



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

TO: The Honorable the Members of the Board of Regents

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

SUBJECT: Renewal of Permission to Operate in New York State:

- Fairleigh Dickson University
- Frontier Nursing University
- University of Connecticut
- University of Pennsylvania

DATE: May 27, 2021

AUTHORIZATION(S): *[Signature]*

SUMMARY

Issue for Decision (Consent Agenda)

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

- Fairleigh Dickson University (Teaneck, New Jersey): the M.S.N. Family Nurse Practitioner and Adult Gerontology Nurse Practitioner programs
- Frontier Nursing University (Versailles, Kentucky): the M.S.N. Community-based Nurse-Midwifery program
- University of Connecticut (Storrs, Connecticut): the M.S.N. and D.N.P. Neonatal Nurse Practitioner programs
- University of Pennsylvania (Philadelphia, Pennsylvania): the M.S.N. Neonatal Nurse Practitioner and Pediatric Acute Care Nurse Practitioner programs

Reason(s) for Consideration

Required by State statute or federal statute.

Proposed Handling

This issue will come before the Full Board at its June 2021 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 requested to place up to 5 students per academic year (for the enrollment period between August 1 and July 31) in New York, except the following: Frontier Nursing University is seeking to place a maximum of 20 students per academic year for the M.S.N. Community-based Nurse-Midwifery program; and University of Connecticut is seeking to place up to 15 students per academic year in each of the Neonatal Nurse Practitioner programs leading to the M.S.N. or the D.N.P. degree.

A canvass was sent to New York institutions offering midwifery programs to assess the impact of the request from Frontier Nursing University. One institution commented that allocation of clinical sites by geographic areas is necessary due to a lack of sufficient clinical sites. Initially two institutions, including one offering an on-line midwifery program, commented that it is detrimental to their midwifery programs for Frontier Nursing University to place 20 students in New York; placing 6 students per academic year is reasonable. After receiving response from Frontier Nursing University stating that its program would place students in upstate, rural, underserved areas, the seated program offered support. The institution with the on-line midwifery program commented that its program is able to meet the needs of students and workforce across the state; and limiting the geographic areas without reducing the requested number has a negative impact on its program.

In addition, a canvass was sent to New York institutions offering nurse practitioner programs to assess the impact of the request from the University of Connecticut (15 students per academic year for each of the programs). One institution

objected the number and suggested a reduced number of 6 students combined for both the M.S.N. and the D.N.P. programs per academic year.

Related Regents Items

Permission to Operate for the M.S.N. Family Nurse Practitioner and Adult Gerontology Nurse Practitioner Programs at Fairleigh Dickinson University
<https://www.regents.nysed.gov/common/regents/files/613brca9.pdf>

Permission to Operate for the M.S.N. Community-based Nurse-Midwifery Program at Frontier Nursing University
<https://www.regents.nysed.gov/common/regents/files/documents/meetings/2011 Meetings/April2011/411brca5.pdf>

Permission to Operate for the M.S.N. and D.N.P. Neonatal Nurse Practitioner Programs at the University of Connecticut
<https://www.regents.nysed.gov/common/regents/files/215brca6.pdf>

Permission to Operate for the M.S.N. Neonatal Nurse Practitioner Program at the University of Pennsylvania
<https://www.regents.nysed.gov/meetings/2009/2009-05-45>

Permission to Operate for the M.S.N. Pediatric Acute Care Nurse Practitioner Program at the University of Pennsylvania 2009
<https://www.regents.nysed.gov/meetings/2009/2009-02-0>

Permission to Operate for the M.S.N. Pediatric Acute Care Nurse Practitioner Program at the University of Pennsylvania 2014
https://www.regents.nysed.gov/common/regents/files/413brca8_0.pdf

Recommendation

It is recommended that the Board of Regents renew permission to operate in New York State for the following programs until July 31, 2026:

- Fairleigh Dickson University (Teaneck, New Jersey): up to 5 students per academic year each for the M.S.N. Family Nurse Practitioner and Adult Gerontology Nurse Practitioner programs
- Frontier Nursing University (Versailles, Kentucky): up to 6 students per academic year at upstate, rural, underserved clinical settings for the M.S.N. Community-based Nurse-Midwifery program
- University of Connecticut (Storrs, Connecticut): up to 6 students per academic year combined for both the M.S.N. and D.N.P. Neonatal Nurse Practitioner programs

- University of Pennsylvania (Philadelphia, Pennsylvania): up to 5 students per academic year each for the M.S.N. Neonatal Nurse Practitioner and Pediatric Acute Care Nurse Practitioner programs

After July 31, 2026, 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, 2021 through July 31, 2026.