

Barriers and Belief Systems:

Removing Admissions Barriers for Nurses with Disabilities: Addressing Technical Standards



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Disability Health Research Center

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WITH DISABILITIES
INITIATIVE



American Association
of Colleges of Nursing

The Voice of Academic Nursing



Moderators:



Holly J. Humphrey, MD, MACP

President
Josiah Macy Jr. Foundation



Cassandra Godzik, PhD, MS

Director of Nursing Education
AACN



Macy Priority Areas:

- Promoting Diversity, Equity, and Belonging
- Increasing Collaboration Among Future Health Professionals
- Preparing Future Health Professionals to Navigate Ethical Dilemmas



Panelists:



(From L to R) Michelle Miller, JD, Sarah Triano, MS, NCC, LPC, Andrea Dalzell, RN, MA, Lisa Meeks, PhD, MA

Learning Objectives:

- Discuss barriers for nurses with disabilities including ableist belief systems and outdated technical standards.
- Identify current guidance and best practice for technical standards and communicating disability inclusion.
- Describe the potential for disconnect between “front and back” of the house in the context of schools of nursing.

Sources of Information

Disability as Diversity

A Guidebook for Inclusion in Medicine, Nursing, and the Health Professions

Lisa M. Meeks
Leslie Neal-Boylan
Editors

Springer

Technical Standards 9

Michael M. McKee, Steven Gay, Sarah Alley, and Lisa M. Meeks

Technical Standards are neither technical, nor standard
—Dr. Kurt Herzner, lamenting on the lack of utility and intentionality in most technical standards.

What Are Technical Standards?

The term “technical standards” refers to all non-academic admission criteria that are essential to participation in the program in question.” [1]. In Southeastern Community College v. Davis [2], the US Supreme Court considered a case where an

The original version of this chapter is revised and updated. The correction to this chapter can be found at https://doi.org/10.1007/978-3-030-46187-4_14

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FEATURE

Technical Standards for Nursing Education Programs in the 21st Century
Sarah H. Alley¹, PhD, RN, CDDN, APHN-BC & Beth Marks², PhD, RN

Abstract
Purpose: The Institute of Medicine (IOM, 2000, 2002) exposed serious safety problems in the health system and called for total qualitative system change. The Institute of Medicine (2011, 2015) also calls for improving the education of nurses to provide leadership for a redesigned health system. Intertwined with improving education is the need to recruit and retain diverse highly qualified students. Disability is part of diversity inclusion, but current technical standards (nonacademic requirements) for admission to many nursing programs are a barrier to the entry of persons with disabilities. Rehabilitation nurse leaders are in a unique position to improve disability diversity in nursing. The purpose of this paper is to discuss the importance of disability diversity in nursing.
Design: The history of existing technical standards used in many nursing programs is reviewed along with examples.
Methods: On the basis of the concept that disability inclusion is a part of diversity inclusion, we propose a new model of technical standards for nursing education.
Conclusion and Clinical Relevance: Rehabilitation nurse leaders can lead in eliminating barriers to persons with disabilities entering nursing.
Keywords: Diversity issues; disability; nursing education.

Introduction

The Institute of Medicine (IOM, 2000) published *To Err Is Human: Building a Safer Health System*, exposing serious safety issues in the health system; research indicates a lower estimate of at least 210,000 deaths per year and likely more than 400,000 related to medical errors and harm (James, 2013). The IOM (2001) then published *Crossing the Quality Chasm: A New Health System for the 21st Century* and called for total qualitative system change so that the health system is patient-centered, safe and effective, reduces and eliminates disparities, and has the capacity needed to better promote and manage population health at a time when access to care has expanded and the population of

persons with chronic illnesses and mental health illnesses has expanded. Ongoing system redesign models include efforts to shift the focus of health care from reacting to acute care needs of individuals to proactively engaging the population in their own health through frameworks and models such as the Chronic Care Model and the Patient-Centered Medical Home (Agency for Healthcare Research and Quality, 2015). Other efforts include improving the focus on outcomes, the health literacy of the population, and the willingness of healthcare professionals and staff to speak up about problems (Agency for Healthcare Research and Quality, 2015). In the *Future of Nursing: Leading Change, Advancing Health*, the IOM (2010) calls for transforming nursing education in order to provide leadership in redesigning and expanding the health system and meeting the workforce needs of a redesigned health system.

The American Nurses Association (ANA, 2010, p. 3) defines nursing as the following: “the protection, promotion, and optimization of health and abilities, prevention of illness and injury, alleviation of suffering through the diagnosis and treatment of human response, and advocacy in the care of individuals, families, communities, and populations.” Part of educating students capable of leadership in a redesigned health system is addressing the technical (nonacademic) standards necessary for a 21st century workforce. Nonacademic skills considered to be important in the nursing profession include communication, flexibility, critical

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Accessibility, Inclusion, and Action in Medical Education
Lived Experiences of Learners and Physicians With Disabilities

March 2018

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Sources: McKee, et al., (in Meeks and Neal Boylan) 2020; Ailey and Marks, 2016; Meeks and Jain, 2018

Legal Framework

Nondiscrimination Laws

- The Americans With Disabilities Act (ADA)
- Rehabilitation Act of 1973
Section 504





The Term “Technical Standards”

“Qualified handicapped person” as “With respect to postsecondary and vocational education services, a handicapped person who meets the academic and **technical standards** requisite to admission or participation in the recipient's education program or activity”

Southeastern Community College vs. Davis

First 504 case in US Supreme Court

- Southeastern Community College refused to admit a woman with hearing disabilities into its RN program.
- Southeastern had no “technical standards”
- SCC Engaged in a faculty-driven process
- Concluded that it would have to fundamentally alter its educational program to accommodate this student.
- US Supreme Court agreed in a unanimous decision.





However

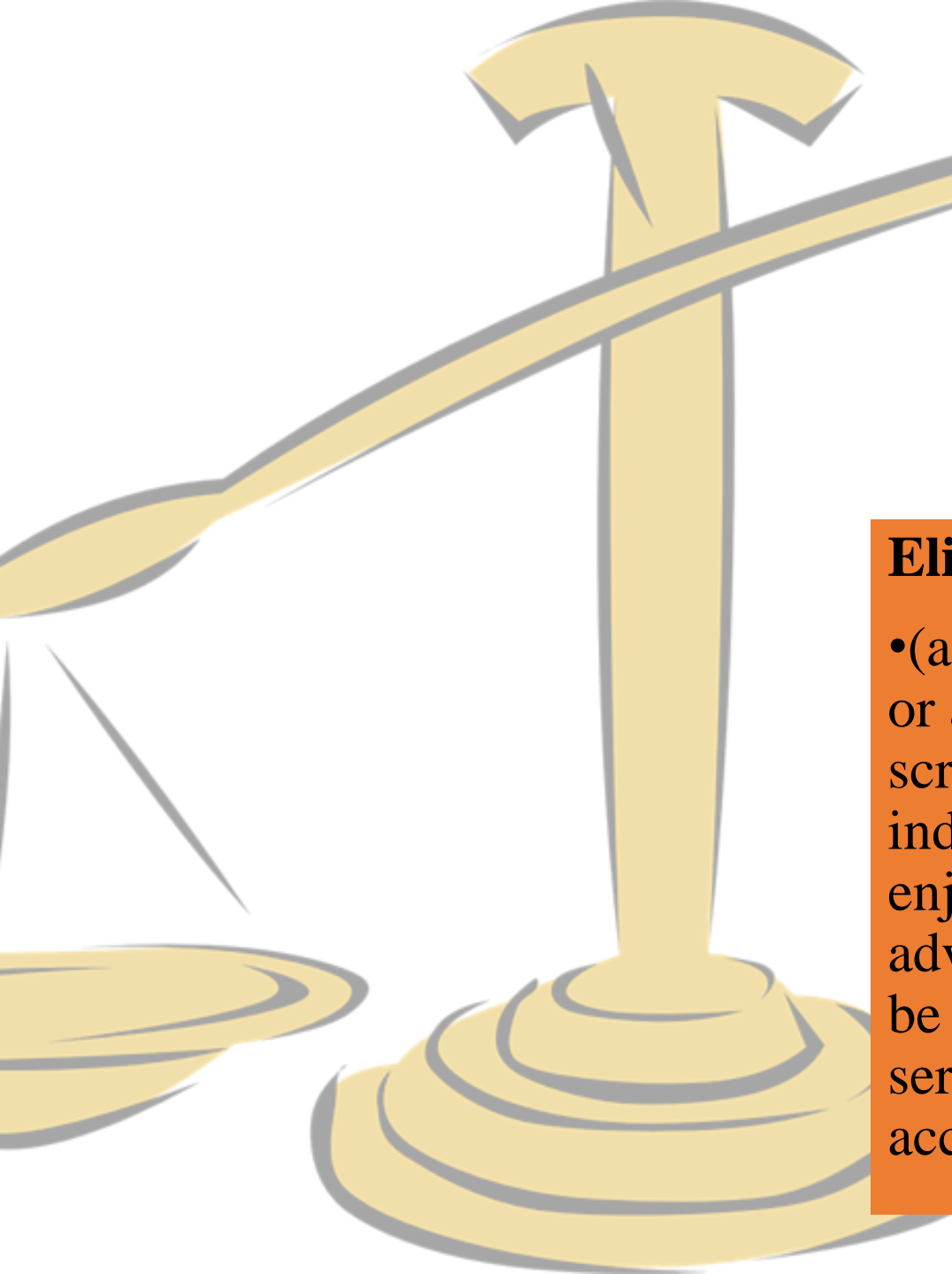
“Technological advances may one day result in a situation making “an insistence on past requirements and practices” an arbitrary deprivation of the opportunity for genuinely qualified persons with disabilities to participate in programs like the one which refused Ms. Davis admittance.”

That Day has Arrived

Argenyi v.
Creighton

Featherstone
v. PNWU

Searls v. Johns
Hopkins
Hospital



Code of Federal Regulations: 28 CFR 36.301

Eligibility Criteria.

- (a) General. A public accommodation shall not impose or apply eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages, or accommodations, unless such criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages, or accommodations being offered.

Regulating and Developing TS

AAMC

Domains:

- **Observation**
- **Communication**
- **Motor**
- **Conceptual, integrative and quantitative**
- **Behavioral and social**

DISRUPT

What's Next In Nursing

SHAKE UP

Fundamental Elements of TS

01

A statement that encourages matriculants to disclose disability and request accommodation

02

A statement that communicates a confidential process

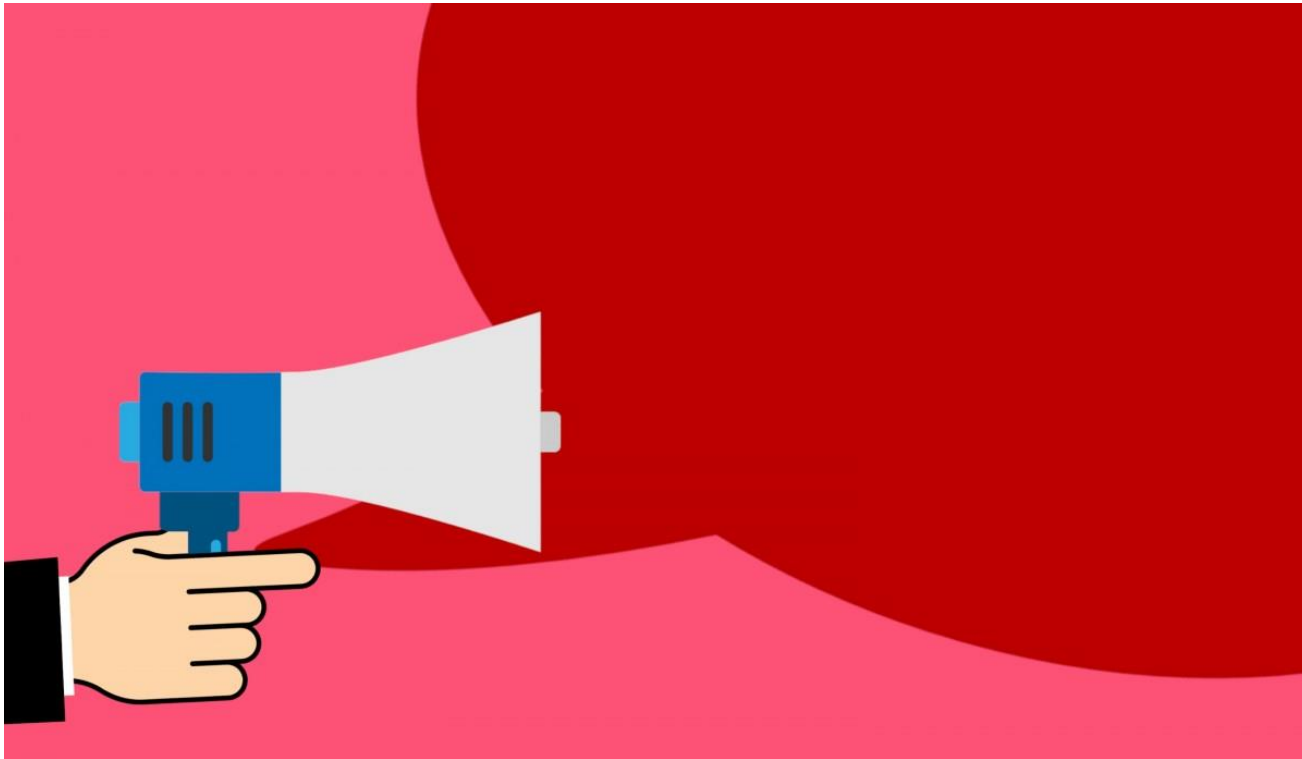
03

A statement that directs students to the office for disability resources

Welcoming Language Example

- Rush University is committed to diversity and to attracting and educating students who will make the population of health care professionals' representative of the national population. Our core values — ICARE — Innovation, Collaboration, Accountability, Respect and Excellence translate into our work with all students, including those with disabilities. Rush actively collaborates with students to develop innovative ways to ensure accessibility and creates a respectful accountable culture through our confidential and specialized disability support. Rush is committed to excellence in accessibility; we encourage students with disabilities to disclose and seek accommodations.

Communicate and Publicize TS



Organic vs. Functional

Organic technical standards emphasize *how* a student goes about completing a task, over the skill-based competency

- Must be able to *hear, see, speak clearly*, and be able to *stand*



Functional technical standards that focus on the students' *abilities*, with or without the use of accommodations or assistive technologies

- Allow students with disabilities to use assistive technologies for example amplified stethoscopes, specialized motorized wheelchairs, magnifying devices, and use accommodations, to meet technical standards of nursing education

Motor Domain

Possesses the capacity to perform the physical manipulations and diagnostic procedures that are part of a complete nursing practice and diverse clinical experience.

Examples: Moves among patient rooms and treatment areas, moves physical patients, performs CPR, calibrates and uses equipment.

Possesses four (4) functional limbs (normal or artificial) that allow the student to perform sufficiently to move from room to room and maneuver in small spaces and possesses gross and fine motor abilities sufficient to provide safe and effective nursing care.

