

## Data Collection Instrument

Online-only content for Zhong EH, et al. Probation and Recidivism: Remediation Among Disciplined Nurses in Six States. Am J Nurs 2009;109(3):48-57.

# Data Requested from Boards: Remediation Outcome Study

The purpose of this study is to gather information on nurses who received a disciplinary board action that resulted in **probation in the year 2001**. Please exclude any cases that were non-disciplinary or referred to an alternative program. Please put an X in the box next to the answer that best describes the situation and write your answer in the space provided.

## SECTION I. DISCIPLINED NURSE CHARACTERISTICS

1. ID \_\_\_\_\_  
(an identification number assigned by the board to keep track of cases)

### Nursing Employment Status at the Time of Probation in 2001

2. In what type of employment setting did the incident occur that resulted in probation in 2001?
- ☐ Hospital
  - ☐ Ambulatory care
  - ☐ Public/community health
  - ☐ Long-term care
  - ☐ Home health care
  - ☐ Unknown
  - ☐ Other (Please specify) \_\_\_\_\_
3. What was the employment status of the disciplined nurse at the setting where the probationary incident took place in 2001?
- ☐ Full-time (40 or more hours/week unless working 12-hour shifts at one primary job)
  - ☐ FTE (40 or more hours/week at more than one primary job)
  - ☐ Part-time (less than 40 hours/week at one primary job)
  - ☐ Part-time (less than 40 hours/week at more than one primary job)
  - ☐ Unknown
4. What type of community did the probationary incident take place in 2001?
- ☐ Urban/metropolitan area
  - ☐ Suburban area
  - ☐ Rural area
  - ☐ Not employed
  - ☐ Unknown

### Personal Record of Disciplined Nurse

- |  | Yes                      | No                       | Unknown                  |
|--|--------------------------|--------------------------|--------------------------|
| 5. Had the disciplined nurse ever reported any mental illness before probation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Did the disciplined nurse change their home address during the probationary period?                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Did the disciplined nurse change employers during the probationary period?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Did the disciplined nurse have a prior legal history (arrest/conviction)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Was the action taken against the disciplined nurse in the same state in which their original state of license was issued? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Did the disciplined nurse receive any non-disciplinary action prior to the disciplinary one taken in 2001?               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Please indicate the total number of Board actions for each of the following years.                                       |                          |                          |                          |

## SECTION II. BOARD ACTIONS

### For questions 12-14

Include **any** board action, not just probations. Place only one *number* (including double digit numbers) in each box under the year the disciplinary action took place.

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
12. What were the grounds for disciplinary action?	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
13. What disciplinary action did the Board take?	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
14. What requirements did the Board impose? Please check all requirements included in the Board's discipline order.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
15. What were the dates the nurse was originally intended to be on probation in 2001?	<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>	
16. What were the actual dates the nurse was on probation in 2001?	<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>	

Use for **Question 12** only

#### Grounds for Disciplinary Action

1. Drug/alcohol impairment/substance abuse
2. Intentional misconduct or criminal behavior  
*Examples:*
  - a. Unethical/immoral conduct
  - b. Patient abuse (mental, physical, verbal)
  - c. Fraud and/or deceit
3. Medication Error(s)
4. Documentation errors
5. Inadequate attentiveness or surveillance
6. Diagnosis discernment or reasoning  
*Examples:*
  - a. Failure to recognize and/or misinterpretation of patient signs and symptoms and/or responses to therapy
  - b. Failure to assess
  - c. Improper delegation/supervision
  - d. Execution of inappropriate orders
  - e. Failure to follow universal/infection control precautions
7. Lack of standard preventive measures to prevent risks, hazards or complications due to illness or hospitalization
8. Missed or inadequate nursing intervention
9. Misinterpretation or lack of use of authorized provider orders
10. Breakdown in professional responsibility or patient advocacy  
*Examples:*
  - a. Abandonment
  - b. Professional boundary violations, including sexual misconduct
  - c. Breach of confidentiality
  - d. Practice beyond scope

Use for **Question 13** only

#### Type of Discipline

1. **Stayed** – action is taken by a board, but is not implemented if criteria specified in order are met
2. **Deny** – to refuse to issue, renew or reinstate a license
3. **Fine** – to impose a monetary penalty for a violation
4. **Limit/restrict** – to reduce a licensee's legally authorized scope of practice
5. **Probation/condition** – to impose conditions and terms upon a license
6. **Reprimand/censure** – to issue an official statement of reproof for the nurse's behavior
7. **Revocation** – to involuntarily terminate an individual's license
8. **Summary suspension (also emergency, temporary suspension)** – to immediately prohibit, on an emergency basis and prior to a hearing, a licensee from practicing (followed by hearing as specified in laws and rules)
9. **Automatic suspension** – to immediately prohibit practice on the basis of court actions regarding the mental incompetence or other causes specified in state law. No further court action or board hearing is necessary.
10. **Suspension** – to prohibit a licensee from practicing for a period of time (definite or indefinite time period)
11. **Voluntary surrender** – to accept (either by board or authorized staff) an individual's offer to return license
12. **Other discipline** – other disciplinary actions used by jurisdictions, either specifically stated in laws and rules or interpretation of statutes and/or rule/regulation

