Effective 12/2022, Updated 10/2023

Ohio Nurses Association Continuing Education Approver Unit

1. **All information in this document is reflective of Ohio Administrative Code 4723-14.**

2. **The information contained herein represents the processes for becoming an approved provider by the Ohio Nurses Association, who is an Ohio Board of Nursing Approver.**

3. **The person at ONA accountable for operation of the Approver Unit is the Director of Continuing Education.**

4. **Approved Provider units have the authority to plan, implement, and evaluate continuing education activities.**

5. **Approved Provider units operate under the Provider Unit Lead who has overall accountability for the Approved Provider unit and reports to the Director of Continuing Education at ONA. The Provider Unit Lead is a Registered Nurse.**

6. **Approved Providers are authorized to plan, implement, and evaluate their own activities and award contact hours for activities that meet the requirements outlined in OAC 4723-14. They are NOT authorized to approve activities developed by others.**

7. **Ineligible Companies (those whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products) cannot be providers of continuing education activities.**

Part I: The Approval Process for an Approved Provider Unit

Demonstration of adherence for initial approval and re-approval reflective of OAC 4723-14-17

The Provider Unit will be able to demonstrate through documentation:

1. Ability to meet the board continuing education requirements set forth in 4723-14 by having received approval for a minimum of 3 individual activities through the Ohio Nurses Association Individual Activity application process
2. The Provider unit is an identifiable unit and has goals consistent with the requirements of this chapter
3. Having sufficient resources to meet and maintain board requirements in OAC 4723-14 including a registered nurse responsible for the planning and implementation of continuing education activities
4. Ability to document planned learning activities that meet the requirements of OAC 4723-14
5. A process ensuring that all continuing education requirements contained in OAC 4723-14 are to be met and maintained
6. A process to ensure that all the required planning documentation is completed before presentation of the continuing education activity, and that the required records are completed after the presentation and maintained by the approved provider unit in a safe, secure, and accessible manner for at least six years, and must include:
   a. A complete copy of the provider unit application submitted to the OBN approver and all related correspondence;
   b. Copies of all continuing education activity files (for each individual activity provided) including:
      (a) Activity Documentation meeting requirements of 4723-14
      (b) Documentation of disclosures to learners
      (c) Documentation of Certificate
      (d) A list of all attendees who were awarded contact hours for each date the continuing education activity was offered that includes the number of contact hours awarded to each;
      (e) A summary evaluation
      (f) Any changes made to the activity during the time the activity was offered to learners.
7. A process ensuring the approved provider unit maintains control of, and responsibility for, all aspects of meeting and maintaining continuing education requirements set forth in OAC 4723-14
8. A process requiring that all marketing used by the provider meets the requirements of rule 4723-14-14 of the Administrative Code
   a. All marketing for the continuing education activity must include the approval status and the OBN approver number.
9. A process requiring ongoing evaluation of the approved provider unit's system
10. A process to ensure if any commercial support is provided for an activity, the continuing education provider will maintain control of the educational content and disclose the existence of commercial

support to the learner

11. A process to ensure disclosure to learners that there is no relevant relationship with an ineligible company involving anyone with the ability to control content of the educational activity, or if there is a relevant relationship with an ineligible company that it has been mitigated by the provider. The provider will disclose to the learner the name of the individual, the type of relationship and the name of the ineligible company.

12. A process to ensure exhibits shall not be set up or positioned in such a way that will influence or distract a learner from the educational activity

For re-approval the following must also be provided

1. Market material, if any was used, for submitted activity files
2. A description of how continuing education rules have been followed during the approval time period
3. Results of the approved provider unit's evaluation process
4. Any additional information requested by ONA

