**Lex La-Ray Technical Center**

**Program of Practical Nursing**



Scan to apply on our website

**Fully Approved By: Fully Approved By:**

**Missouri State Board of Nursing State Department of Education**

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Admissions to the Lex La-Ray Technical Center is not prohibited or limited because of color, race, national origin, sex, age or disability. Any person having inquiries concerning compliance, please contact the Director of Special Services, 817 South Business Highway 13, Lexington, MO 64067, telephone 660-259-4369.

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**2024-2025 Class Begins: August 19, 2024 Graduation: July 1, 2025**

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**Objectives of the program:**

Upon completion of the Lex La-Ray Technical Center Practical Nursing Program, the graduate Practical Nurse will be able to:

1. Practice nursing that is client centered, caring, culturally sensitive and based on the physiological, psychological and spiritual needs of clients.

2. Serve as a member of the interdisciplinary health care team to promote continuity of care.

3. Use current evidence from scientific and other credible sources as a basis for nursing practice and clinical judgment.

4. Promote quality improvement by contributing to the implementation of care-related plans to improve health care services.

5. Provide a safe environment for clients, self, and others.

6. Use information technology in the provision of client care.

7. Provide selected health-related education with guidance.

8. Practice nursing in a professional, ethical, and legal manner.

9. Use leadership skills in the provision of safe, quality client care.

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**Philosophy of the program:**

* The faculty of the Lex La-Ray Technical Center Practical Nursing Program believes and functions in accordance with the stated philosophy of the Lexington, Missouri R-V School District.
* The role of the practical nurse is to provide quality care in all nursing situations with minimum and direct supervision and direction from a registered professional nurse and /or a licensed physician.
* We believe that due to the role of the practical nurse in the health community, the core of the

education of this nurse must be integrated curriculum based on the biological and behavioral sciences with development of interpersonal relationships, assisting in the development of an individual plan of care, and recognizing changes in the condition of the client indicating the need for professional assistance.

* We believe in human dignity of each individual and respecting cultural and ethnic diversity
* We believe that the Lex La-Ray Practical Nursing Program should continue to be strengthened, improved and expanded in accordance with the needs of our community and Practical Nursing Education.
* We believe in a policy of non-discrimination regarding sex, age, race, color, creed, national origin or handicap, as specified by federal and state laws and regulation.

**Application Requirements:**

Submit completed documents as listed below by 4:00 pm on the deadline date.

**Application Deadline**

**April 15, 2024**

**Step 1:** Complete the online application form per the deadlines indicated above. Include uploads of any health care certificates (examples: CNA, CMT, EMT, LIMA, Phlebotomy) to be included with your application. **It is the applicant’s responsibility to upload health care certificates at the time of application submission.**

**Step 2:** $45.00 application fee must be submitted to Lex La-Ray Technical Center per the deadlines indicated above. May be paid online, mailed, or in person.

**Step 3:** Take the ATI TEAS exam. ATI TEAS scores must be submittedper the deadlines indicated above.

* Only test scores dated on or after April 15, 2023 will be accepted.
* Register for the ATI TEAS test online at [www.atitesting.com](http://www.atitesting.com) after creating a user account on the ATI website. Registrants will need to visit the ATI “online store”.
* Scores taken at another institution may be forwarded to Lex La-Ray per file review deadlines indicated above. **If taken at another institution, it is the applicant’s responsibility to have scores sent to Lex La-Ray Technical Center.**
* Scores will be accepted from applicants who retake the test if a 30-day period has elapsed between testing dates, up to two times within a calendar year.

**Step 4:** Lex La-Ray Practical Nursing Reference Forms. Completed reference forms (2) must be received by Lex La-Ray Technical Center per the deadlines indicated above. Reference forms will be emailed to references included on application form. **It is the applicant’s responsibility to check on the status of their references.**

**Step 5:** *Official* transcripts from **all** schools attended; high school and post-secondary. **All**

transcripts must be received by Lex La-Ray Technical Center per the deadlines indicated above. These must be mailed, emailed, or faxed but must be *official.* (*Include TOEFL and TSE scores* *if applicable.*) **It is the applicant’s responsibility to check on the status of their transcripts.**

**Step 6**: [Complete the Family Care Safety Registry Form](https://healthapps.dhss.mo.gov/BSEES/Main.aspx?sk=SK1454152693) and submit it with the fee to the Missouri Department of Health and Senior Services before the deadlines listed above. All applicants must be registered with the FCSR. If the applicant is on the employee disqualification list or added to the list during the course of the program he/she is ineligible for completion of clinical experiences and therefore unable to complete the requirements for this program.

 Mail documents to: Lex La-Ray Technical Center

 PN Program Coordinator

 2323 High School Drive

 Lexington, MO 64067

**All documents must be submitted in the appropriate manner per the deadlines indicated above to be considered for each designated file review. Notification regarding acceptance status will be sent via email and a letter in the mail within two weeks after each application deadline.**

**Selection Criteria**

* The Practical Nursing Program admits 29 students each program year.
* Applicants earning the top 29 admission scores according to file review dates are offered admission into the upcoming program.
* If there are applicants with the same admission scores at the cutoff threshold, the application date is used to determine who is offered a position.
* Applications received after the second file review deadline and before the third file review deadline will be reviewed only if seats remain available in the program.
* Notification regarding acceptance status will be sent via email and a letter in the mail within two weeks after each application deadline.
* Alternates:
	+ Qualified applicants not admitted for the current academic year will be placed on an alternate list.
	+ The alternate list is ranked by the same standards listed below.
	+ A student will remain on the alternate list until 5 days after the established start date of the program.
	+ If no position becomes available for an alternate they must re-apply for the next academic year.

*The final admission score for each applicant is calculated as follows:*

1. ATI TEAS score (math and reading scores are weighted) is 90% of the final admission score.
2. The past performance rating is 10% of the final admission score. The past performance rating is a combination score determined by:
	1. Each applicant’s two (2) professional references
	2. Current certification in any allied health area (2 points per certification)

**Final decision for acceptance rests with the Admissions Committee**

**\*\*\*Criminal Background Check:** Final admission to the program is contingent upon passing a criminal background check that is performed upon program acceptance. Any individual who has been convicted of a Class A, B, or C felony is ineligible for completing clinical experiences and therefore unable to complete the requirements for this program.

**\*\*\*Late admittance requirements:**

 No student is admitted after five (5) class days have elapsed.

**Cost of Program**

***These fees are estimated and subject to change***

**Tuition:** $18,110 (School Year **2023 - 2024** plus incidentals.)

 **Payment Schedule**

*Deposit*: $200 – Due as indicated in program acceptance letter

*First Payment*: $7,731.00 (est.) - Due by the first day of classes

*Second Payment*: $6,654.00 (est.) - Due by the first day of Level II

*Third Payment*: $3,725.00 (est.) - Due by the first day of Level III

* The deposit of $200.00 reserves a seat in the class and applies to all students regardless of financial aid situation. Students who have paid the $200.00 deposit and then decline their seat prior to the first day of class will have their deposit refunded to them, minus $100.00.
* Refunds: refer to refund policy in Financial Aid Handbook

**Employment while attending school**

To achieve maximum academic success, it is strongly recommended students not work during first 20 weeks of the program and a maximum of 20 hours a week thereafter.

**The Education Program**

Each August, in accordance with the Lexington R-V School District Calendar, one class with 29 students is admitted into the Practical Nursing Program at Lex La-Ray Technical Center.

**Classes begin: August 19, 2024**

**Graduation: July 1, 2025**

**Curriculum Schedule**

Level I: August – October Academic Classes only: 8:00 a.m. – 3:30 p.m., Monday – Friday

 November – December Academic Classes and Fundamental Clinical Experience

Level II and III: January – July Academic Classes: 8:00 a.m. – 3:30 p.m. Monday – Tuesday

Clinical Days and Hours as assigned 2 days per week in

The following areas:

Medical/Surgical Nursing

Specialty Nursing

Psychiatric Nursing

Leadership

Community Nursing

Geriatric Nursing

**Graduation:** Successful completion of the Practical Nursing Program does not guarantee eligibility to take the NCLEX-PN Licensure Exam. Refer to [Missouri Nurse Practice Act, Section 335.066](https://www.lexlaray.com/uploads/4/0/3/5/40357919/335.066_state_of_missouri_nurse_practice_act.pdf)

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**Requirements to take NCLEX-PN Exam**

Each student must:

1. Graduate from a State Approved Practical Nursing Program
2. File formal application documents to the Missouri State Board of Nursing prior to the scheduled licensing examination date.
3. A notarized application for licensure by examination.
4. A fingerprint background check.
5. A certified check or postal money order for the appropriate fee.
6. Compliance with the [Missouri Nurse Practice Act, Section 335.066](https://www.lexlaray.com/uploads/4/0/3/5/40357919/335.066_state_of_missouri_nurse_practice_act.pdf)

The Program Coordinator must submit official final school transcript from the Practical Nursing Program to the Missouri State Board of Nursing.

