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Robert H. Corbin

July 8, 1990

Fran Roberts, R.N., M.S.
Executive Director
Arizona State Board of Nursing
2001 West Camelback Road, Suite 350
Phoenix, Arizona 85015

Re: I90-061 (R90-070)

Dear Ms. Roberts:

You have asked what authority the Arizona State Board of Nursing ("Board") has over nursing schools which have been accredited by a national nursing accrediting agency. We conclude the Board has authority as provided by A.R.S. §§ 32-1644 and 32-1606(B), discussed below.

The Arizona State Board of Nursing is required to establish standards for schools of nursing and to approve schools which meet those standards. A.R.S. § 32-1606(B)(1) and (2). All nursing schools, even those which have been accredited by a national nursing accrediting agency, must be approved by the Board. A.R.S. § 32-1606(B)(2); A.R.S. § 32-1644(A). The legislature also has mandated that the Board "shall . . . provide for surveys of schools it deems necessary." A.R.S. § 32-1606(B)(1).

The statutes specifically address accredited schools. A.R.S. § 32-1644(C) provides as follows:

A school of nursing approved by the board may also be accredited by a national nursing accrediting agency recognized by the board. If a school of nursing is accredited by a national nursing accrediting agency recognized by the board, the board does not have the authority over it unless any of the following occurs:

1. The board received a complaint about the school relating to patient safety.
2. The school falls below the standards prescribed by the board in its rules.
3. The school loses its accreditation by a national nursing accrediting agency recognized by the board.
4. The school allows its accreditation by a national nursing accrediting agency recognized by the board to lapse.

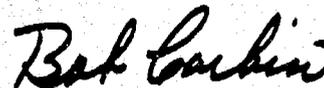
(Emphasis added.)

If the Board receives a complaint about an accredited school which involves issues of patient safety or if the school falls below the standards prescribed by the Board, the Board is authorized to investigate the complaint to determine if the Board's educational standards are being maintained by the school of nursing. A.R.S. § 32-1644(C)(1),(2). See A.R.S. § 32-1606(B)(9).

Furthermore, A.R.S. § 32-1644(D) specifically grants the Board authority to "resurvey all approved schools of nursing in the state". The statute grants this authority to the Board even when no complaint has been filed. If it is determined that a school of nursing falls below the Board's standards, and the situation is not corrected, that school shall be removed from the list of approved schools of nursing. Id. In addition, if an accredited nursing school loses its accreditation or allows its national accreditation to lapse, the school will also be subject to direct Board supervision. A.R.S. § 32-1644(C)(3),(4).

In summary, we conclude that the State Board of Nursing has authority over nursing schools which have been accredited by a national nursing accrediting agency as provided by the statutes discussed above. Among other authorized actions, the Board may investigate an accredited nursing school to follow up on a complaint it has received or to determine whether the school has fallen below the standards prescribed by the Board.

Sincerely,



BOB CORBIN
Attorney General