

BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:) PETITION FOR
SARAH NATALIE GOLAN) DECLARATORY RULING
RN ENDORSEMENT APPLICANT)
Petitioner.)

DECLARATORY RULING

COMES NOW the Alabama Board of Nursing, by and through its Executive Officer Peggy Sellers Benson, RN, MSHA, MSN, NE-BC, and issues the following ruling:

QUESTION PRESENTED

May Golan's completion of the prelicensure requirements for licensure during her enrollment in a Masters Entry Program for Nursing, despite not having yet been awarded a master's degree in Nursing, satisfy the requirement of Alabama Board of Nursing Administrative Code § 610-X-4-.02(1)(d) that the RN endorsement applicant have graduated or successfully completed all requirements for graduation from an approved registered nursing program in Alabama, or an approved registered nursing program located in another jurisdiction or territory that substantially meets the same educational criteria as Alabama programs?

FINDINGS OF FACT

1. On or about February 25, 2020, Golan submitted an application for licensure as a RN by endorsement. Golan's state of original licensure is California, license number 95201810.
2. Golan listed her school/college of nursing as "University of California – San Francisco, her degree as diploma, and her graduation date as June 10, 2019.
3. A review of Golan's transcript from the University of California – San Francisco does not reveal a graduation date and notes a leave of absence date of March 29, 2020. This transcript reflects that Golan was enrolled in a Masters of Nursing program, to which she was admitted on June 18, 2018. Golan has completed 51.50 units and 36.50 OPT Units, and she has a grade point average of 4.00. Golan has a Bachelor of Science degree in Psychology from the University of North Carolina Chapel Hill earned in 2015.
4. Golan's verification of California licensure reflects her recorded nursing degree as "GMS" and no graduation date.
5. Information from the University of California – San Francisco shows that Golan was enrolled in the Masters Entry Program for Nursing (MEPN). The MEPN is ACEN accredited. The prelicensure program requirements are completed in the first year of the program, culminating in a pinning ceremony and eligibility to test for RN licensure in California. The program does not award a separate BSN because it is a graduate campus.

JURISDICTION

Pursuant to Section 41-22-11 of the Code of Alabama (1975), the Alabama Board of Nursing has jurisdiction to issue declaratory rulings with respect to the validity of a rule, with

respect to the applicability to any person, property or state of facts of any rule or statute enforceable by it, or with respect to the meaning and scope of any order of the agency, if a written petition for declaratory ruling is filed by a person who states with specificity the reason why the person is substantially affected by the rule at issue. See also Alabama Board of Nursing Administrative Code § 610-X-1-.09. Golan is substantially affected by the Board's rule regarding education necessary for licensure.

CONCLUSIONS OF LAW

1. Applicants for licensure in Alabama are required to meet the following standard:

(d) For registered nurse licensure, graduated or successfully completed all requirements for graduation from an approved registered nursing program in Alabama, or an approved registered nursing program located in another jurisdiction or territory that substantially meets the same educational criteria as Alabama programs. In the case of an applicant for licensure by endorsement, if the nursing education program did not include clinical experience sufficient to meet the same educational criteria as Alabama programs, the applicant's continuing education and work experience in nursing may be considered, at the discretion of the Board.

Alabama Board of Nursing Administrative Code § 610-X-4-.02(1)(d).

2. Golan has not "graduated" from a nursing program, nor has she "successfully completed all requirements for graduation"; however, she has successfully completed all requirements for licensure as a RN in California, and a review of her transcript indicates that she has satisfied the content criteria (theory and clinical) for prelicensure RN programs in Alabama.

3. For ABN-approved programs wherein students become eligible for licensure prior to completion of the degree for which they are enrolled (e.g. entry level masters program or ACCS concept curriculum), completion of prelicensure requirements is noted on the transcript of the student. Golan's transcript contains no such notation; however, the program in which Golan was enrolled is an approved Entry-Level Master's Degree Program in California. <https://www.rn.ca.gov/education/rnprograms.shtml#msn> (last accessed May 11, 2020); and, in fact, Golan was deemed eligible for licensure and was so licensed as a RN by the California Board of Registered Nursing without having actually graduated from the three-year program, but after having completed the "prelicensure" requirements of the program.

4. Golan has provided a letter from Mary Foley, Interim Director of the Masters Entry Program in Nursing at University of California. Dr. Foley stated that Golan "met program requirements and . . . completion is equivalent to the course work that would lead to a BSN degree completion."

5. This is NOT a circumstance in which a person has been permitted to "challenge" a licensure exam based on some level of academic and experiential qualifications; rather, this is a situation in which Golan completed the pre-licensure requirements at a California Board-approved program specifically designed for that purpose.

6. Based on the representations of Dr. Foley, as well as the fact that the program is specifically designed to satisfy pre-licensure requirements prior to completion of the master's degree, and the program is so recognized by the California Board of Registered Nursing, Golan's completion of the pre-licensure requirements will be considered to satisfy the requirements of Alabama Board of Nursing Administrative Code § 610-X-4-.02(1)(d).

RULING

The Petition for a Declaratory Ruling is hereby granted, and the Alabama Board of Nursing hereby rules as follows:

1. Sarah Golan's completion of the pre-licensure requirements in the Masters Entry Program in Nursing at the University of California San Francisco satisfies the requirements of Alabama Board of Nursing Administrative Code § 610-X-4-.02(1)(d).
2. Upon satisfaction of all other requirements for licensure by endorsement, Golan may be licensed as a RN in Alabama.

DONE and **ORDERED** on this the 12th day of June, 2020.

ALABAMA BOARD OF NURSING



PEGGY SEDLERS BENSON RN, MSHA, MSN, NE-BC
Executive Officer

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 16th day of June, 2020, a true and correct copy of the foregoing Declaratory Ruling was served by forwarding the same by United States certified mail, postage prepaid, and addressed as follows:

Sarah Golan
1018 Sharpsburg Circle
Birmingham, Alabama 35213

ALABAMA BOARD OF NURSING



PEGGY S. BENSON, RN, MSHA, MSN, NE-BC
EXECUTIVE OFFICER

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