

Agenda Item #: 5.1.2  
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Meeting Date: October 2010

# **TEXAS BOARD OF NURSING**

**FISCAL YEAR 2010**

**Action Plan**

**Fourth Quarter Status Report**

TEXAS BOARD OF NURSING STRATEGIC PLAN

Fiscal Year 2010 Action Plan

Fourth Quarter Status Report

**GOAL 1:** To manage cost effective, quality programs of accreditation, examination, licensure and regulation that ensure legal standards for professional nursing education and practice and which effectively serve the market demand for qualified professional nurses.

**Objective 1-1:** To ensure timely and cost-effective application processing and licensure/credentialing systems for 100% of all qualified applicants for each fiscal year.

**Strategy 1-1-1: Licensing/Credentialing/Processing.**

	FY09	FY10	FY10: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<b>Outcome Measures</b>						
% in Compliance with CE Audit - RN	94.72%	93.8%	93.65%	94.75%	93.33%	93.4%
% in Compliance with CE Audit - LVN	86.68%	84.3%	87.14%	75.25%	83.12%	87.7%
% of RN Licensees with no recent violations	98.72%	98.83%	98.81%	98.82%	98.83%	98.85%
% of LVN Licensees with no recent violations	97.97%	98.12%	98.05%	98.10%	98.15%	98.17%
% of RN Licensees Who Renew Online	92.20%	92.60%	93.74%	92.76%	91.99%	91.93%
% of LVN Licensees Who Renew Online	87.45%	88.59%	89.98%	88.60%	87.47%	88.20%
% of New RN Individual Licenses Issued Online	70.94%	70.02%	70.93%	74.86%	73.18%	78.07%
% of New LVN Individual Licenses Issued Online	52.93%	57.56%	58.35%	57.10%	51.11%	61.37%
<b>Output Measures</b>						
# of Current RN Licensees	219,458	229,798	221,140	224,100	224,817	229,798
# of Current LVN Licensee	88,493	90,905	89,602	90,155	89,917	90,905
# of Individuals Taking the RN Examination	10,715	11,556	1,529	3,207	1,251	5,569
# of Individuals Taking the PN Examination	6,281	6,275	2,229	1,494	1,021	1,531
# of RN Licenses Renewed	102,666	105,711	26,180	25,757	25,248	28,526
# of LVN Licenses Renewed	41,287	41,644	10,678	10,218	9,552	11,196
# of RN Licenses Issued by Endorsement	5,510	6,705	1,927	1,520	1,529	1,729
# of LVN Licenses Issued by Endorsement	957	1,001	302	222	229	248
# of RN Licenses Issued by Examination	8,784	9,702	1,265	2,720	992	4,725
# of LVN Licenses Issued by Examination	5,102	5,262	1,943	1,284	810	1,225
# of RN Temporary Licenses Issued	7,066	7,351	1,826	1,661	1,897	1,967
# of LVN Temporary Permits Issued	1,130	1,142	234	243	307	358
# of RN Licenses Verified	919	763	211	187	199	166
# of LVN Licenses Verified	22	18	4	5	3	6
# of Current APNs	13,395	14,164	13,660	13,851	13,952	14,164
# of Authorizations Issued to New Graduate APNs	250	4	4	0	0	0
# of Authorizations Issued to Fully Qualified APNs	1,116	1,268	342	327	277	322
# of APN Authorizations Renewed	6,056	6,396	1,537	1,588	1,508	1,763

# of APNs Granted Prescriptive Authorization	778	1,072	363	190	236	283
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	FY09	FY10	FY10: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
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Eligibility Orders:

#of Petitions/Applications Processed	3,584	4,112	1,018	710	1,118	1,266
# Approved Without Stipulations	3,214	3,763	943	630	1,038	1,152
# Individuals Proposed Ineligible by Staff	0	0	0	0	0	0
# Approved with Stipulations	366	333	69	74	78	112
# Individuals Denied By Board/E & D	4	16	6	6	2	2
# Petitions/Applications Pending	401	716	449	559	747	716
# Petitions/Applications Pending with ALJ	4	49	4	3	11	49
# Petitions/Applications Denied by ALJ	1	5	0	0	3	2
# Licenses placed on "Retired Status" - RN	197	265	52	72	70	71
# Licenses placed on "Retired Status" - LVN	88	85	16	26	19	24

Efficiency Measures

Average Cost for Issuing LVN/RN License	\$1.59	\$1.81	\$1.61	\$1.87	\$2.22	\$1.55
Average Time for Issuing RN Initial License (Days)	109.34	106.99	106.52	109.59	104.98	106.85
Average Time for Issuing LVN Initial License (Days)	121.23	122.60	122.12	128.89	118.54	120.83
Average Time for RN/LVN License Renewals (Days)	3.26	2.88	3.07	2.99	2.69	2.75

Explanatory Measures

# RN Licenses Placed Inactive	892	1,027	214	233	285	295
# LVN Licenses Placed Inactive	543	616	143	130	159	184
# APNs Placed Inactive	151	220	34	36	64	86
NCLEX - RN Pass Rate - Total	87.02%	86.57%	77.63%	87.90%	71.94%	86.64%
NCLEX - PN Pass Rate - Total	82.76%	83.29%	86.00%	86.28%	74.63%	81.69%
NCLEX - RN Pass Rate - 1 <sup>st</sup> Time	91.00%	89.56%	86.85%	92.50%	84.99%	88.53%
NCLEX - PN Pass Rate - 1 <sup>st</sup> Time	87.84%	88.87%	90.51%	90.52%	83.77%	87.67%

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Fiscal Year 2010 Action Plan  
Comment page on Action Plan  
for Strategy 1.1.1  
(Explain trends and issues; identify responses, actions and outcomes)

**Output Measures**

We experienced a significant increase in the number of RN licenses by examination and endorsement from fiscal year 2009 to fiscal year 2010.

TEXAS BOARD OF NURSING STRATEGIC PLAN  
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 Fourth Quarter Status Report

GOAL 1: To manage cost effective, quality programs of accreditation, examination, licensure and regulation that ensure legal standards for professional nursing education and practice and which effectively serve the market demand for qualified professional nurses.

Objective 1-2: To ensure that 100% of professional nursing programs are in compliance with the Board of Nurse Examiners' rules.

Strategy 1-2-1: Accrediting of Nursing Programs.

	FY09	FY10	FY10:1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Outcome Measures</u>						
% in RN Nursing Programs in Compliance	98.96%	96.91%	98.96%	98.99%	96.91%	96.91%
% of LVN Nursing Programs in Compliance	96.84%	95.88%	95.83%	95.88%	95.88%	95.88%
<u>Output Measures</u>						
# of RN Nursing Programs Approved	97	97	97	99	97	97
# of LVN Nursing Programs Approved	95	97	96	97	97	97
# of RN Nursing Programs Sanctioned	2	3	1	1	3	3
# of LVN Nursing Programs with Sanctions	4	4	4	4	4	4
<u>Efficiency Measures</u>						
Average Cost of Program Survey	\$279.60	\$590.97	\$882.12	\$633.12	\$519.80	\$328.85
<u>Explanatory Measures</u>						
# of Programs Surveyed	19	18	3	2	8	5
Average Length of Survey Visit (in Days)	1.24	1	1	1	1	1

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for Strategy 1.2.1  
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**Output Measure**

VN programs with sanctions: Computer Career, Kaplan - San Antonio, St. Michaels and Valley Grande

RN programs with sanctions: St. Philips, West Texas A & M and Cisco College

**Explanatory Measure**

Programs Surveyed: Range College, Galen College, Texas State University, Kaplan - San Antonio and Schreiner University

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GOAL 2: To ensure swift, fair and effective enforcement of the NPA so that consumers are protected from unsafe, incompetent and unethical nursing practice by registered professional nurses.

Objective 2-1: To guarantee that 100% of written complaints received annually regarding practice or non-compliance with the Board of Nurse Examiners' rules are investigated and resolved in accordance with the NPA and APA or are appropriately referred to other regulatory agencies.

Strategy 2-1-1: Administer an effective system of enforcement and adjudication.

<b>RN Enforcement Statistics</b>	FY09	FY10	FY10: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Outcome Measures</u>						
Ratio to Complaints filed per 100 Licensee Population	0.85	1.05	.889	1.02	1.37	0.93
% of Complaints Resolved Resulting in Discipline	19.12%	18.07%	18.03%	18.63%	13.02%	22.59%
Recidivism Rate for Those Receiving Discipline	11.50%	11.66%	8.47%	15.19%	11.88%	11.11%
Recidivism Rate for RNs Enrolled in TPAPN	4.7%	2.7%	0%	0%	2.7%	0%
% of Complaints Resolved in 6 months	67.20%	72.77%	77.57%	65.51%	79.03%	68.98%
<u>Output Measures</u>						
# Jurisdictional Complaints Received	7,307	9,469	1,966	2,283	3,075	2,145
# Non-Jurisdictional Complaints Received	104	135	32	33	32	38
# Investigations Conducted (Cases Open-Cumulative)	11,094	14,005	6,377	8,602	11,681	14,005
# of Complaints Resolved	7,091	8,273	1,819	1,872	2,519	2,063
# of Informal Conferences	165	206	64	59	41	42
# of ALJ Hearings	16	43	2	6	14	21
# of Licenses Sanctioned	1,117	1,110	236	270	244	360
Limited Licenses	10	15	1	6	3	5
Remedial Education	89	73	10	20	21	22
Reprimand	0	0	0	0	0	0
Reprimand with Stipulations	64	54	10	11	16	17
Reprimand with Remedial Education	0	0	0	0	0	0
Revocation	124	90	23	20	19	28
Stipulation Only	0	0	0	0	0	0
Suspension	29	40	13	8	5	14
Suspend/Probate	48	40	3	11	8	18

	FY09	FY10	FY10: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
Voluntary Surrender	87	145	29	37	40	39
Warning	0	0	0	0	0	0
Warning with Remedial Education	0	0	0	0	0	0
Warning with Stipulation	157	184	45	36	32	71
Warning with Fine	0	0	0	0	0	0
License Reinstated - clear	0	0	0	0	0	0
License Reinstated with Stipulation	30	25	4	7	4	10
Fine	0	0	0	0	0	0
Reinstatement Denied	17	19	4	5	4	6
Limited License with Fine	0	0	0	0	0	0
Probation	0	0	0	0	0	0
Reprimand with Fine	0	0	0	0	0	0
Suspension with Fine	0	0	0	0	0	0
Fine with Remedial Education-CE/Delinquent	158	114	25	38	21	30
Cease and Desist Order	0	0	0	0	0	0
Peer Assistance Order	0	0	0	0	0	0
Applicant/Petitioner with Stipulations	199	192	44	43	40	65
TPAPN Order	84	91	21	24	23	23
# of RNs Participating in TPAPN	592	473	505	530	511	473
Age of Cases:						
More than 12 Months	38%	35%	36%	34%	31%	35%
Between 6 and 12 Months	25%	29%	24%	26%	28%	29%
Less than 6 Months	37%	36%	40%	40%	41%	36%
<b>LVN Enforcement Statistics</b>	<b>FY09</b>	<b>FY10</b>	<b>FY10: 1<sup>st</sup> Q</b>	<b>2<sup>nd</sup> Q</b>	<b>3<sup>rd</sup> Q</b>	<b>4<sup>th</sup> Q</b>
Ratio of Complaints filed per 100 NURSE population	1.72	2.06	1.78	1.95	2.68	1.84
% of Complaints Resolved Resulting in Discipline	22.07%	23.51%	19.69%	21.96%	15.91%	23.51%
Recidivism Rate for LVNs Discipline	9.50%	13.17%	10.34%	23.30%	11.93%	7.09%
Recidivism Rate for LVNs Enrolled in TPAPN	0%	0%	0%	0%	0%	0%
% of Complaints Resolved in 6 Months	64.52%	68.18%	75.91	61.75%	71.97%	63.10%
Jurisdictional Complaints Received	6,058	7,421	1,591	1,762	2,398	1,670
Cumulative Investigations Conducted	9,252	10,751	5,114	6,864	9,178	10,751
Complaints Resolved	5,763	6,156	1,341	1,325	1,929	1,561

Informal Conferences	88	106	34	28	23	21
Total LVN Licenses Sanctioned	1,052	990	203	234	243	310
# of LVNs Participating in TPAPN	187	119	154	156	136	119
<b>Breakdown of Discipline:</b>						
Reprimand	1	0	0	0	0	0
Fine	0	0	0	0	0	0
Fine and Remedial Education	187	103	27	20	25	31
Voluntary Surrender	86	124	30	30	29	35
Probation	0	1	1	0	0	0
Suspension	18	14	2	7	3	2
Revocation	159	175	27	60	57	31
Warning W/Stipulation	150	117	40	36	41	0
Average Days for Complaint Resolution	136.86	122.66	81.41	173.66	106.13	129.44
Average Days for Final Disposition	193.36	195.79	150.38	236.06	159.58	237.12
Age of Cases: More than 12 Month	37%	35%	36%	33%	30%	35%
6 to 12 Months	26%	29%	24%	28%	29%	29%
Less than 6 Months	37%	36%	40%	39%	41%	36%

<b>LVN and RN Enforcement Statistics</b>	FY09	FY10	FY10: 1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Efficiency Measures</u>						
Average Cost per Investigation	\$769.43	\$453.89	\$427.57	\$474.66	\$614.21	\$299.10
Average Cost of Informal Conference	\$135.56	\$155.13	\$127.35	\$152.15	\$171.29	\$160.94
Average Cost of Complaint Resolution	\$199.91	\$206.35	\$181.16	\$231.55	\$175.87	\$236.83
Average Time for Final Disposition (open to ratification)	187.73	172.25	142.60	204.41	128.22	213.76
Average Time from Completion of Investigation to Hearing with ALJ (in Days)	383.10	369.39	286.60	311.60	339.44	539.9
Average Time from Hearing Date to PFD (in Days)	60.13	39.34	31.00	67.40	25.25	33.70
Average Time from PFD to Ratification (in Days)	71.60	97.08	85.00	119.60	84.63	99.10
Average Time for Disciplinary Action (ALJ Only)	821.03	814.84	642.17	712.00	872.78	1032.4
<u>Explanatory Measures</u>						
Average Case Load per Investigator	340	476	291	469	416	476
Average Attorney - Investigator Ratio	4:31	5:30	4:27	4:28	5:30	5:30

TEXAS BOARD OF NURSING STRATEGIC PLAN

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Comment page on Action Plan  
for Strategy 2.1.1

(Explain trends and issues; identify responses, actions and outcomes)

None

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GOAL 3: To manage agency resources that enable the BON to respond efficiently and effectively to internal and external customers.

Objective 3-1: To streamline internal operations for enhanced functioning of the Board, the agency and staff.

Strategy 3-1-1: Streamline internal operations.

	FY09	FY10	FY10:1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Outcome Measures</u>						
Staff Turnover	12.7%	6.2%	2.1%	3.1%	1%	0
<u>Output Measures</u>						
# of Board Training Sessions	4	4	1	1	1	1
# of Telephone Calls Received	318,418	302,284	60,996	77,415	78,266	85,607
# of New Hires	19	13	4	1	3	5
# of Resignations	11	6	2	3	1	0
# of Terminations	0	0	0	0	0	0
Workforce Composition:						
African-American	11.6%	12.5%	13.5%	12.4%	12.1%	12.5%
Anglo	58.1%	56.3%	55.1%	53.9%	53.8%	56.3%
Hispanic	28%	30.2%	29.2%	32.6%	33%	30.2%
Other	2.3%	1%	2.2%	1.1%	1.1%	1%
# of Workshops Conducted	4	4	0	2	0	2
# of Nurses Attending Workshops	1,456	1,082	0	489	0	593
# Attending Workshop for First Time	537	481	0	255	0	226
# of Attendees at Open Forums	5	8	0	0	6	2
<u>Efficiency Measures</u>						
Average # of Days for New Hire Orientation	1.75	1.5	1.5	1.5	1.5	1.5
Average Cost of Conducting Workshop per Registrant	\$131.87	\$149.88	0	\$134.64	0	\$162.45

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Fiscal Year 2010 Action Plan

Comment page on Action Plan

for Strategy 3.1.1

(Explain trends and issues; identify responses, actions and outcomes)

None

TEXAS BOARD OF NURSING STRATEGIC PLAN

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Fourth Quarter Status Report

GOAL 4: To establish and carry out policies governing purchasing and contracting in accordance with State law that foster meaningful and substantive inclusion of historically underutilized businesses (HUBs).

Objective 4-1: To include historically underutilized businesses in at least 20 percent of the total value of contracts and subcontracts awarded annually by the agency in purchasing and public works contracting by fiscal year 2004.

Strategy 4-1-1: Develop and implement a policy for increasing the use of historically underutilized businesses through purchasing and public work contracts.

	FY09	FY10	FY10:1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q
<u>Outcome Measures:</u>						
% of Total Dollar Value of Purchasing and Contracts Awarded to HUBs	9.13%	10.5%	10%	8%	15%	9%
<u>Output Measures:</u>						
# of Contracts Awarded to HUBs	0	0	0	0	0	0
# of HUBs from which Agency Made Purchases	37	23	6	6	5	6
Dollar Value of Purchases and Contracts to HUBs	\$90,087	\$76,740	\$21,678	\$11,454	\$14,584	\$29,024

TEXAS BOARD OF NURSING STRATEGIC PLAN

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Comment page on Action Plan

for Strategy 4.1.1

(Explain trends and issues; identify responses, actions and outcomes)

No comments on this section.

**2010/2011 General Appropriations Act**

(Current)

**Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Board of Nursing. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Board of Nursing. In order to achieve the objectives and service standards established by this Act, the Texas Board of Nursing shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	<u><b>2010</b></u>	<u><b>Actual</b></u>
<b>A. Goal: LICENSING</b>		
<b>Outcome (Results/Impact):</b>		
Percentage of Licensees with No Recent Violations (RN)	98.5%	98.83%
Percent of Licensees Who Renew Online (RN)	92%	92.60%
Percent of New Individual Licenses Issued Online (RN)	60%	70.02%
Percentage of Licensees with No Recent Violations (LVN)	97.5%	98.12%
Percent of Licensees Who Renew Online (LVN)	82%	88.59%
Percent of New Individual Licenses Issued Online (LVN)	40%	57.56%
<b>A.1.1. Strategy: LICENSING</b>		
<b>Output (Volume):</b>		
Number of New Licenses Issued to Individuals (RN)	12,500	16,407
Number of Individual Licenses Renewed (RN)	96,000	105,711
Number of New Licenses Issued to Individuals (LVN)	6,000	6,263
Number of Individual Licenses Renewed (LVN)	38,500	41,644
<b>B. Goal: PROTECT PUBLIC</b>		
<b>Outcome (Results/Impact):</b>		
Percent of Complaints Resulting in Disciplinary Action (RN)	24%	18.07%
Percent of Complaints Resulting in Disciplinary Action (LVN)	28%	23.51%
<b>B.1.1. Strategy: ADJUDICATE VIOLATIONS</b>		
<b>Output (Volume):</b>		
Number of Complaints Resolved (RN)	5,000	8,273
Number of Complaints Resolved (LVN)	4,000	6,156
<b>Efficiencies:</b>		
Average Time for Complaint Resolution (Days) (RN)	223	172
<b>Explanatory:</b>		
Number of Jurisdictional Complaints Received (RN)	5,300	9,469
Number of Jurisdictional Complaints Received (LVN)	3,300	7,421
<b>B.1.2. Strategy: PEER ASSISTANCE</b>		
<b>Output (Volume):</b>		
Number of Licensed Individuals Participating in a Peer Assistance Program (RN)	600	473
Number of Licensed Individuals Participating in a Peer Assistance Program (LVN)	250	119