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**Advanced Placement Policy**

A student with Certified Nurses Aid credentials may request one opportunity to test without benefit of instructor demonstration. Successful demonstration of the fundamental nursing skill will qualify the student for Advanced Skill Placement.

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**About the Faculty**

Faculty: The program is under the supervision of a Coordinator/Instructor. Additional staff includes two full-time instructors.

* Karen Daniel BSN, RN: Program Coordinator, over 30 years nursing experience
* Tammie Smith, BSN, RN: Instructor, 5 years education experience. Over 19 years nursing experience
* Michele Hamilton, BSN, RN, CPN: Instructor, Over 20 years education experience. 24 years nursing experience

**Available Financial Aid**

1. Pell Grant 7. MO Need Based Programs
2. Federal Stafford Loans 8. Advantage MO Program
3. WIA 9. Rural Missouri Inc.
4. Self-Sufficiency 10. Vocational Rehabilitation
5. A+ School Programs 11. Displaced Homemaker
6. VA Education Benefits 12. Other Scholarships/Loans

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**Student Services Available**

1. Financial Aid Services
2. Counseling
3. Nursing Library
4. Computer Lab
5. Computerized testing for courses and Licensure
6. Instructor hours for student assistance
7. Practical Nursing Coordinator
8. Financial Aid and Student Orientation Work Shop

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* No dormitory facility provided.
* Students must have reliable transportation.
* Student must have internet access after school hours.
* Job placement services are available.

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**PN Entrance Test Information**

1. What test does Lex La-Ray administer as the PN Entrance test?
* Test of Essential Academic Skills by Assessment Technology Institute (ATI TEAS)
* It is an admission assessment exam that provides test scores which aid in the class selection process.
* Register and pay for the ATI TEAS test online at [www.atitesting.com](https://www.atitesting.com/) after creating a user account on the ATI website. You will select a test date and location and then purchase a test. To take the test at Lex La-Ray select Lex La-Ray Technical Center as your testing site. The cost to take the test at Lex La-Ray is $82.00. **ATI does not give refunds** so be sure of the test date you select. *Applicants may take the ATI TEAS test up to 2 times within a calendar year. A period of 30 days must elapse between testing dates.* *We will accept the ATI TEAS test scores that are less than 1 year old as of April 15, 2023.*
* Bring a valid photo ID to the testing site.
1. What are the testing categories?
* **English and Language Usage**: Conventions of standard English, knowledge and use of language to express ideas
* **Reading Comprehension**: key ideas and details, craft and structure, integration of knowledge and ideas
* **Science:** Scientific reasoning, human anatomy and physiology, biology, chemistry
* **Math**: Basic: numbers and operations, measurements, data interpretation, algebraic applications (may use a calculator)
1. When and where is the test offered?

The ATI TEAS test can be taken anywhere offering the exam (including remotely) and scores can be sent to Lex La-Ray. We offer the test at the location and dates below:

* **Location:** Lex La-Ray Technical Center

2323 High School Drive

Lexington, MO 64067

1. How can I prepare for the ATI TEAS Test?
* The Assessment Technologies Institute (ATI) offers a study guide and a review course that is specific for the ATI TEAS 7 test. They also offer practice tests online. Visit <https://www.atitesting.com/teas> *.*
* Purchase an ATI TEAS 7 review book from ATI or any bookstore

**For additional information regarding the Practical Nursing Program contact Karen Daniel, BSN, RN, Program Coordinator, by phone at 660-259-2264 ext. 7003 or by email at kdaniel@lexr5.org**

**Competencies and Functional Abilities**

The Lex La-Ray Technical Center Practical Nursing Program acknowledges the abilities necessary to acquire and/or demonstrate competence in the nursing profession. Students seeking admission should be aware that all graduates are expected to develop these basic competencies throughout their education with or without reasonable accommodation. These competencies and functional abilities include, but may not be all-inclusive in the following table:

