

LNCC®

ALNCCB

AMERICAN LEGAL NURSE CONSULTANT
CERTIFICATION BOARD

Certification Handbook

American Legal Nurse Consultant Certified Board
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About the American Legal Nurse Consultant Certification Board (ALNCCB)

The ALNCCB administers the Legal Nurse Consultant Certified (LNCC®) program. It is a functionally autonomous component of the American Association of Legal Nurse Consultants. The policies, fees, and procedures outlined in this handbook are subject to change without notice.

Certification as a Legal Nurse Consultant Certified (LNCC®) shows nurse colleagues, clients, employers, and others in the medical-legal system that you are knowledgeable of, experienced in, and committed to the specialty of legal nurse consulting. The process of becoming certified enhances your professional development and provides opportunities for professional growth. Individuals who earn the LNCC® credential obtain objective validation of their expertise.

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About PROMTRIC

By contract with the ALNCCB, PROMETRIC provides examination development, administration, and application services for the LNCC® examination.

MISSION

The mission of the LNCC[®] program is to promote expertise and professionalism in the practice of legal nurse consulting by recognizing practitioners who have met defined criteria and demonstrated knowledge on a certification examination in the specialty. The certification program is not designed to determine who is qualified or who shall engage in legal nurse consulting, but rather to promote a level of expertise and professionalism by documenting individual performance as measured against a predetermined level of knowledge about legal nurse consulting.

PROGRAM DEVELOPMENT AND ADMINISTRATION

The LNCC[®] program is administered by the American Legal Nurse Consultant Certification Board (ALNCCB). ALNCCB was founded by the American Association of Legal Nurse Consultants (AALNC) in 1997 as a functionally autonomous component of AALNC. ALNCCB is composed of six board members who are legal nurse consultants and LNCC's, plus a public representative. ALNCCB members are elected to represent the diverse roles and settings in which legal nurse consultants practice as well as varied demographic characteristics.

ALNCCB works with a testing company, PROMTRIC, to offer the LNCC[®] examination. PROMTRIC staff members have extensive experience in the development and administration of certification and licensure examinations for nurses.

The LNCC[®] program is accredited by the Accreditation Board for Specialty Nursing Certification (ABSNC). ABSNC accreditation means that nursing certification programs have met high standards for testing.

ELIGIBILITY CRITERIA

To become an LNCC[®], the ALNCCB requires that a candidate meet all eligibility criteria, complete the enclosed application form, pay all fees, and achieve a passing score on the certification examination. No individual shall be excluded from the opportunity to participate in ALNCCB's certification program on the basis of race, color, national origin, religion, sex, age, marital and sexual orientation or disability. To be eligible to take the examination, candidates must have the following **at the time of application**:

- Current licensure as a registered nurse in the United States or its territories, with a full and unrestricted license
- Minimum of five years' experience practicing as a registered nurse
- 2000 hours of legal nurse consulting experience within the past five years.

PRACTICE OF LEGAL NURSE CONSULTING

The following guidelines are intended to provide a framework for defining experience that meets the eligibility criteria for LNCC[®] certification. They are based on *Legal Nurse Consulting: Scope and Standards of Practice* (July 2006) published by ANA.

The activities that satisfy the eligibility requirement for 2000 hours of legal nurse consulting experience must meet all three of the following criteria:

1. The activities must be performed at the request of a client (e.g., a law firm, insurance company, hospital, or other agency involved in legal processes), and
2. The activities must be related to claims or cases in which the education and experience of a registered nurse are necessary, and
3. The activities must be of the kind that are generally considered billable.

Examples of these activities are:

Collecting, organizing, and reviewing medical records and other relevant healthcare or legal documents.
Summarizing and analyzing the information in medical records and other relevant healthcare or legal documents.

- Assessing issues of liability, causation, and/or damages.
- Researching relevant healthcare-related literature, guidelines, standards, regulations, etc.
- Communicating verbally or in writing with clients, appropriate parties, experts, and witnesses.
- Identifying, locating, evaluating, and conferring with experts.
- Conferring with clients and appropriate parties regarding case strategies.
- Drafting documents or other materials to be used as attorney work product or as evidence.
- Attending interviews, depositions, hearings, mediations, arbitrations, or trials.
- Contacting and conferring with vendors to develop demonstrative evidence or to collect costs of healthcare services, supplies, and/or equipment.
- Testifying at depositions, hearings, arbitrations, or trials.
- Training or supervising other nurses in the practice of legal nurse consulting.
- Explaining the theory and practice of relevant health sciences or healthcare issues to legal professionals and other members of the legal team.
- Instructing other healthcare professionals in the aspects of legal liability pertaining to their own practice.

