



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable Members of the Board of Regents

FROM: Sarah S. Benson *Sarah S. Benson*

SUBJECT: Renewal of Permission to Operate in New York State:
Gannon University, Yale University, and University of
Pennsylvania

DATE: June 2, 2022

AUTHORIZATION(S): *Betsy...*

SUMMARY

Issue for Decision (Consent)

Should the Board of Regents renew permission to operate in New York State for the following out-of-state programs?

- Gannon University (Erie, Pennsylvania): the M.S.N. Family Nurse Practitioner program
- Yale University (New Haven, Connecticut): the M.S.N. Adult Gerontology Primary Care Nurse Practitioner, Nurse Midwife/Women's Health Nurse Practitioner, the Family Nurse Practitioner; Psychiatric Mental Health Nurse Practitioner, and Pediatric Primary Care Nurse Practitioner programs
- University of Pennsylvania (Philadelphia, Pennsylvania): the M.S.N. and the Post-graduate Certificate Adult Gerontology Acute Care Nurse Practitioner programs

Reason(s) for Consideration

Required by State statute.

Proposed Handling

This issue will come before the Full Board at its June 2022 meeting for final action.

Procedural History

Section 6908 and Section 6957 of the Education Law restrict the practice of nursing or midwifery to licensed persons or students enrolled in educational programs registered by the Department. Section 224 of the Education Law and Section 3.56 of Regents Rules prohibit out-of-state colleges and universities from transacting business in New York without prior Regents permission. Accordingly, out-of-state licensure-qualifying nursing or midwifery programs must be granted permission by the Board of Regents to place students in New York for clinical rotations. Permission is granted for a five-year period, after which the institution must apply for renewal. The above-referenced programs received prior Regents permission to place students in New York clinical facilities, practices, or agencies and submitted renewal applications.

Background Information

Upon review of the renewal applications, staff members determined that the educational quality and resources of these programs are equivalent to those set forth in Part 52 of the Commissioner's regulations.

Each program at Gannon University and Yale University requested to place up to 5 students per academic year (for the enrollment period between August 1 and July 31) in New York. The University of Pennsylvania is seeking to place up to 3 students for the M.S.N. Adult Gerontology Acute Care Nurse Practitioner program and a maximum of 15 students per academic year for the Post-Graduate Certificate program.

A canvass was sent to New York institutions offering nurse practitioner programs to assess the impact of the request from the University of Pennsylvania to place 15 students per academic year for the Post-Graduate Certificate Adult Gerontology Acute Care Nurse Practitioner program. One institution voiced concerns and requested the number to be reduced to 10, to which the University of Pennsylvania agreed.

Related Regents Items

June 2011: [Permission to Operate for the M.S.N. Adult Gerontology Primary Care Nurse Practitioner, Adult Primary Care Nurse Practitioner, Family Nurse Practitioner, Pediatric Nurse Practitioner, and Psychiatric Mental Health Nurse Practitioner programs at Yale University:](https://www.regents.nysed.gov/common/regents/files/documents/meetings/2011Meetings/June2011/611brca11.pdf)

(<https://www.regents.nysed.gov/common/regents/files/documents/meetings/2011Meetings/June2011/611brca11.pdf>)

September 2014: [Permission to Operate for the M.S.N. Nurse Midwifery/Women's Health Nurse Practitioner Program at Yale University:](https://www.regents.nysed.gov/common/regents/files/914brca18.pdf)

(<https://www.regents.nysed.gov/common/regents/files/914brca18.pdf>)

December 2016: [Permission to Operate for the M.S.N. Family Nurse Practitioner program at Gannon University:](https://www.regents.nysed.gov/common/regents/files/1216brca13.pdf)

(<https://www.regents.nysed.gov/common/regents/files/1216brca13.pdf>)

April 2017: [Permission to Operate for the M.S.N. and Post-Graduate Certificate Adult Gerontology Acute Care Nurse Practitioner Programs at the University of Pennsylvania:](https://www.regents.nysed.gov/common/regents/files/417brca5_0.pdf) (https://www.regents.nysed.gov/common/regents/files/417brca5_0.pdf)

Recommendation

It is recommended that the Board of Regents take the following action:

VOTED: That the Board of Regents renew permission to operate in New York State for the following programs until July 31, 2027:

- Gannon University (Erie, Pennsylvania): up to 5 students per academic year for the M.S.N. Family Nurse Practitioner program
- Yale University (New Haven, Connecticut): up to 5 students per academic year for the M.S.N Adult Gerontology Primary Care Nurse Practitioner, Nurse Midwife/Women's Health Nurse Practitioner, Family Nurse Practitioner, Psychiatric Mental Health Nurse Practitioner programs, and Pediatric Primary Care Nurse Practitioner
- University of Pennsylvania (Philadelphia, Pennsylvania): up to 3 students per academic year for the M.S.N. and up to 10 students per academic year for the Post-Graduate Adult Gerontology Acute Care Nurse Practitioner Certificate program

After July 31, 2027, these programs cannot place students in New York without renewal permission. Each program shall not exceed the approved number of students to be placed in New York clinical facilities, practices, or agencies per academic year (for the enrollment period between August 1 and July 31).

These programs must submit an annual report in a form prescribed by the Department. Placing students exceeding the approved number and/or failure to submit the annual report will result in termination of permission to operate. It is illegal practice to place students in licensure-qualifying programs in New York clinical facilities without Board of Regents approval of permission to operate or renewal of permission to operate.

Timetable for Implementation

Once the Board of Regents approves this, the programs will be notified of the permission and the out-of-state program could place students in New York clinical facilities, practices, and agencies for the enrollment period between August 1, 2022, through July 31, 2027.