1. Beginning the process:
   a. Determine your current status:
      i. <u>For new applicants</u>, you can begin the process of seeking approval once you have met the requirements outlined above in numbers 1-12.
      ii. <u>For providers already approved by ONA</u>, five months prior to your provider expiration date, you will receive a notice from ONA advising you of the due date for your application to avoid a lapse in your Approved Provider status. This due date will be 2 months prior to the expiration of your current provider status. Please follow the instructions below to be sure your application is submitted by the due date. Applications submitted after the due date cannot be guaranteed to be reviewed and approved prior to your expiration date.
   b. Retrieve the form "Intent to Apply or Reapply" from the ONA web site, www.ohnurses.org
   c. Complete the form and submit it to the ONA Continuing Education Specialist.
   d. You will receive notice when the form has been reviewed and you are eligible to continue the application process. Should there be any questions about your eligibility, you will be asked to provide additional information to verify eligibility.
   e. Once eligibility has been confirmed, <u>new applicants</u> should make an appointment for a telephone conference call with the Director of Continuing Education to review the application process and be sure your questions are answered. Existing providers may also make an appointment, but it is not required.

2. Completing the Application:
   a. Retrieve the Approved Provider Unit Application from the ONA web site, www.ohnurses.org
   b. Read the entire application to be sure you understand what is required.

     c. Complete each section of the application. The Provider Unit Lead should be the main person completing the application, but may be assisted by other stakeholders.

     d. For existing providers with ONA, attach two sample activities provided within the past year that demonstrate adherence to all requirements. Submit the entire activity file. The two activities should be representative of the activities presented and if applicable, include:

        i. One "live" activity presented real time

        ii. One enduring activity

        iii. One activity that received commercial support

        iv. Preference should be to activities with marketing materials

     e. New applicants should follow all of the instructions in (d) above, except that instead of submitting two activities, submit:

        i. One template of a certificate showing the Approved Provider language that will be used once provider status has been attained.

        ii. Copies of 3 learner certificates from the most recently approved 3 individual activity applications provided

     f. Organize the application in the order listed above: the application itself, followed by the two sample activities or new applicant certificate. Ensure all components of the activity files are submitted including planning form, disclosures, certificate, summative, and content if a Category A activity.

3. Submitting the application:

     a. Submit the application and attachments by email to ONA in PDF format. All submission documents must be PDFs. If you are an already Approved Provider, please include your provider number on all correspondence.

     b. Ensure that the application reaches the ONA office by the due date.

     c. Send the application fee. A provider approval decision will not be rendered until the application fee is paid in full.

ONA Peer Review Steps:

1. A quantitative review will be completed by the Continuing Education Specialist or designee to ensure that all required components of the application are present. Missing pieces will be requested if needed. Failure to submit additional required evidence within 15 working days of the request, or providing substantive evidence regarding need for additional time, will result in denial of the application.

2. The application is sent to a Nurse Peer Reviewer and the Director of Continuing Education, who serves as the second peer reviewer, to complete the qualitative review.

3. The Nurse Peer Reviewer and Dir. of CE will reach a consensus on all items of the review

4. A follow up call may be scheduled to complete the application process.

5. A final decision is made by the Director of Continuing Education based on evidence of adherence to the requirements set forth in OAC 4723-14.

6. Possible actions on a provider application are:

a. **Approval for 3 years** – evidence supports the ability of the organization to adhere to criteria; may include progress reports
b. **Approval for up to 1 year** – evidence supports the need for close monitoring of the organization to ensure adherence to requirements in OAC 4723-14. If monitoring demonstrates that the organization is effectively meeting requirements, approval will be extended for the balance of a full 3-year approval period. Failure to demonstrate meeting requirements will result in suspension or revocation of approval.
c. **Denial** – evidence demonstrates that the applicant is not meeting requirements and has not recognized deficiencies or established plans to address deficiencies. An organization whose application has been denied has the right to appeal that decision. Denial of an application precludes the applicant from submitting another provider application for 12 months, although individual activity applications may be submitted by the organization at any time. Refunds are not provided in the case of a denial, as the application fee is the fee for submitting an application and having it reviewed- it is not an approval fee.

Receiving your Approval Decision

1. After final review is complete, you will be notified of the need for a follow up call, if one is required.
2. You will receive an approval letter once your provider unit is approved.
3. You will receive instructions for responding periodically to ONA Approver Unit monitoring activities, which is required for maintaining your Approved Provider status.

