

BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF)
)
JESSIE LEE CHEEKS DICKERSON) **PETITION FOR**
MSN, RN, CNS) **DECLARATORY RULING**
LICENSE NO. 1-036245)
Petitioner.)
)

ORDER

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. Pursuant to *Alabama Board of Nursing Administrative Code*, § 610-X-9-.07(1)(c) effective January 1, 2005, qualifications for approval to practice as a Clinical Nurse Specialist (CNS) require certification by a national certifying agency recognized by the Board.
2. On December 31, 2006, Petitioner’s approval to practice as a CNS lapsed.
3. On December 20, 2006, the Petitioner, Jessie Lee Cheeks Dickerson, MSN, RN, CNS, submitted to the Alabama Board of Nursing a request for a declaratory ruling seeking relief from the Board’s qualifications for approval to practice as a Clinical Nurse Specialist.
4. Petitioner also seeks an extension of time to obtain certification by a national certifying agency recognized by the Board in the clinical specialty of Wound, Ostomy, and/or Continence Nursing.
5. Specifically, Petitioner seeks the Board’s recognition of the Advanced Practice Portfolio for Certification offered by the Wound, Ostomy and/or Continence Nursing Certification Board (WOCNCB) as a national certification for a Clinical Nurse Specialist.
6. The Wound, Ostomy and Continence Certification Board (WOCNCB) approved the plan for the Advanced Practice Portfolio in May 2006. The application and review process requires at least four (4) months.

CONCLUSIONS OF LAW

1. The Alabama Board of Nursing has the authority to issue this declaratory ruling pursuant to *Alabama Board of Nursing Administrative Code*, § 610-X-1-.09.
2. The Petitioner is substantially affected by *Alabama Board of Nursing Administrative Code*, § 610-X-9-.07(1)(c), which effective January 1, 2007, would deem Jessie Lee Cheeks Dickerson, RN, CNS, unqualified for approval to practice as a CNS.
3. The Petitioner requires a ruling from the Alabama Board of Nursing recognizing Wound, Ostomy and/or Continence Nursing Certification Board (WOCNCB) as a national certifying agency for a Clinical Nurse Specialist.

The Petitioner requires a ruling from the Alabama Board of Nursing to extend the time to meet the requirement for national certification as a Clinical Nurse Specialist.

RULING

The Alabama Board of Nursing has the authority, pursuant to *Alabama Board of Nursing Administrative Code* § 610- X-1-.09 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.

The Petition for a Declaratory Ruling is hereby granted on both requests. The Petitioner is hereby granted an extension of time until July 31, 2007 to obtain national certification. The Petitioner may use the designation of CNS until July 31, 2007 at which time Petitioner must establish proof of national certification. The Wound, Ostomy and/or Continence Nursing Certification Board (WOCNCB) is hereby recognized by the Alabama Board of Nursing as a national certifying agency for a Clinical Nurse Specialist.

DONE and **ORDERED** this the 19th day of January 2007.
ALABAMA BOARD OF NURSING

N. GENELL LEE, RN, MSN, JD
Executive Officer