|  |  |  |
| --- | --- | --- |
| **Core Competencies** | **Standard** | **Examples** **(not meant to be inclusive)** |
| Critical Thinking and Analytical Thinking | Critical thinking ability that includes the ability to recognize cause/effect and analyze potential solutions. | Synthesize knowledge, recognize problems, problem-solve, prioritize, invoke long and short-term memory. |
| Communication | Convey information orally and in writing using English as the primary language. | Write nurses notes, engage in patient teaching, participate in patient conferences, and interpret nonverbal cues. |
| Psychomotor Skills | Perform tasks confluent with nursing roles. | Perform patient assessment, change dressings, give injections. |
| Interpersonal Skills | Demonstrate therapeutic communication and relationship skills. | Engage in conflict resolution, establish rapport, non-judgmental attitude. |
| Reading | Read and comprehend written materials. | Read and interpret policies and procedures, read progress notes. |
| Mathematical Ability | Demonstrate facility with arithmetic functions, measurement and recording devices, and reading/recording of numerical information. | Calculate drug dosages, convert to metric system, read monitoring equipment, record numerical assessment/monitoring data |
| **Functional Ability** | **Standard** | **Examples****(not meant to be inclusive)** |
| Physical Stamina | Exhibit physical strength and endurance appropriate to professional nursing roles throughout assigned shifts. | Lift or move patients, support patients while walking, work complete shifts, conduct CPR. |
| Hearing | Hear, with or without aids, voices, sounds, and monitoring alarms necessary for safe practice. | Monitor blood pressures, hear patients speaking, respond to equipment alarms, auscultate lung sounds. |
| Sight | Distinguish color and visual images within normal range. | Determine color changes during physical assessment, observe patients in hallways, read computer/monitoring screens. |
| Olfactory Sensation | Detect odors, unusual smells, or smoke. | Assess odors during physical assessment, detect odor of smoke. |
| Tactile Sensation | Interpret sensations, temperature and environmental temperature. | Perform palpation for monitoring or procedures, respond to environmental temperature changes.  |
| Physical Health Status | Maintain physical health consistent with employment responsibilities and commitments. | Monitor own health needs. |
| Mental Health Status | Maintain focus and emotional stability in stressful situations and respond to needs of others. | Manage own emotions, respond appropriately in crisis situations, adapt to change readily, maintain therapeutic boundaries. |
| Gross Motor Skills | Exhibit ability to move, sit, stand and walk safely. | Bend, stoop, or reach for objects, maintain balance. |
| Fine Motor Skills | Demonstrates ability to write, grasp, pick-up, or manipulate small objects. | Write legible, manipulate syringes, and calibrate equipment. |
| Mobility | Demonstrate physical abilities consistent with role. | Move quickly from place to place, move freely in-patient care needs. |
| Tactile | Tactile ability sufficient for physical assessment. | Perform palpation, functions of physical examination and/or those related to therapeutic interventions, starting IVs. |
| Health Stamina | Health status level which permits them to meet the classroom and clinical objectives with reasonable accommodations. | Stamina sufficient (i.e., diabetic allows for snacks) to participate in continuous clinical activities for length of time required by course (i.e., 12-hour shifts). |

**Missouri Nurse Practice Act**

**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\* 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](https://revisor.mo.gov/main/OneSection.aspx?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](https://revisor.mo.gov/main/OneChapter.aspx?chapter=621).

  2.  The board may cause a complaint to be filed with the administrative hearing commission as provided by [chapter 621](https://revisor.mo.gov/main/OneChapter.aspx?chapter=621) against any holder of any certificate of registration or authority, permit or license required by sections [335.011 to 335.096](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096) 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](https://revisor.mo.gov/main/OneChapter.aspx?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](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096).  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](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096), 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](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096) or in obtaining permission to take any examination given or required pursuant to sections [335.011 to 335.096](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096);

  (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](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096), or of any lawful rule or regulation adopted pursuant to sections [335.011 to 335.096](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096);

  (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](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096) 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](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096) who is not registered and currently eligible to practice pursuant to sections [335.011 to 335.096](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096);

  (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](https://revisor.mo.gov/main/OneChapter.aspx?chapter=208) or [chapter 630](https://revisor.mo.gov/main/OneChapter.aspx?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](https://revisor.mo.gov/main/OneSection.aspx?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](https://revisor.mo.gov/main/OneChapter.aspx?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](https://revisor.mo.gov/main/OneSection.aspx?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 re-licensure.  Re-licensure shall be at the discretion of the board after compliance with all the requirements of sections [335.011 to 335.096](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.096) 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](https://revisor.mo.gov/main/OneChapterRng.aspx?tb1=335.011%20to%20335.259)\*\* 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](https://revisor.mo.gov/main/OneSection.aspx?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](https://revisor.mo.gov/main/OneChapter.aspx?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](https://revisor.mo.gov/main/OneChapter.aspx?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](https://revisor.mo.gov/main/OneChapter.aspx?chapter=536).

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

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(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](https://revisor.mo.gov/main/OneChapter.aspx?chapter=335)" appear in original rolls.

\*\*Section [335.259](https://revisor.mo.gov/main/OneSection.aspx?section=335.259) was repealed by S.B. 52, 1993.