Activities which may be potentially billable but may **NOT** be used to satisfy this eligibility requirement are:

- Traveling to and from sites to perform any of the above activities.
- Accounting and billing as part of managing a business.
- Marketing as part of managing a business. Solely waiting to give testimony.

AUDITS

Random audits of applications will be conducted. Applicants who are audited are required to provide copies of logs, outlines, calendars, time sheets, billing statements, **or** documentation forms from employers or clients verifying the number of practice hours submitted. All information will be kept in confidence and used only for the purpose of determining eligibility for certification or renewal.

Individuals who do not complete the audit process will not be eligible for, or be issued certification, until they do so.

COMPLETING THE APPLICATION FORM

The online application can be found on the Certification webpage at <https://lncc.aalnc.org/LNCC-Certification>, the application will be considered incomplete if any of the requested information or the appropriate fee is not included. Examination permits will be issued only to candidates with complete application and pay the application fee.

Substitution of candidates cannot be made and no such request will be honored. ALNCCB reserves the right to verify the eligibility of any applicant.

CANCELLATIONS

Computer Based Administration Cancellations/Reschedules must be submitted in writing to PROMETRIC within 5 business days prior to scheduled exam, unless you have a death in the family, military deployment or doctor's note in which case you must submit written documentation to receive a full refund. Those who cancel/reschedule will receive a refund of the application fee less a \$50 administrative fee.

EXAMINATION SITES AND DATES

The LNCC[®] examination is offered twice each year in May and October (dates are provided on the Certification website and change every year).

The Computer Based Test (CBT) examinations are offered twice each year with an approximate 2 -3 week window. There are over 300 CBT sites to choose from and candidates will be able to schedule an exam nearest to their home/work. More specific directions will be sent by PROMETRIC with your application confirmation prior to your testing date

Remote Proctored Exams are available and can be scheduled using your examination permit information.

EXAM FEES

The fees for the LNCC[®] examination are as follows:

- AALNC* member \$360
- Non-member \$495

**For information on joining AALNC, call 810-309-1748 or visit the web site at www.aalnc.org.*

EXAMINATION DESCRIPTION

The certification examination is based on an analysis of legal nurse consulting practice. The practice analysis and the examination were developed with the assistance of PROMETRIC. The test consists of 200 multiple choice items and is approximately 4 hours in length. It is designed to test the nurse's ability to apply legal nurse consulting knowledge. Questions are in the form of case studies; a reading passage is followed by one or more questions related to the passage. The scope of the examination, content areas, and the weights assigned to each area are as follows:

Scope of the Examination

The LNCC[®] examination is designed to measure the nurse's ability to:

- Identify and Collect data
- Analyze data
- Draft documents
- Participate in Case Strategy Development
- Participate in Adjudication of Legal Claims

Content Areas of the Examination

1. Medical malpractice (19-23%)
2. Personal injury (12-14%)
3. Long term care litigation / Elder Law(8 -10%)
4. Product liability (7-9%)
5. Toxic Tort (5-7%)
6. Workers' compensation (6-9%)
7. Risk management (6-8%)
8. Life care planning (5-7%)
9. Regulatory compliance (5-8%)
10. Medicare set-aside (4-6%)

CBT EXAMINATION AUTHORIZATION

Upon review of your completed application, PROMTRIC will send you a pre-registration email. This will include instructions as well as your username and password to login into the IQT & PROMETRIC website to schedule your exam. Once you have scheduled your exam, you will immediately receive your admissions letter.

If you do not receive your examination permit 10 days prior to the examination date, please contact PROMETRIC at (727) 738-8727 and ask for the LNCC® Program Manager. If you lose your admission document, notify PROMETRIC immediately and request a duplicate authorization. Exam proctors are instructed to admit only those candidates who are listed on the attendance roster for the test center and who have examination admission document or special authorization.

NOTIFICATION OF EXAMINATION SCORES

All candidates will receive their scores immediately following the completion of their exam via email. A total score and subscores in all the major test areas of concentration will be provided for candidates who do not pass the examination. Scores will also be provided to the American Legal Nurse Consultant Certification Board.

HOW EXAMS ARE SCORED

The passing score for the LNCC® examination was set using the modified-Angoff approach, a standard process in the testing industry for determining a fair and appropriate passing point. Many certifying and licensing bodies use this method. The process involves a panel of legal nurse consultants evaluating the probability that a minimally qualified candidate will be able to answer each question correctly. The panelists' ratings are then combined in a statistical process to identify a recommended passing score, which is approved by the ALNCCB. This passing score identifies a standard level of knowledge needed to pass the examination.

Different forms of the examination are used over time to ensure that the examination reflects current practice and to maintain security. Because different forms may be slightly more or less difficult, a raw score, such as answering 175 of 200 questions correctly, would be unfair. To keep the passing standard consistent, examinations are equated so that differences in level of difficulty are adjusted. A scaled score is used so that the passing score is always the same. To pass the LNCC® examination a scaled score of 95 is needed.

DESIGNATION OF CERTIFICATION

The LNCC® credential is awarded to those who successfully complete the certification process by meeting the eligibility criteria and passing a written multiple-choice examination. Those who achieve certification are designated as Legal Nurse Consultant Certified and may use the LNCC® credential after their names.

Approximately six weeks after you receive your score report, you will be sent a personalized certificate documenting your achievement of the LNCC® credential along with important information about maintaining your certification. Be sure to contact the ALNCCB if you do not receive this information within two months of receiving your score report.

LNCC® certification is valid for a period of five years from the last day of the month in which the examination was passed.

CERTIFICATION RENEWAL

Renewal of certification is available by examination or by continuing education. In order to renew certification, LNCCs must have a current, unrestricted RN license, evidence of 2000 hours of legal nurse consulting practice within the five years prior to renewal, and either pass the LNCC® examination or submit 60 contact hours which meet specified criteria. There will be a fee to renew by examination and to renew by contact hours; these fees will be similar.

Information about renewing certification will be sent approximately one year prior to certification expiration. ***It***

is the responsibility of the LNCC to notify the ALNCCB of any change in address and to obtain renewal information to meet renewal deadlines. There is no appeal or deadline extension based on failure to receive renewal notices. Questions related to renewing certification should be directed to the ALNCCB using the contact information provided on Page 1.

CONFIDENTIALITY AND PUBLIC INFORMATION

To ensure the security of the examination, the test materials are confidential and individual results will not be released to any person or agency except the candidate and the ALNCCB. A candidate's individual test results will be released to others only upon the candidate's written request.

When a nurse has achieved LNCC® certification, that fact is considered public information. It is the ALNCCB's policy to verify certification upon request and to publish names of certificants. ALNCCB does not provide information about certification status other than whether an individual is certified and when certification will expire.

RE-EXAMINATION

A candidate who does not pass the examination on the first testing may take the examination at the next scheduled test date upon payment of the fee. It is not necessary to submit a new application. However, the candidate is responsible for updating the file as needed to provide PROMETRIC with evidence of current RN licensure and, if applicable, AALNC membership. To take the examination again after the next scheduled test, the nurse must submit a new application and fee.

RECONSIDERATION AND APPEAL

A reconsideration and appeal procedure is available to individuals who wish to contest an adverse decision made by ALNCCB. All requests must go through reconsideration prior to appeal.

Exceptions: An individual does not have the right of reconsideration or appeal of actions: (1) resulting from the lack of a current, full, and unrestricted license as a registered professional nurse, (2) resulting from failure to meet published deadline(s), or (3) based on ALNCCB's actions in setting a passing score which resulted in the individual's failure to pass the certification examination.

Validation of the accuracy of scoring of an examination is permitted by handscoring, which is conducted by the testing agency (PROMETRIC).

A request for reconsideration shall be filed in writing by the applicant with ALNCCB within 45 days following the date on which the adverse decision was mailed to the applicant. The request for reconsideration shall state the reasons why the decision is being contested. Following receipt of a request for reconsideration, ALNCCB shall review the request, and the applicant shall be notified in writing of the decision of ALNCCB by letter postmarked not later than 30 days following the date of the review.

An appeal may be filed in writing by the applicant with the Appeals Panel of American Legal Nurse Consultant Certification Board within 60 days following the date on which the adverse decision on the request for reconsideration was mailed to the applicant. The applicant shall state the reasons why the decision is being contested. Following receipt of an appeal, the Appeals Panel shall notify both the ALNCCB Board of Directors. Within 30 days following such notification, ALNCCB shall submit a written statement to the appeals panel, setting forth its position with regard to the appeal, including reasons why the decision of ALNCCB should be sustained.

