the National Organization of Nurses with Disabilities) and her colleague, Dr. Sarah Ailey at the Rush University College of Nursing. It is the first draft model state standard of its kind in the nation.

2. DCA and the BRN should also work with the California Hospital Association (CHA) and OSHPD to ensure that the model technical standard is included in all contracts with hospitals that serve as clinical sites for nursing education programs in California. The Department of Fair Employment and Housing (DFEH) within DCA should work with CHA to ensure that health sector employers in California are using ADA-compliant language in their nursing job descriptions.

3. The BRN is proposing to its Survey Advisory Committee on June 2, 2014, that it begin collecting information on disability status as part of the 2014 Pre-Licensure Nursing Program Annual School survey. This best practice should be institutionalized so that whoever is in leadership at DCA and the BRN will continue to collect disability demographic information in all of the BRN’s data collection efforts required under Section 2717 of the California Business and Professions Code, including but not limited to the Biennial Survey of Registered Nurses and the Pre-Licensure Nursing Program Annual School Survey.

4. CCEPD also recommends an amendment to Subdivision (h)(1) of California Education Code Section 78261 to require that disability be included in the disaggregated data that community colleges with registered nursing programs report to the Chancellor’s Office for compilation and submission to the legislature and governor by March 1 of each year.

CCEPD Stakeholder Input:

- Session at the California Wellness Foundation’s Conference on Increasing Diversity in the Health Professions on June 24, 2013 in Los Angeles.
- Pre-Conference Workshop at the California Association of Postsecondary Education and Disability Conference, Sunday, October 13, 2013 in Garden Grove.
- Workshop at the California Health Professions Consortium Conference on November 14, 2013 in Sacramento.
Participated in a federal policy roundtable, “Health Care Professionals with Disabilities: Career Trends, Best Practices, and Call-to-Action,” convened by the U.S. Department of Labor’s Office of Disability Employment Policy (ODEP) and Employment and Training Administration (ETA), the U.S. Department of Health and Human Services’ Health Resources and Services Administration (HRSA), and the National Organization of Nurses with Disabilities on March 18, 2014 in Washington, DC.

Background:
- By 2020, 94% of jobs within healthcare will require post-secondary education or training.¹
- Among the health occupations forecasted to have the most job openings between 2014 and 2020, registered nursing is the second highest in California with 99,800 job openings statewide requiring at least an Associates degree.²
- The number of students with disabilities in California’s pre-licensure public and private nursing education programs is currently unknown. Students requesting a disability accommodation for assessment testing as part of the community college nursing education selection process, however, represented only 1.4 percent, and only 1.3 percent of the total number of students who passed the testing.³

The Issue:
- According to CCEPD stakeholder input, students with disabilities are not participating in California’s nursing education programs in larger numbers due to the technical standards (non-academic admission requirements) used by nursing schools to screen prospective students.
- The technical standards are based on physical attributes rather than essential nursing skills and tend to focus on “how” a skill should be performed as opposed to “what” the skill is. For example, many California nursing programs have an entrance requirement that students “work in a standing position and do frequent walking for twelve hours.” Some nursing occupations require standing and walking but others do not (e.g. monitoring telemetry on a cardiac unit, working in a poison control center, managing a unit, or being in charge of quality improvement).⁴ In spite of this, all prospective nursing students regardless of specialization are required to meet this technical standard before they are admitted to many of California’s nursing education programs.
- These technical standards are also included in the nursing school contracts with hospitals and other clinical sites for the BRN’s clinical experience requirement, further limiting educational opportunities for students with disabilities.
- As the National Organization of Nurses with Disabilities has noted, using physical attributes as a skill, e.g. “must be able to talk to patients directly”
versus “must be able to communicate effectively” is not a good way to accurately capture the essential functions of a nurse and may exclude an entire class of people, including students with disabilities.”

Implementation/Next Steps:

- CCEPD will continue to work with California’s leading nursing education associations, including the California Association of Colleges of Nursing (CACN), the California Organization of Associate Degree in Nursing (COADN), and the California Institute for Nursing & Health Care (CINH) to vet and refine the recommendations;
- CCEPD will convene a meeting of the DCA, BRN, DFEH, OSHPD and CCEPD ex-officios within CHHS and LWDA to present and discuss the recommendations;
- CCEPD will partner with CACN and COADN to hold a three hour session at the Fall CACN/COADN Conference on October 1-3, 2014, to:
  - Gather input from nursing education practitioners on the draft Model State Technical Standard;
  - Share best practices from nursing programs in other states that have successfully graduated and licensed nurses with disabilities;
  - Develop a coordinated implementation strategy around the recommendations; and
  - Have an open dialogue about how increasing the number of nurses with disabilities in California contributes to the larger discussion concerning the transformation of health care provision and the move from acute care to the full continuum of care.
- CCEPD will forward a final version of the “Model California Technical Standard for Nursing Education Programs” to BCHSA, CHHS, and LWDA, and provide technical support, where needed, for development and distribution of the “dear colleague” letter.

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i America’s Edge, 2013
ii EDD-Labor Market Information Division
iii 2014 Nursing Education Programs. California Community Colleges Chancellor’s Office. Sacramento, CA.