

BEFORE THE ALABAMA BOARD OF NURSING

IN THE MATTER OF:) PETITION FOR
)
SUSIE McCUTCHEON, RN, BSN, MA) DECLARATORY RULING
)
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. On September 15, 2004, the Petitioner, Susie McCutcheon, submitted to the Alabama Board of Nursing a request for a declaratory ruling seeking relief from the Board’s rule which, on January 1, 2005, will require her to have a master’s degree in nursing or a health-related field in order to continue in her role as an instructor in the LPN program at Northwest-Shoals Community College.
2. Pursuant to Alabama Board of Nursing Administrative Code § 610-X-3-.01(5)(c), faculty in a nursing education program shall have a graduate degree in nursing or other health-related field no later than January 1, 2005.
3. The Petitioner has a Bachelor of Science Degree in nursing and a Master’s Degree in Guidance and Counseling with six semester hours credited in nursing. Petitioner is employed by Northwest-Shoals as an instructor in LPN 113-Anatomy and LPN 116-Nutrition.

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-.11.
2. The Petitioner is substantially affected by Alabama Board of Nursing Administrative Code § 610-X-3-.01(5)(c) which could deem her unqualified to teach in a nursing program in the State of Alabama since she does not have a graduate degree in nursing. The Petitioner requires a ruling from the Alabama Board of Nursing as to whether her education qualifies as a “health-related field.”

RULING

A Master’s Degree in Guidance and Counseling qualifies as a “health-related field” pursuant to Alabama Board of Nursing Administrative Code § 610-X-3-.01(5)(c).

DONE and ORDERED this 1st day of October, 2004.
ALABAMA BOARD OF NURSING

N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of October 2004, a true and correct copy of the foregoing Declaratory Ruling was served by forwarding the same by certified United States mail, first class postage prepaid, and addressed to Susie C. McCutcheon, RN, BSN, MA, 137 Stovall Drive, Florence, Alabama 35633-1471.

ALABAMA BOARD OF NURSING

N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER