

BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:)
)
RONNIE DALE ENGLAND, JR.)
)
Petitioner.)

DECLARATORY RULING

Comes now the Alabama Board of Nursing, by and through its Executive Officer, N. Genell Lee, RN, MSN, JD, and issues the following ruling:

FINDINGS OF FACT

1. On February 28, 2002, the Alabama Board of Nursing received from Petitioner an Application for Licensure by Examination as a Registered Nurse. On this application Respondent indicated that he was a graduate of Excelsior College, Albany, New York. Said program does not include clinical nursing experiences and Respondent did not submit evidence of having obtained the required clinical nursing experiences through another nursing program.

2. On March 25, 2002, the Petitioner was notified by the Executive Officer of the Alabama Board of Nursing that he did not meet the educational requirements for registered nurse licensure in that his application did not evidence concurrent theory and practice in "medical, surgical, obstetric, pediatric, and psychiatric nursing" as required by Alabama Board of Nursing Administrative Code § 610-X-3-.08(6)(c)(3)(i). Specifically, Respondent did not produce any of the required evidence of clinical nursing experiences as part of his educational curriculum.

3. On April 10, 2002, Petitioner filed with the Board a petition for a Declaratory Ruling pursuant to Alabama Board of Nursing Administrative Code § 610-X-1-.11 seeking relief from Alabama Board of Nursing Administrative Code § 610-X-3-.08(6)(c)(3)(i) on the grounds that his training as a paramedic and work experience as an emergency room technician have provided him with substantially the same clinical educational experiences as offered by an approved registered nurse program in Alabama.

4. In support of his petition, Petitioner submitted letters from employees of Crestwood Medical Center, Huntsville, Alabama, coworkers and physicians which provided information as to his duties and performance as an emergency room technician. Petitioner also provided documentation as to his certification as an emergency room technician-paramedic and employment as a paramedic by Huntsville Emergency Medical Services, Inc.

CONCLUSIONS OF LAW

1. The Board of Nursing has jurisdiction over the Petitioner pursuant to Alabama Code 1975, § 34-21-21(c)(2)(4)(6); § 34-21-21(a).

2. The Petitioner is substantially affected by § 610-X-3-.08(6)(c)(3)(i) in that he has been deemed ineligible for licensure as a registered nurse in Alabama because he has not completed an approved registered nursing program located in another jurisdiction which meets substantially the same educational criteria as an Alabama program.

3. The Alabama Board of Nursing has the authority, pursuant to Alabama Board of Nursing Administrative Code § 610-X-1-.11, to grant relief from a Board rule upon receipt of sufficient proof with respect to the applicability of the rule to any person or particular fact situation.

4. The Petitioner has failed to present sufficient documentation of the required educational curriculum so as to warrant relief from § 610-X-3-.08(6)(c)(3)(i).

RULING

The Petition for a Declaratory Ruling is denied.

DONE and **ORDERED** this 15th day of May, 2002.

N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER
ALABAMA BOARD OF NURSING