Use for **Question 14** only

#### Probationary Requirements Imposed by the Board

1. Diminished (or limited) scope of practice
2. Practice only under supervision
3. Complete specific education requirements
4. Professional Mental Health evaluation/comply with treatment recommendations
5. Professional Chemical Dependency evaluation/comply with treatment recommendations
6. Professional Evaluation of Functional Ability/comply with treatment recommendations
7. Practice audit
8. Other consultation
9. Restricted setting
10. Restricted activities
11. Nurse available for interviews with board representative
12. Reports from employer
13. Reports from self
14. Reports from other
15. Release of information (e.g., nurse employment records)
16. Other (Please specify.)

### SECTION III. PROBATION OUTCOMES

17. What were the outcomes of the probation in 2001? (*Check all that apply*)

- ☐ Completed full probationary period and returned to nursing practice
- ☐ Completed full probationary period but did not return to nursing practice
- ☐ Early termination of probation due to significant behavior improvements or having fulfilled the requirements at an earlier time
- ☐ Failed to complete probation
  - ☐ License was reprimanded while on probation
  - ☐ Voluntary surrender/License was revoked
  - ☐ Under new investigation
  - ☐ Other \_\_\_\_\_

### SECTION IV. COMMENTS

18. Based on your experience, which components of your probation programs are MOST effective?

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19. Based on your experience, which components of your probation programs are LEAST effective?

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## SECTION V. DEMOGRAPHIC INFORMATION

20. State in which the Board of Nursing is located \_\_\_\_\_

21. Gender: ☐ Male ☐ Female

22. Year of Birth

23. Racial/ethnic background:

- ☐ Hispanic ☐ Black/African American  
☐ Asian/Pacific Islander ☐ Multi-racial  
☐ White/Caucasian ☐ Unknown  
☐ Native American ☐ Other, *please specify* \_\_\_\_\_

24. Marital Status at the time of Probation in 2001

- ☐ Married  
☐ Divorced, separated, widowed  
☐ Single

25. What was the highest level of education for the disciplined nurse at the **time of initial licensure**?

Degrees	Nursing	Non-nursing
Diploma	<input type="checkbox"/>	<input type="checkbox"/>
Associate	<input type="checkbox"/>	<input type="checkbox"/>
Baccalaureate	<input type="checkbox"/>	<input type="checkbox"/>
Master's	<input type="checkbox"/>	<input type="checkbox"/>
Doctorate	<input type="checkbox"/>	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	<input type="checkbox"/>

26. Where did the disciplined nurse receive their entry-level nursing education?

- ☐ USA ☐ Foreign School ☐ Unknown

27. How was the disciplined nurse licensed?

- ☐ NCLEX Exam

Number of times failed the NCLEX: \_\_\_\_\_

Year in which nurse passed the NCLEX \_\_\_\_\_

☐ Endorsement Year of endorsement \_\_\_\_\_

☐ State Board Test Pool Year passed the exam \_\_\_\_\_

### Licensure and Advanced Nursing Practice at the Time of Probation in 2001

28. At the time of probation in 2001, was the disciplined nurse an RN, LPN/VN, or an advanced practice nurse? *Please check all that apply and indicate how long they had been licensed in that role.*

	Year
<input type="checkbox"/> Registered Nurse (RN)	_____
<input type="checkbox"/> Licensed Practical Nurse/Vocational Nurse (LPN/VN)	_____
Advanced Practice Nurse (APN)	
<input type="checkbox"/> Nurse Practitioner (NP)	_____
<input type="checkbox"/> Certified Registered Nurse Anesthetist (CRNA)	_____
<input type="checkbox"/> Certified Nurse Midwife (CNM)	_____
<input type="checkbox"/> Clinical Nurse Specialist (CNS)	_____

29. How many licenses did the disciplined nurse hold at the time of probation in 2001?

- ☐ Single License  
☐ Licensed in more than 1 state  
☐ Unknown

Please mail or fax the completed questionnaires to: Elizabeth H. Zhong, PhD, Department of Research, National Council of State Boards of Nursing, 111 E. Wacker Drive, Suite 2900, Chicago, IL 60601-4277, E-mail: ezhong@ncsbn.org, or Fax: (312) 279-1032

NO LATER than July 31, 2006.

Thank you in advance for your time and participation!