## General Appropriations Act

### (Five Year Trend Report)

**Performance Measure Targets and Trends.** The following is a listing of the key performance target levels for the Texas Board of Nursing. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Texas Board of Nursing. In order to achieve the objectives and service standards established by this Act, the Texas Board of Nursing shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
<b>A. Goal: LICENSING</b>					
<b>Outcome (Results/Impact):</b>					
Percentage of Licensees with No Recent Violations (RN)	97.65%	99%	98.66%	98.72%	98.83%
Percent of Licensees Who Renew Online (RN)	91.7%	90.33%	90.90%	92.20%	92.60%
Percent of New Individual Licenses Issued Online (RN)	41.4%	58.92%	68.23%	70.94%	70.02%
Percentage of Licensees with No Recent Violations (LVN)	95.4%	98%	97.99%	97.97%	98.12%
Percent of Licensees Who Renew Online (LVN)	82.3%	82.91%	83.91%	87.45%	88.59%
Percent of New Individual Licenses Issued Online (LVN)	16.9%	34.05%	41.45%	52.93%	57.56%
<b>A.1.1. Strategy: LICENSING</b>					
<b>Output (Volume):</b>					
Number of New Licenses Issued to Individuals (RN)	12,419	12,407	13,382	14,294	16,407
Number of Individual Licenses Renewed (RN)	89,115	93,972	97,702	102,666	105,711
Number of New Licenses Issued to Individuals (LVN)	5,817	5,713	5,776	6,059	6,263
Number of Individual Licenses Renewed (LVN)	36,690	38,475	39,424	41,287	41,644
<b>B. Goal: PROTECT PUBLIC</b>					
<b>Outcome (Results/Impact):</b>					
Percent of Complaints Resulting in Disciplinary Action (RN)	37.99%	30.16%	20.15%	19.12%	18.07%
Percent of Complaints Resulting in Disciplinary Action (LVN)	43.5%	36.25%	21.74%	22.07%	23.51%
<b>B.1.1. Strategy: ADJUDICATE VIOLATIONS</b>					
<b>Output (Volume):</b>					
Number of Complaints Resolved (RN)	3,625	4,388	4,851	7,091	8,273
Number of Complaints Resolved (LVN)	2,404	3,468	4,311	5,763	6,156
<b>Efficiencies:</b>					
Average Time for Complaint Resolution (Days) (RN)	218	193	173	188	172
<b>Explanatory:</b>					
Number of Jurisdictional Complaints Received (RN)	3,904	4,832	5,634	7,307	9,469
Number of Jurisdictional Complaints Received (LVN)	2,769	3,980	4,851	6,058	7,421
<b>B.1.2. Strategy: PEER ASSISTANCE</b>					
<b>Output (Volume):</b>					
Number of Licensed Individuals Participating in a Peer Assistance Program (RN)	557	637	593	592	473
Number of Licensed Individuals Participating in a Peer Assistance Program (LVN)	225	228	198	187	119

Comment:

Page 14 and 15 provide a view of current performance measures and trending performance measures over a five year period. I will present this information by PowerPoint at the January board meeting to present changes in budgetary information and trending graphs of performance measures. Please note that this biennium, the legislature dropped two performance measures from the board's appropriations: the cost of a license and the number of LVN programs licensed. We will continue to collect this information internally.