



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:
Castleton University, Thomas Jefferson University,
University of Pennsylvania, Vermont Technical College,
and Yale University

DATE: July 6, 2023

AUTHORIZATION(S): *Betsy M...*

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?

- Castleton University (Castleton, Vermont): the B.S. Nursing program
- Thomas Jefferson University (Philadelphia, Pennsylvania) (formerly the Midwifery Institute of Philadelphia University): the M.S. and Post-Graduate Certificate Midwifery programs
- University of Pennsylvania (Philadelphia, Pennsylvania): the M.S.N. Nurse Midwifery program
- Vermont Technical College (Randolph Center, Vermont): the A.S. Nursing program
- Yale University (New Haven, Connecticut): the certificate Graduate-Entry Pre-specialty in Nursing program and the M.S.N. Adult/Gerontology Acute Care Nurse Practitioner program

Reason(s) for Consideration

Required by State statute.

Proposed Handling

This issue will come before the Full Board for action at its July 2023 meeting.

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 Board of 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 Board of 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 University of Pennsylvania 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. Thomas Jefferson University is seeking to place 18 students per academic year for the Nurse Midwifery programs. Vermont Technical College and Castleton University are each seeking to place a maximum of 24 students per academic year for the license-qualifying Nursing programs.

A canvass was sent to New York institutions offering Nursing and/or Midwifery programs to assess the impact of the request from Thomas Jefferson University (18 students per academic year), Castleton University (24 students per academic year), and Vermont Technical College (24 students per academic year). No objections were received.

Related Items

October 2018: [Permission to Operate for the License-qualifying Nursing Program at Castleton University](https://www.regents.nysed.gov/sites/regents/files/1018brca10.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/1018brca10.pdf>)

April 2017: [Permission to Operate the Midwifery Program at Thomas Jefferson University](https://www.regents.nysed.gov/sites/regents/files/417brca4_0.pdf)

(https://www.regents.nysed.gov/sites/regents/files/417brca4_0.pdf)

June 2014: [Permission to Operate for the Nurse Midwifery Program at the University of Pennsylvania](https://www.regents.nysed.gov/sites/regents/files/614brca9.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/614brca9.pdf>)

April 2018: [Permission to Operate for the license-qualifying Nursing program at Vermont Technical College](https://www.regents.nysed.gov/sites/regents/files/418brca10.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/418brca10.pdf>)

July 2018: [Permission to Operate for the Graduate-Entry Pre-Specialty Nursing and the Adult/Gerontology Acute Care Nurse Practitioner programs at Yale University](https://www.regents.nysed.gov/sites/regents/files/718brca10.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/718brca10.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, 2028:

- Castleton University (Castleton, Vermont): up to 24 students per academic year for the B.S. Nursing program
- Thomas Jefferson University (Philadelphia, Pennsylvania): up to 18 students per year for the M.S. and Post-Graduate Certificate Midwifery programs combined
- University of Pennsylvania (Philadelphia, Pennsylvania): up to 5 students per academic year for the M.S.N. Nurse Midwifery program
- Vermont Technical College (Randolph Center, Vermont): up to 24 students per academic year for the A.S. Nursing program
- Yale University (New Haven, Connecticut): up to 5 students per academic year each for the certificate Graduate-Entry Pre-specialty in Nursing program and M.S.N. the Adult/Gerontology Acute Care Nurse Practitioner program

After July 31, 2028, 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, 2023, through July 31, 2028.