

# DEPARTMENT OF REGULATORY AGENCIES

## Division of Professions and Occupations - Board of Nursing

### NURSING

#### 3 CCR 716-1

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

### CHAPTER 1 - RULES AND REGULATIONS FOR THE LICENSURE OF PRACTICAL AND PROFESSIONAL NURSES

**BASIS:** The authority for the promulgation of these rules and regulations by the State Board of Nursing is set forth in Sections 12-38-108(1)(b),(c) and (j); 12-38-110; 12-38-111; 12-38-112; 12-38-112.5; and 12-38-118, C.R.S. The Division name changed pursuant to Section 24-34-102, C.R.S.

**PURPOSE:** To specify requirements for obtaining and maintaining professional and practical nursing licensure.

#### 1. DEFINITIONS:

For the purposes of these Chapter 1 Rules and Regulations, the following terms have the indicated meaning:

- 1.1 Applicant: Any individual seeking a license to practice as a professional or practical nurse in the state of Colorado.
- 1.2 Approved Nursing Education Program (Approved Professional Nursing Education Program/Approved Practical Nursing Education Program): A course of study which implements the basic professional or practical nursing curriculum prescribed and approved by the Board.
- 1.3 Board: The State Board of Nursing.
- 1.4 Clinical Supervision: The on-site guidance, direction, and review by a professional nurse designated as an instructor/preceptor of the nursing care provided by a holder of a special or student permit pursuant to Sections 6 and 7 of these Chapter 1 Rules and Regulations. This supervision includes assigning nursing responsibilities for patient care appropriately and evaluating the competency of the individual nurse.
- 1.5 Encumbered: Any current form of discipline against a professional or practical license that restricts the ability to practice, including but not limited to, fine, probation, suspension, revocation, restriction, condition or limitation imposed on a license.
- 1.6 Executive Officer: The executive administrator of the Board appointed by the director of the division of professions and occupations pursuant to Section 12-38-107, C.R.S. The Executive Officer has been delegated authority to administer examinations, issue licenses by endorsement and examination, renew licenses, reinstate licenses, inactivate and reactivate licenses, and issue temporary licenses and permits to qualified Applicants, and other delegated functions as stated and set forth in Board rules and policies.

- 1.7 Graduate: An individual who has successfully completed the requirements for a degree, diploma, or certificate from an Approved Nursing Education Program or United States armed services traditional nursing education program gained in military service outlined in Section 24-34-102(8.5), C.R.S.
- 1.8 Licensee: An individual licensed to practice as a professional or practical nurse by the Board.
- 1.9 NCLEX: The National Council Licensure Examination maintained, owned, and created by the National Council of State Boards of Nursing.
- 1.10 Nontraditional Nursing Education Program: A program with curricula that does not include a faculty supervised teaching/learning component in clinical settings taught concurrently with theoretical content.
- 1.11 Practice: Any role which requires nursing skill and judgment.
- 1.12 Unencumbered: No current restriction on a license to practice on any professional or practical nursing license.

## **2. REQUIREMENTS FOR ALL APPLICANTS**

- 2.1 Must apply in a manner approved by the Board.
- 2.2 Pay application fee.
- 2.3 Submit proof of successful completion of an Approved Nursing Education Program, as set forth in Sections 3 and 4 of these Chapter 1 Rules and Regulations.
- 2.4 Submit proof of having passed:
  - A. The NCLEX--RN® or NCLEX-PN® examination for professional or practical nurses; or
  - B. The State Board Test Pool Examination for Professional Nurses given between 1951 and 1982/1983; or
  - C. The State Board Test Pool Examination for Practical Nurses given between 1952 and 1982/1983; or
  - D. A state licensing examination for professional nurses given prior to 1951 or a state licensing examination for practical nurses given prior to 1952.
  - E. In the event that Applicant examination results are lost or destroyed through circumstances beyond the control of the Board, the Applicant will be required to retake the NCLEX in order to meet requirements for licensure.