Fees

1. Only new applicants have a fee with the submission of the "Intent to Apply" form.
2. The application fees can be found at https://ohnurses.org/education/#CE
3. Additional fees may be incurred for late submissions.
4. The application fee must be paid in full before a final approval decision is rendered. This is an application fee not an approval fee. This fee is separate from the approval decision. If the application is denied the application fee is not refunded.
5. Note: Routine monitoring projects are conducted by ONA; responses are required to maintain your provider status. You will be notified of data required and response in a timely manner.

Part II: Planning Educational Activities in an Approved Provider Unit

Approved Provider Activity Planning Template and Attachments

Item by Item Instructions
PLEASE NOTE: The forms are intended to guide your planning process. Please use these resources to help you plan your activity, rather than trying to retrofit your plan into the form fields. You are not required to use the forms provided, but all required evidence must be in the activity file.

a. Title of Activity: the name of the educational activity as it will appear on marketing materials, learner materials, and the certificate

b. Number of contact hours is the number of hours you will award for the activity. Calculate this number as follows:

1. Include time spent in each session or part of the learning activity, including the time spent in completing any evaluation process.

2. Do not include time spent in welcome/introductions, breaks, lunch, or viewing of vendor exhibits.

3. For enduring materials (e.g. web based individual learning modules, independent study booklets), pilot testing is often the mechanism of choice to determine how long it takes a select group of learners representative of the target audience to complete the activity and its evaluation process. The average of those times is then used to determine the number of contact hours to be awarded to learners. Other methods of determining contact hours for enduring materials include use of evidence-based formulas related to word count and difficulty of material (the Mergener formula) or historical data in publications.

4. One contact hour is equal to 60 minutes of learning time. OAC4723- 14 states the contact hour is equal to 60 minutes The unit of measure used in nursing continuing education is the contact hour, not the CEU. This is an important distinction, as the two terms do not mean the same thing. Please be sure that all of your marketing pieces, learner materials, and certificates correctly reference the contact hour.

c. Activity Type

1. Faculty directed, Live activities occur when the provider controls the content, time and pace of the activity. Learners participate in "real time" educational experiences. Indicate the date(s) that the activity will be offered to learners. Please be aware that all activity files must be complete prior to the activity. Retroactive awarding of contact hours is not permitted. Provide the rationale for the number of contact hours to be awarded.

2. Enduring material activities occur when the provider controls content, but learners can access the education at a time, place, and pace of their choosing. Examples might include independent study articles in professional journals, web-based learning on learning management systems, or archived webinars. For these events, please specify how you determined the number of contact hours you plan to award. See "number of contact hours" below and contact the ONA Continuing Education Specialist with any questions about how to calculate contact hours for these types of activities. All enduring materials must be reviewed and revised at least once every two years, depending on the

time-sensitivity and relevance of the content. Document on the activity document each time an activity is reviewed. Learners must be informed of the expiration date of enduring materials. A provider may choose to turn a live activity into an enduring. For example, a webinar first offered live can be made enduring. Simply indicate this on the activity document.

3. Blended activities incorporate components of both "live" and pre- or post-work materials. For example, a learner may be required to read an article prior to attending an activity and come prepared to discuss it. The learner can get contact hours for both parts of the learning experience. Specify how you determined the total number of contact hours you plan to award.

d. Commercial support: If activity receiving, you must disclose this to learners. Commercial support is any support received by your provider unit for an educational activity from a company that makes, sells, distributes, or markets products or services consumed by or used on patients.

e. Primary RN Planner – Provide the name, credentials, and email address. This is the person ONA will hold accountable for adherence to all OAC requirements.

f. List the members of the Planning Committee and faculty or others who are involved in the planning of the educational activity.

i. Be sure the Planning Committee consists of at least two people – the Primary RN planner and one person with expertise in the content of the learning activity. Even if the Primary RN planner is also a content expert, there must be two people on the Planning Committee.

