

Impact Analysis for Amendment of 10A NCAC 46 .0301 Minimum Standard Health Department: Staffing

Agency: North Carolina Commission for Public Health
Department of Health and Human Services
Division of Public Health

RULE CITATION(S): 10A NCAC 46 .0301 Minimum Standard Health Department: Staffing

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Rulemaking Authority: G.S. 130A-5(3); 130A-9; 130A-34.1

Impact Summary: State Government: Yes
Local Government: Yes
Private Entities/Public: Yes
Substantial Impact: No

Introduction and Purpose

Rule 10A NCAC 46 .0301 contains minimum standards for health department staffing. This rule is proposed for amendment to clarify and update terminology and minimum education requirements for local health department public health nursing staff. The proposed changes to the rules were made following consultation with NC Public Health Nurse Administrators governing board, public health nursing experts, and the NC Association of Local Health Directors.

Description of Proposed Rules

A brief description of each rule has been provided below. The text of proposed rules is included in [Appendix 1](#).

10A NCAC 46 .0301(1)

Paragraph (1) of the rule has been updated to include references to current law and terminology, including adding a reference to G.S. 130A-40, updating the term “registered sanitarian” to the current term “registered environmental health specialist” with a cross-site to authorizing rules, and updating the term “secretary” to “administrative assistant.” In addition, the NCDHHS, Division of Public Health is unaware of any local health department that shares a local health director, so this language has been deleted. These changes are technical in nature and not expected to result in an economic impact. For that reason, they are not discussed further in this fiscal note.

10A NCAC 46 .0301(2)

This paragraph has been updated to reflect current requirements for all public health nurses employed by local health departments. Previously, Paragraph (2) required that public health nurses either (a) have a baccalaureate nursing degree or (b) complete an introductory course in principles and practices of public health and public health nursing. Paragraph (2) has now been transformed into a list of three items that public health nurses shall have or do.

The new paragraph (a) requires all public health nurses to hold an active, unencumbered license to practice as a registered nurse. The new language acknowledges the variety of formal training available to qualify a person to become a registered nurse in North Carolina. The independent nature of the public health nurse's scope of practice, roles, and functions require licensure as a registered nurse.¹

The new paragraph (b) continues the requirement for completion of the introductory course in principles and practices of public health and public health nursing. However, in practice, this new framework expands who is required to take the introductory course to all public health nurses. The paragraph requires currently employed public health nurses who were previously not required to take the introductory course as well as public health nurses who took the introductory course prior to January 1, 2023, to take the introductory course by December 31, 2027. There are an estimated 2000 public health nurses employed by NC local health departments.

Finally, the new paragraph (c) requires public health nurses who have taken the introductory course to take refresher courses within three years of publication. These refresher courses will also be offered virtually with no travel costs and free of charge to public health nurses. Safe practice is dependent upon the continuing competence of nurses.²

Impact Analysis

State Government Impact

The impact on state government is expected to consist solely of costs associated with providing the introductory courses in principles and practices of public health and public health nursing and the refresher courses to local health department public health nurses.

The cost of training public health nurses is funded by Medicaid Federal Financial Participation (FFP) for Medicaid and Title V administration. These funds are used to contract with the North Carolina Institute for Public Health (NCIPH) to provide development and ongoing management of the introductory course in the principles and practice of public health and public health nursing, including costs associated with course management in a learning management system, course registration, participant cohort management, and ongoing course assessment, evaluation, and quality improvement. The refresher course will be offered virtually with no travel costs and free of charge to public health nurses. The changes to this rule will not impact the cost of providing the introductory course or the contract covering those costs. The refresher courses are also not expected to cost the state any additional funds, as the development and provision of the courses are covered in the existing contract. For these reasons, this fiscal note does not further discuss the cost of this contract.

State appropriated funds cover the DHHS Office of the Chief Public Health Nurse's Director of Nursing Continuing Education position. This position ensures that all local health departments have access to the introductory course and refresher courses to support local health departments in meeting the requirements of 10A NCAC 46 .0301 (2). Table 1 shows that this position is anticipated to invest 104 hours per year (5% of 2080 hours worked / year) serving as the public health nursing expert advisor to the NCIPH regarding current public health and public health nursing standards, frameworks, and guidance, and regarding registered nurse components

¹ NC Board of Nursing: Position Statement for RN and LPN Practice, RN and LPN Scope of Practice: Components of Nursing Comparison Chart [ps-rn-lpn-scope-of-practice-comparison.pdf \(ncbon.com\)](#)

² NC Board of Nursing: Continuing Competence Self-Assessment: Have You Met Your Professional Responsibility? [ce-2018-continuing-competence-self-assessment.pdf \(ncbon.com\)](#)

and scope of practice per the NC Nursing Practice Act. **This is approximately \$6,979.40 in opportunity costs to the state per year.**

Table 1: Estimated Opportunity Cost for DPH’s Director of Nursing Continuing Education³

Category	Dollar Value	Salary & fringe expenses associated with serving as public health nurse advisor to NCIPH (5%)
Salary	\$94,016.00	\$4,700.80
Total Est. Benefits (48.47%)	\$45,571.92	\$2,278.60
Total Compensation	\$139,587.92	\$6,979.40

The cost of updating the introductory course and developing refresher courses will be absorbed as part of the ongoing contract with the NC Institute for Public Health and the role of the Director of Nursing Continuing Education Position.

Local Government Impact

The impact on local government is expected to consist solely of costs associated with local public health nurses attending the introductory course and refresher courses. Local health departments are responsible for ensuring their public health nursing staff are trained and competent to serve in their roles. The content in the introductory course in the principles and practices of public health and public health nursing provides newly hired and practicing public health nurses with the most up-to-date, evidence-based foundational education on public health nursing practice.

The introductory course will take a single public health nurse a total of 15 hours to complete. Considering a 15% annual turnover rate, we estimate that 1800 local public health nurses will need to complete the introductory course in 2025, 2026, and 2027. This includes newly hired public health nurses, public health nurses who were previously exempt, and public health nurses who took the training prior to a revamp of the curriculum that launched on January 1, 2023.

Under the current language of .0301(2), public health nurses with a nursing degree from a baccalaureate school were not required to take the course. Although all entry-level nursing education programs focus on developing clinical patient care skills, the baccalaureate degree is also understood to consistently provide coursework around theoretical nursing concepts, public health topics, nursing ethics, pathophysiology, and microbiology. However, in 2021, the American Association of Colleges of Nursing, the national entity establishing quality standards for nursing education, approved new standards. *The Essentials: Core Competencies for Professional Nursing Education* outlines competency expectations for graduates of baccalaureate, master’s, and Doctor of Nursing Practice (DNP) programs.⁴ The revised framework no longer requires entry-level baccalaureate nursing programs to provide public health-specific coursework. Rather, *population* health is expected to be integrated into every entry-level course and clinical experience. Therefore, it can no longer be assumed that baccalaureate-prepared registered nurses have learned the fundamentals of public health as part of their nursing school programs.

While scaling up who is required to take the course, many changes have been made programmatically to reduce costs and burdens on state and local governments. These savings do not result from the proposed rule change but dramatically decrease the overall cost of this required training. For over 30 years, the introductory course was provided in an in-person format, requiring the public health nurse to be away from the local health department for two weeks and requiring the local health department to cover registration/ fees/ mileage/ meals/ travel costs. There was also a cost to the State for covering meeting spaces, logistics, and employee time and travel. As a

³ The estimated benefits listed were identified using the North Carolina Office of State Human Resources "Total Compensation Calculator," <https://oshr.nc.gov/state-employee-resources/classification-compensation/total-compensation-calculator>.

⁴ Journal of Nursing Regulation (2022). The Revised AACN Essentials: Implications for Nursing Regulation. [https://www.bing.com/search?q=Journal+of+Nursing+Regulation+\(2022\).+The+Revised+AACN+Essentials%3A+Implications+for+Nursing+Regulation.&cvd=02c4072575b247e4b4e82846009fac64&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIICAEQ6QcY_FXSAQc0NjJqMG05qAIIsAIB&FORM=ANA B01&PC=HCTS](https://www.bing.com/search?q=Journal+of+Nursing+Regulation+(2022).+The+Revised+AACN+Essentials%3A+Implications+for+Nursing+Regulation.&cvd=02c4072575b247e4b4e82846009fac64&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIICAEQ6QcY_FXSAQc0NjJqMG05qAIIsAIB&FORM=ANA B01&PC=HCTS) and

result, the in-person introductory course could only be offered twice a year and capped at 50- 100 participants at each offering. The introductory course was overhauled in 2022 in response to *The Essentials* report and to align with the current American Nurses Association (ANA) *Public Health Nursing: Scope and Standards of Practice* (3rd ed.; Appendix 2). The newly updated course started in January 2023 and has also been scaled down from two weeks to 15 hours to complete. The course material covers the history, specialty practice, frameworks, and roles and functions of public health nursing. The coursework also covers social determinants of health, health equity, public health and nursing codes of ethics, behavior change models, local and state public health funding structures, and policies and procedures required by local health departments.

The cost savings realized from moving the introductory course to an online, self-paced, e-learn format allows the Office of the Chief Public Health Nurse to offer the course up to four times a year for up to 600 participants per year, with free registration, which requires no travel related costs to the local health department. By capitalizing on these cost savings, the introductory course is now able to be open to all local government public health nurses, regardless of educational attainment. As of July 2024, four sessions of the introductory course have been offered, and 526 public health nurses with diverse education backgrounds representing all public health nursing positions have completed the course. The introductory course now awards 15 Nursing Continuing Professional Development contact hours that can be used to meet NC Board of Nursing continuing education requirements for license renewal.⁵ Local health departments are expected to continue to support public health nurses using work time to complete the introductory course and not require them to use their accrued or unpaid leave.

Table 2 shows the opportunity cost impact on local government, estimated based on average salary for a Public Health Nurse II.⁶ This salary is \$61,988, with fringe benefits estimated at 38.2%⁷ which, based on a 40-hour work week, comes to a calculated hourly rate of \$41.18.

Table 2: Average Cost for a Local Government Public Health Nurse II to Complete the Introductory Course (Opportunity Cost)

Category	Dollar Value	Hourly Cost of Public Health Nurse II at LHD	Average cost to complete introductory course (\$41.18 x 15 hrs.)
Avg. Salary and benefits	\$85,667.42	\$41.18	\$617.70

Table 3 shows the anticipated opportunity costs associated with time spent by local public health nurses completing the introductory course in 2025-2027. It is not anticipated that local health departments will hire additional nursing staff associated with public health nurses completing this course. The estimated one-year total cost to local health departments for the introductory course represents the total costs for all 86 local health departments. The opportunity cost will not be equally distributed as small local health departments have one or few public health nurses while larger local health departments have many.

Table 3: Estimated Impact of Introductory Course on Local Government 2025-2027 (Opportunity Cost)

Total avg. est. cost to complete 15 hr. introductory course by Dec. 31, 2027	Cost to complete introductory course	Est. number of local government public health nurses taking the course*	Course registration fee	Est. one-year total cost across local health departments for 15-hr introductory course
2025	\$617.70	600	\$0.00	\$370,620.00
2026	\$617.70	600	\$0.00	\$370,620.00
2027	\$617.70	600	\$0.00	\$370,620.00

⁵ NC Board of Nursing Continuing Competence for RN License Renewal Requirements. [Continuing Competence | RN/LPN | North Carolina Board of Nursing \(ncbon.com\)](#)

⁶ The average Public Health Nurse II salary was estimated using the UNC School of Government’s County Salary Survey for 2023, which is available at: <https://www.sog.unc.edu/publications/reports/county-salaries-north-carolina-2023>.

⁷ The value of benefits was identified using the U.S. Bureau of Labor Statistics’ latest available figures from December 2023 on employer costs for employee compensation for state and local government workers, which is available at: <https://www.bls.gov/news.release/eccc.t03.htm>.

* Includes newly hired public health nurses, public health nurses who were previously exempt, and public health nurses who took the training prior to a revamp of the curriculum that launched on January 1, 2023.

In the academic year 2022-2023, 62% of new graduates from NC nursing schools graduated from community college with an associate degree in nursing (ADN), with only 38% of graduates attaining a baccalaureate degree or higher in nursing.⁸ Extrapolating the demographic (baccalaureate vs non-baccalaureate) breakdown provided for NC nursing school graduates and applying it to local government public health nurses, accompanied by an anticipated 15% turnover rate annually, Table 4 shows the expected increase from current demand to require all baccalaureate and above local public health nurses to attend the introductory course annually starting in 2028. The increase will be spread among all 86 health departments in the 100 counties.

Table 4: Expected Number of Public Health Nurses Taking Introductory Course per year in 2028 and Beyond

Local public health nurses	Local public health nurses needing the introductory course each year (15% turnover rate x 2000)	Increase from current demand related to opening introductory course to baccalaureate and above local public health nurses (300 x 38%)
2000	300	114

As compared to existing public health nurse course requirements, the proposed language will result in an estimated 114 additional local public health nurses taking the introductory course each year. Table 5 provides the estimated annual impact each year spread across 86 local health departments.

Table 5: Estimated Impact of Introductory Course on Local Governments, 2028 and Beyond (Opportunity Cost)

Total avg. est. cost to complete 15 hr. introductory course by Dec. 31, 2027	Cost to complete introductory course	Number of local government public health nurses taking the course	Course registration fee	Est. one-year total cost across local health departments for 15-hr introductory course
2028 and beyond	\$617.70	114	\$0.00	\$70,417.80

As the scope and standards of public health nursing practice are updated, the Office of the Chief Public Health Nurse staff, in partnership with NCIPH, will be responsible for updating the introductory course and developing and providing the refresher course. Historically, the *Public Health Nursing: Scope and Standards of Practice* have been revised and published on average every 9.5 years (1986, 1999, 2007, 2013, & 2022). Each time the introductory course is revised in the future, the new content will also be used to create an abbreviated refresher course so all nurses who already completed the introductory course will have access to the new content reflecting the current and evidenced-based authoritative statements. The refresher course is expected to take an average of four hours to complete. It will award four Nursing Continuing Professional Development contact hours that can be used to meet NC Board of Nursing continuing education requirements for license renewal. Local health departments are expected to support public health nurses using work time to complete refresher courses and not require them to use their accrued or unpaid leave.

Table 6 shows the anticipated opportunity costs associated with time spent by local public health nurses completing the refresher course. It is not anticipated that local health departments will hire additional nursing staff associated with public health nurses completing this course.

⁸ NC Board of Nursing. (Apr. 2024) 2022-2023 Nursing Education Summary Report.

<https://www.ncbon.com/sites/default/files/documents/2024-04/2022-2023%20Annual%20Report%20Summary.pdf>

Table 6: Average Cost for a Local Government Public Health Nurse II to Complete a Refresher Course (Opportunity Cost)

Hourly Cost of Public Health Nurse II at LHD	Time to complete refresher course	Total costs for a Public Health Nurse II to complete refresher course
\$41.18	4 hrs.	\$164.72

Table 7 provides estimated costs for 2000 local health department public health nurses to complete the four-hour refresher course, with costs spread across 86 local health departments over a three-year period.

Table 7: Estimated Total Cost for Refresher Course Offered (on average) Every 9.5 Years (Opportunity Cost)

Est. total cost to local health departments for refresher course (\$41.18 x 4 hrs.)	Number of local health department public health nurses	Total costs for all public health nurses to complete refresher course (over a three-year period)
\$164.72	2000	\$329,440.00

As it is anticipated that the cost of the refresher course will be spread out over three years, this is an opportunity cost of approximately **\$109,813.33 per year for each of those three years** spread across 86 local health departments.

Private Sector Impact

Competent nurses contribute to patient safety. Completing this course will enhance local government public health nurses' ability to apply the public health lens to their nursing practice by increasing their capacity to use both the medical and public health models in their daily practice.

Well-trained and competent public health nurses impact both public and private sectors by playing a critical role in improving population health outcomes for all NC residents, regardless of the public's interaction with local government public health services, by focusing on advocating for and promoting public wellness, contributing to individual-to-population-level safety, and delivering care within communities.

Summary

In summary, rule 10A NCAC 46 .0306 is proposed for amendment to clarify and update terminology as well as update minimum education requirements for local health department public health nursing staff. The costs associated with this amendment are solely opportunity (time) costs to state and local government. State costs stem from consulting on the development of these courses. The courses will be developed and updated under an existing contract that is not impacted by this rule change. Local costs stem from the time it will take local health department public health nurses to complete the introductory and refresher courses. Costs will be higher in the first three years because nurses who were previously exempt from taking the training or who took the training before January 1, 2023, will be required to take the introductory course. Thereafter, ongoing opportunity costs result from new hires taking the introductory training and all local public health nurses taking refresher training on average every 9.5 years. There is also an important but unquantifiable benefit expected to the private sector in the form of improved public health nursing services in local health departments as well as incremental gains in patient safety. Local public health nurses and local health departments may also benefit from the fact that these trainings provide free nursing continuing education credits. Table 8 shows a summary of these estimated costs and benefits.

