

BEFORE THE BOARD OF NURSING  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF AMENDMENT  
ARM 24.159.301 and 24.159.2104 )  
pertaining to continuing education )

TO: All Concerned Persons

1. On December 23, 2016, the Board of Nursing (board) published MAR Notice No. 24-159-83 regarding the proposed amendment of the above-stated rules, at page 2406 of the 2016 Montana Administrative Register, Issue No. 24.

2. The board has thoroughly considered the comments received. A summary of the comments and the board responses are as follows:

COMMENT 1: One commenter offered support for the proposed rule changes, noting that by striking language as proposed in ARM 24.159.301, the board understands nurses must carry knowledge and skills in many content areas that may not include traditional nursing content. The commenter noted further that updating ARM 24.159.301(20) appropriately adds flexibility to the rule because of changes at the national level of the entities that accredit nursing education programs, and these entities may continue to develop, partner, or merge.

RESPONSE 1: The board concurs with this commenter.

COMMENT 2: Numerous commenters expressed support for the proposed rule changes, noting that continuing education activities are based on best available evidence to meet the desired outcomes of addressing practice gaps, and clearly identifying measurable outcomes, ultimately improving the practice of nursing. The commenters asserted that the rule changes support these actions and recognize learners who achieve contact hours as evidence of completing continuing education activities.

RESPONSE 2: The board concurs with the commenters.

COMMENT 3: Several commenters supported the proposed rule changes, but suggested the board further amend ARM 24.159.301(20) and provided recommended language with more specific parameters for nursing program accreditation.

RESPONSE 3: The board proposed the amendment to (20) to generalize this rule, rather than add more detail, thus promoting flexibility in the rule's application. Also, the board will no longer need to continually amend the rule as accrediting bodies change. The board disagrees with the commenters' suggested changes because

they would reverse what the board intends to accomplish with the proposed amendment, and is amending the rule exactly as proposed.

COMMENT 4: Several commenters offered support for the proposed rule changes because they are supported by American Nurses Credentialing Center criteria and acknowledge licensees' ongoing efforts to maintain competence in nursing practice.

RESPONSE 4: The board concurs with the commenters.

COMMENT 5: One commenter expressed support for the proposed changes because they respect the learning needs of licensees and allow board recognition of licensees' professional development, in alignment with best practices as established by the American Nurses Credentialing Center.

RESPONSE 5: The board concurs with the commenter.

COMMENT 6: One commenter strongly supported the rule changes because they recognize the importance of profession-specific as well as interprofessional continuing education designed to address professional practice gaps that impact public safety.

RESPONSE 6: The board concurs with the commenter.

COMMENT 7: One commenter expressed general support for the proposed changes.

RESPONSE 7: The board appreciates all comments made in the rulemaking process.

3. The board has amended ARM 24.159.301 and 24.159.2104 exactly as proposed.

BOARD OF NURSING  
N. GREG KOHN, PRESIDENT

/s/ DARCEE L. MOE  
Darcee L. Moe  
Rule Reviewer

/s/ PAM BUCY  
Pam Bucy, Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State May 1, 2017.