On the table in the documentation form, enter the name and credentials of each person, that person's role(s) in the activity. If the person is presenting/facilitating the activity, indicate their experience that qualifies them as content experts.

g. Describe your process for collecting data regarding relevant relationships with ineligible companies. You may include the Relevant Financial Relationship form for everyone with the ability to control content of the activity if that is your process. If it is found that someone with the ability to control content of the activity has a relevant financial relationship that can be mitigated, then the Mitigation Worksheet will need to be completed and all relevant financial relationships will need disclosed to learners and the learner must be told that the relationship has been mitigated.

h. **Description of why this activity is being planned**: Include any information related to requests, needs assessments, performance/knowledge/skill deficits, etc. (See "A" on the Approved Provider Activity Planning Template.)

i. **Description of the target audience**: Who is the activity being planned for? If LPNs are included in the target audience, an LPN must be on the planning committee. Anyone can take the educational activity, regardless of if they are in the target audience. (See "B" on the Approved Provider Activity Planning Template.)

j. **Learning outcome expected of learners at the end of the activity**: What will learners know or do differently upon completion of this activity? An outcome is not the same as an objective. Objectives are not required; a clear outcome statement is required. See "C" on the Approved Provider Activity Planning Template)

k. **Description of the evaluation method allowing learners to indicate if learning outcome(s) achieved:** How will you determine that the educational activity has been successful? Explain what process(es) you will use to collect this data.

    Please do be aware that, at the conclusion of your activity, you are required to add an evaluation summary to your activity file. It is most helpful if this summation includes an assessment of this data (See "F" on the Approved Provider Activity Planning Template)

l. **Content of activity including continuing education principles, practice, and needs of the target audience. Include the references for the content.**: What will the activity look like? What content will be included?
    A content outline is sufficient. For a conference or activity with multiple segments an agenda with the necessary additional information is sufficient (See "E" on the Approved Provider Activity Planning Template)

m. **Learner engagement strategies**: How will learners be active participants in the event? We know that learners are more likely to retain knowledge and transfer knowledge to practice if they are actively involved in the educational experience. (See "F" on the Approved Provider Activity Planning Template)

n. **Criteria for successful completion to earn contact hours**: This is an important step in the planning process. This is what the learner must do in order to earn the certificate for the activity. Check the appropriate box, or specify your alternate plan. Once determined, the criteria for successful completion must be shared with the learners prior to the beginning of the educational activity. (See "G" on the Approved Provider Activity Planning Template)

o. **Attachments to include in the activity file if applicable**

    i. Include the marketing material for the activity in the activity file, if applicable. This may include, but is not limited to, email announcements, a screen shot of a web page, or a flyer or brochure. DO NOT simply list the web link – after the activity, this link will disappear, and you will not have evidence of your

marketing material. According to OAC 4723-14, marketing is required to have the Approved Provider statement with the OBN #.

ii. Evidence of disclosures provided to the learners: learners must receive, prior to the activity, information about the things listed here. The disclosure information can be provided on marketing material, an agenda, an introductory slide, or at the beginning of a syllabus or program guide. Include in your activity file evidence of disclosure to include:
   1. Your Approved Provider statement including the OBN #
   2. Criteria for Awarding Contact Hours/Criteria for successful completion in order to earn contact hours.
   3. Statement regarding presence or absence of relevant relationships of those involved in the planning of the activity with ineligible
       a. If no relevant financial relationships state: No one involved in the planning of this activity has a relevant relationship with an ineligible company.
       b. If a relevant financial relationship has been found, include the following:
           • The name(s) of the individual(s) with relevant relationships
           • The name(s) of the ineligible companies with which they have/had relationships.
           • The nature of the relationships.
           • A statement that all relevant financial relationships have been mitigated.
           Example: Sally Jones is on the speakers' bureau for Eli Lilly. This financial relationship has been mitigated. (See mitigation worksheet for further examples.)
   4. Name(s) of entities providing commercial support, if applicable.
   5. Expiration date – for enduring material only.

iii. Certificate to be awarded to learners upon completion of the activity. The certificate must include:
   1. Space for the name of the learner
   2. The name and address of the provider (web address is acceptable) – note that this is the address of the provider, NOT the address where the activity is being held.
   3. The name of the educational activity
   4. The date the certificate was issued
   5. The number of contact hours awarded
   6. Your Approved Provider statement: (Your organization) is an approved provider of continuing education by the Ohio Nurses Association, an Ohio Board of Nursing approver. (OBN-001-91)

Criteria for successful completion are based on the desired outcome. Determination of the criteria for successful completion is undertaken by the Planning Committee and must be decided in advance of the activity. It is not acceptable for a decision to be made at the time of the event – a person arrives 15 minutes late for a one-hour activity and the question arises as to whether or not he/she should receive contact hour credit. Criteria for successful completion are determined in advance and must be disclosed to the learner prior to the learner's engagement in that experience. If there is a post-test or return demonstration, for example, the learner needs to know that a passing score of xx% or successful demonstration of a skill will be required in order to receive contact hours.

a. Structuring enduring materials that learners can access at their convenience

For enduring materials (e.g. independent study web-based learning, podcasts, articles) a plan should be established regarding the type of medium to be used, the ability of learners to access that medium, the appropriateness of the medium to the type of learning activity, and the ability of the learner to achieve the desired outcome through use of the medium selected. Additionally, there should be a mechanism in place to enable the learner to contact an appropriate provider unit resource person for either content-related questions or for technical issues related to using the enduring material. Publication of enduring material must be accompanied by a disclosure to the learner about the length of time the learning activity will be available for awarding of contact hours. Accreditation criteria require that enduring materials must be reviewed at least once every 3 years to determine that content is still timely, relevant, and based on best-available evidence. Once that analysis has been completed and any required updates made, the educational activity can be re-issued.

b. Awarding contact hours

Contact hours are currently awarded to learners based on time. For "live" activities" a "Contact hour" means sixty minutes of continuing education, which may be determined by rounding to the nearest quarter hour. Evaluation time is part of the learning experience and can be included in calculation of contact hours. Learning time does not include general introductions, breaks, meals, and viewing vendor displays. For enduring materials, there must be a logical and defensible method for determining the number of contact hours to be awarded. For many providers, a pilot study is the mechanism of choice to determine how long it takes a select group of learners who represent the target audience to complete the activity and evaluate it. The average of those times is then used to determine the number of contact hours to be awarded to learners. Please note that those who participate in the pilot study may earn contact hours for their participation, once the number of hours to be awarded has been determined. Other methods of determining contact hours for enduring material include use of evidence-based formulas related to word count and difficulty of material (the Mergener formula) or historical data in publications. Please contact the Dir. of CE for additional information if needed.

The unit of measure used in continuing nursing education is the **contact hour**, not the CEU. This is an important distinction, as the two terms do not mean the same thing. Please be sure that all of your marketing pieces, learner materials, and certificates correctly reference the contact hour.

Certificates are awarded to learners when they have successfully completed the learning activity, based on criteria noted above. The certificate is required to include:
1) Space for the name of the learner
2) Title and date of the educational activity (for a multi-day session, the date should reflect when the learning activity was completed and the certificate awarded)
3) Name and address of the provider of the learning activity (web address is acceptable)
4) Number of contact hours awarded
5) Your Approved Provider statement

c. Acknowledging the Provider of the Activity; Use of Approved Provider Statement

The provider of the activity is the entity awarding contact hours. The name of the provider must be clearly evident to the learner on marketing and educational activity materials. The Approved Provider statement must be visible to learners in two places: on written material received prior to the beginning of the educational activity and on the certificate. The provider statement must read as follows: (YOUR Organization) is an approved provider of continuing education by the Ohio Nurses Association, an Ohio Board of Nursing approver. (OBN-001-91)

d. Providing disclosures to learners

The learner must be informed of certain things prior to the beginning of the educational activity. Disclosures can be on advertising material, an agenda, the opening page of a syllabus, or introductory PowerPoint slides. A copy of the disclosures must be retained in the activity file. Required disclosures include:

1) Requirements for successful completion
2) If a clinical topic and no relevant financial relationships state: No one with the ability to control content of this activity has a relevant financial relationship with an ineligible company. If a relevant financial relationship has been found, include the following:
   a. The name(s) of the individual(s) with relevant financial relationships
   b. The name(s) of the ineligible companies with which they have/had relationships.
   c. The nature of the relationships.

   d. A statement that all relevant financial relationships have
      been mitigated.
      Example: Sally Jones is on the speakers' bureau for Eli Lilly.
      This financial relationship has been mitigated.
3) If applicable, name(s) of organization(s) providing commercial support
4) If applicable, expiration date for enduring materials

Part III: Approved Provider Responsibilities

1. Using the Director of Continuing Education as a Resource

   The Director of Continuing Education at the Ohio Nurses Association is the person
   accountable to the Ohio Board of Nursing to ensure that Approved Providers are adhering
   to all requirements in OAC 4723. Any time you have questions about provider unit
   operations, issues that arise with your educational activities, or considerations in relation to
   completing your provider application, please feel free to contact the Director of Education.
   From time to time, you will be asked to evaluate the work of the approver unit in providing
   support to your provider unit. Your feedback will help us continue to strengthen our
   processes.