Possesses the ability to exert 20-50 lbs. of force occasionally, 10-25 lbs. of force frequently, and negligible to 10 lbs. of force constantly to move objects.

Examples: Positions and moves patients and equipment.





Organic Technical Standards: Communication

Communication: A candidate should be able to *speak, to hear,* and to observe patients in order to elicit information, describe changes in mood, activity, and posture, and perceive nonverbal communications. A candidate must be able to communicate effectively and sensitively with patients. Communication includes not only *speech*, but reading and writing. The candidate must be able to communicate effectively and efficiently in *oral* and written form with all members of the healthcare team.

Functional Technical Standards: Communication



Communication: Students should be able to *communicate* with patients in order to elicit information, detect changes in mood, activity, and to establish a therapeutic relationship. Students should be able to communicate effectively and sensitively with patients and all members of the health care team both in person and in writing.

Subtle Dissuasion/Microaggressions




“The School of Nursing has an ethical responsibility for the safety of the patients with whom students and graduates may come into contact. Although students learn and work under the supervision of the faculty, students interact directly with patients throughout the BSN program. Patient safety and well-being are therefore major factors in establishing requirements involving the competencies required of BSN students for admission, progression, and graduation.”

Essential Function *or* Technical Standard



Fostering a more inclusive nursing profession

- 
- Challenge ableist assumptions
 - Promote a broader understanding of nursing roles
 - Advocate for the recognition and utilization of diverse talents within the profession

Nursing Careers

- Reviewing and revising technical standards
- Diverse opportunities for graduating nurses





Improving the Profession



2209





Recommendations

Conduct	Conduct a self-evaluation using the chapter on technical standards in “Disability as Diversity.”
Avoid	Avoid the “front of the house/back of the house” issue by training your academic leaders at all tiers so they can set the expectations for their division.
Know and publish	Know and publish the process for disclosing disability and requesting accommodation. Make it easy for learners to find.
Embrace	Embrace that you don’t know what you don’t know and ask.

Coming to you at the **END** of the Series



Upcoming Webinars:

- Addressing Disability Accommodations and Inclusion through a DEI Lens.
- *Thursday, September 28, 2023, at 12:00 p.m. ET*



More Information:

- Webinar recordings: www.macyfoundation.org
- Additional questions info@macyfoundation.org



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