Table 8: Estimated Total Costs and Benefits

	2025	2026	2027	2028	...	Years refresher course is offered
State Government Opportunity Costs						
DPH Director of Nursing Time	\$6,979.40	\$6,979.40	\$6,979.40	\$6,979.40	\$6,979.40	\$6,979.40
Local Government Opportunity Costs						
Introductory Course (One-Time Catch Up)	\$370,620.00	\$370,620.00	\$370,620.00	\$0.00	\$0.00	\$0.00
Ongoing Introductory Course (2028 and beyond)	\$0.00	\$0.00	\$0.00	\$70,417.80	\$70,417.80	\$70,417.80
Refresher Course (On avg. every 9.5 years)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$109,813.33
Private Sector Benefits						
Improved Public Health Nursing & SafetyUnquantifiable					
Total Opportunity Costs	\$377,599.40	\$377,599.40	\$377,599.40	\$77,397.20	\$77,397.20	\$187,210.53

Appendix 1: Proposed Rule Text

SECTION .0300 - LOCAL HEALTH DEPARTMENT STAFF

10A NCAC 46 .0301 MINIMUM STANDARD HEALTH DEPARTMENT: STAFFING

In addition to meeting the requirements in 10A NCAC 48B .0103, to be accredited pursuant to G.S. 130A-34.1, a local health department shall meet the following requirements:

- (1) The local health department shall employ a full-time health director who meets the requirements of G.S. 130A-40, director, a full-time public health nurse who meets the requirements of paragraph (2) of this rule, a full-time registered environmental health specialist who is authorized as agent of the state in accordance with 15A NCAC 010 Section .0100, sanitarian, and a full-time administrative assistant. secretary. For purposes of this Rule, full-time means the employee is employed to work a standard work week of the local health department. ~~However, the local health department may share a local health director with one or more other local health departments.~~
- (2) ~~All local health department public health nurses employed by a local health department shall; shall either:~~
 - (a) Hold an active unencumbered license to practice as a registered nurse in accordance with 21 NCAC Chapter 36, which is hereby incorporated by reference, including any subsequent amendments and editions, and available free of charge at <http://reports.oah.state.nc.us/ncac.asp>; Have a nursing degree from a baccalaureate school accredited by the National League for Nursing or the Commission on Collegiate Nursing Education; or
 - (b) Complete ~~within one year of employment with the health department~~ an introductory course in principles and practices of public health and public health nursing sponsored by the Department and Department. The curriculum for the course shall be developed by the Department with input from local health departments and schools of nursing. Public health nurses employed by a local health department after the effective date of this Rule shall complete the introductory course within one year of employment with the local health department. Public health nurses employed by a local health department on the effective date of this Rule who have not completed the introductory course or who completed it prior to January 1, 2023 shall complete the introductory course by December 31, 2027; and nursing.
 - (c) Complete within three years of first publication each public health nursing refresher course sponsored by the Department following the public health nurse's completion of the introductory course required in Subparagraph (2)(b) of this Rule. Refresher courses shall be published on the Division of Public Health's website at <https://www.dph.ncdhhs.gov/local-health-departments> and align with the American Nurses Association's Public Health Nursing: Scope and Standards of Practice, 3rd edition and any subsequent amendments or editions, which is incorporated by reference and available at <https://www.nursingworld.org/nurses-books/public-health-nursing-scope-and-standards-of-prac/>.

History Note: Authority G.S. 130A-5(3); 130A-9; 130A-34.1;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. July 1, 1985;

Transferred and Recodified from 10 NCAC 12 .0101 Eff. April 4, 1990;

Amended Eff. October 1, 2008; September 1, 1990;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 5, 2016.

Appendix 2: American Nurses Association Public Health Nursing: Scope and Standards of Practice

Source: <https://www.nursingworld.org/nurses-books/public-health-nursing-scope-and-standards-of-prac/>



Product Detail

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The Public Health Nursing: Scope and Standards of Practice, 3rd Edition, is an essential document for every public health nurse practicing in the United States. The scope of practice statement answers the who, what, when, where, how, and why questions of public health nursing. The standards provide authoritative statements of the actions and behaviors that all registered public health nurses are expected to competently perform, regardless of role, population, specialty, and setting.

The product of extensive thought work by many registered nurses, this new edition provides 18 national standards of practice and professional performance. Each standard is accompanied by detailed competencies for the three practice levels. This premier professional resource informs and guides public health nurses in their vital work providing safe, quality, and competent care. It is a must-have for every registered public health nurse.