2. Recordkeeping

   a. Activity files must be retained for 6 years.
   b. The Approved Provider Activity Planning Template and attachments constitute
      the activity file.
   c. After the activity, add to your file:
      i. The summary evaluation showing the effectiveness of the activity and
         description about how you plan to use the data from this evaluation
      ii. List of participant names and number of contact hours awarded to each person

3. Responding to monitoring requests

   The Ohio Board of Nursing requires that OBN approvers monitor the Approved Providers on a
   regular basis, not just at the time of submission of a new provider application every three
   years. Monitoring activities could occur at any time and will typically focus on one aspect of
   your provider unit – submitting a sample marketing brochure, certificate, or disclosures, for
   example. Participation in monitoring activities is required. Failure to submit material as
   requested will result in suspension and/or revocation of provider status.

4. Responding to inquiries and/or complaints

   Should a situation arise where the ONA approver or Ohio Board of Nursing has a concern
   about your provider unit's operations, you will be asked to provide explanations and/or
   evidence to address the concern. Examples may include data found on an Approved

Provider's web site that is not in adherence to criteria or a complaint from a learner. If you are asked to respond to an inquiry or a complaint, you will be provided with detailed information about the nature of the complaint and what is requested (although confidentiality of complainants will be maintained) and a specific time frame for your response. Failure to provide the required information or address the issue at hand will result in suspension and/or revocation of your provider status.

5.   Adhering to federal, state, and/or local laws or regulations

Your provider unit has agreed as part of the provider application to follow all applicable local, regional, state, and national laws/rules that affect your ability to adhere to accreditation criteria. Evidence of violation of such laws/rules will result in suspension and/or revocation of your provider status. Please note that this includes copyright laws, which can present challenges for planners and presenters. Please contact ONA if you have questions about this issue.

6.   Issues of Nonadherence

The ONA Approver Unit reserves the right to suspend or revoke the status of an Approved Provider in situations where requirements are not followed, complaints are not resolved, laws/rules are not followed, or fees are not paid. Notification of suspension/revocation will occur by certified mail or by email with read verification. If suspension and/or revocation occur, the organization must immediately cease awarding contact hours, representing itself as an Approved Provider, and using the Approved Provider statement. Suspended organizations may apply for reinstatement within 120 days of the suspension date, based on evidence of resolution of the issue(s) in question. Failure to apply for reinstatement within the 120 day limit will result in revocation of Approved Provider status. Organizations whose approver status has been revoked may not apply to ONA for 1 year following the date of revocation. If, after that time, the organization wishes to reapply, it would be considered a new applicant and would be required to meet all new-applicant eligibility criteria. During a period of suspension or revocation, an organization may continue to submit individual activities to ONA for approval but may not operate a provider unit. The organization whose Approved Provider status has been suspended and/or revoked may appeal the decision. Contact the Director of Continuing Education at ONA for a copy of the appeal process.

References:

Dickerson, P., ed. (2017). Core Curriculum for Nursing Professional Development, 5th ed. Chicago: Association for Nursing Professional Development.

Harper, M., & Maloney, P. (2022). Nursing Professional Development Scope and Standards of Practice, 4th ed. Chicago: Association for Nursing Professional Development.

Ohio Administrative Code. Chapter 4723-14. https://codes.ohio.gov/ohio-administrative-code/chapter-4723-14

Contact Information

Brittany Turner, MSN, RN, CNEcl, NPD-BD
Interim Director of Continuing
Education
Bturner@ohnurses.org

Sandy Swearingen
Continuing Education Specialist
sswearingen@ohnurses.org