The Appeals Panel appointed by the ALNCCB has full and final authority to deny, revoke, or reinstate LNCC® certification. Within 90 days following receipt of the appeal, the Appeals Panel shall treat the appeal at a meeting, telephone conference call, or other means. The applicant shall have the opportunity to present his or her case in person. The applicant and ALNCCB shall be notified in writing of the decision of the Appeals Panel

by letter postmarked not later than 30 days following the date on which the appeal was treated.

Any expenses incurred for appeal shall be the responsibility of the individual applicant.

ARRANGEMENTS FOR APPLICANTS WITH DISABILITIES

The ALNCCB and PROMETRIC will make special testing arrangements to accommodate candidates with disabilities that interfere with test taking. If you wish to make such arrangements, you must notify PROMETRIC in writing no later than six weeks prior to the test date with documentation of the disability.

PREPARATION FOR THE EXAMINATION

Most nurses will want some level of preparation prior to taking the examination. Such preparation can take the form of a review course, study group, or independent work. The ALNCCB recommends evaluating the scope and content of the examination (page 4) to identify areas upon which to focus, then determining what preparation method(s) best meet your learning needs and schedule.

The following is a list of publications that may be helpful in reviewing for the examination. ALNCCB does not intend this list to imply endorsement of these specific publications. ALNCCB does not sponsor or endorse specific review courses for the LNCC[®] examination.

SUGGESTED RESOURCES

- American Association of Legal Nurse Consultants (AALNC). (Iyer, P.) (2010). *Legal Nurse Consulting Practices*. (3rd ed.). Boca Raton, FL: CRC Press.
- American Association of Legal Nurse Consultants (AALNC). (Peterson, A., Kopishke, L.) (2010). *Legal Nurse Consulting Practices*. (3rd ed.). Boca Raton, FL: CRC Press.
- American Association of Legal Nurse Consultants (AALNC). (Peterson, A., Kopishke, L.) (2010). *Legal Nurse Consulting Principles*. (3rd ed.). Boca Raton, FL: CRC Press.
- American Association of Legal Nurse Consultants (AALNC). (Iyer, P., Aken, J., Condon, K.) (2003). *Business Principles for Legal Nurse Consultants*. (2nd ed.).
- Bevens, N. R. (2003). *Tort law for paralegals*. New York: Aspen Publishers.
- Cogar, S. W. (2004). The Legal Nurse Consultant's Role in Defending Law Enforcement Officers. *Journal of Legal Nurse Consulting*, 15(1), 3-6.
- Department of Health and Human Services. Centers for Medicare & Medicaid Services. *Workers' Compensation Medicare Set-Aside Arrangement (WCMSA) Reference Guide*. (2013)
- DWC glossary of workers' compensation terms for injured workers. (n.d.). *DWC Glossary*. Retrieved January 22, 2014, from <http://www.dir.ca.gov/dwc/wcglossary.htm>
- Injuries and Illnesses Covered by Workers' Compensation. (n.d.). *Nolo.com*. Retrieved January 22, 2014, from <http://www.nolo.com/legalencyclopedia/free-books/employee-rightsbook/chapter12-3.html>
- National Commission on Correctional Health Care (NCCHC). *Standards for health services in jails (2008)*.
- National Commission on Correctional Health Care (NCCHC). *Standards for health services in prisons (2008)*.
- Paris, J. (2008). The Role of the Legal Nurse Consultant in Correctional Health Care Litigation. *Journal of Legal Nurse Consulting*, 19(4), 15-19.
- Schoenly, L., Knox, C.M. (Ed.). (2013) *Essentials of correctional nursing*. New York: Springer
- Workers' Comp Benefits Explained. (n.d.). *Findlaw*. Retrieved January 22, 2014, from <http://injury.findlaw.com/workerscompensation/workers-comp-benefits-explained.html>
- Supreme Court rules in generic drug warning-label case that federal laws preempt state laws.

(n.d.). *American Pharmacists Association*. Retrieved January 22, 2014, from <http://www.pharmacist.com/supreme-court-rulesgeneric-drug-warning-label-case-federal-lawspreempt-state-laws>

- The WC Exclusive Remedy. (n.d.). *WorkersCompensation.com CompNewsNetwork* -. Retrieved January 22, 2014, from [http://www.workerscompensation.com/compnewsnet work/workers-comp-blogwire/15453-the-wcexclusive- remedy.html](http://www.workerscompensation.com/compnewsnet%20work/workers-comp-blogwire/15453-the-wcexclusive-remedy.html)

AALNC has additional educational resources available that may be useful for LNCC[®] exam preparation. For information on educational materials published by AALNC, visit the online bookstore at www.aalnc.org or contact:

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