2.5 Applicant must submit fingerprints for the purpose of obtaining criminal history record information from the Federal Bureau of Investigation and the Colorado Bureau of Investigation responsible for retaining the state's criminal records set forth in Section 24-60-3802 (III) (c) (6).

## **3. LICENSURE BY EXAMINATION**

- 3.1 A Graduate of a Colorado Approved Professional Nursing Education Program is eligible to take the NCLEX examination for professional or practical nursing, provided that:
  - A. An official school transcript reflecting completion of institutional requirements for the degree/diploma/certificate and the date of completion is provided to the Board in a secure manner;
  - B. All other requirements of state law and these Chapter 1 Rules and Regulations are met.

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- 3.2 A Graduate of a Colorado Approved Practical Nursing Education Program is eligible to take the NCLEX examination for practical nursing, provided that:
- A. An official school transcript reflecting completion of institutional requirements for the degree/diploma/certificate and the date of completion is provided to the Board in a secure manner;
  - B. All other requirements of state law and these Chapter 1 Rules and Regulations are met.
- 3.3 A Graduate of a nursing education program approved by a board of nursing of another state or territory of the United States is eligible to take the NCLEX examination for professional or practical nursing, provided that:
- A. The applicant graduated from a traditional nursing education program that was accredited by an agency recognized by the United States Department of Education and/or Council for Higher Education Accreditation and approved by a board of nursing of a state or territory of the United States;
  - B. An official school transcript reflecting completion of institutional requirements for the degree/diploma/certificate and the date of completion is provided in a manner approved by the Board; and
  - C. All other requirements of state law and these Chapter 1 Rules and Regulations are met.
- 3.4 A Graduate of an United States armed services traditional nursing education program gained in military service as provided for in Section 24-34-102(8.5), C.R.S. that is determined to be substantially equivalent to the criteria set forth in Sections 3.1-3.3 of these Chapter 1 Rules and Regulations is eligible to take the NCLEX examination for professional or practical nursing provided that:
- A. An official transcript reflecting completion of institutional requirements for the degree/diploma/certificate and the date of completion is provided in a manner approved by the Board; or satisfactory evidence of the education provided and assessed on a case by case basis; and
  - B. All other requirements of state law and these Chapter 1 Rules and Regulations are met.
- 3.5 A Graduate of a Non-traditional Nursing Education Program may take the NCLEX if the requirements as outlined in Section 7 of these Chapter 1 Rules and Regulations are met.
- 3.6 A Graduate of a foreign nursing education program is eligible to take the NCLEX examination only after:
- A. Board review of nursing education credentials as evaluated by a Board-recognized educational credentialing agency; and
  - B. Having met the standards set by the United States Department of Education on the English competency exam.
- 3.7 Applicants must provide official school transcripts in a manner approved by the Board. Applicants of foreign nursing education programs must provide official school transcripts to a Board-recognized educational credentialing agency.

- 3.8 Notwithstanding the requirements of Section 7 of these Chapter 1 Rules and Regulations, Graduates of a Nontraditional Nursing Education Program that were enrolled in the program on or before January 1, 2006, and with continuous enrollment are deemed to be Graduates of an Approved Nursing Education Program and are eligible to take the NCLEX pursuant to Section 3.1 of these Chapter 1 Rules and Regulations. If the Graduate is unable to establish continuous enrollment, the Graduate must comply with Section 7 of these Chapter 1 Rules and Regulations.
- 3.9 Applicants once approved may take the NCLEX a maximum of three (3) times within three (3) years of the date the Applicant first took the NCLEX in any state or territory of the United States, or foreign country. Any applicant who wishes to take the NCLEX a fourth (4th) time must:
- A. Evaluate his/her deficiencies;
  - B. Educate and prepare him/herself appropriately, such as, but not limited to, completing appropriate coursework, NCLEX review, or a didactic portion of a refresher course; and
  - C. Submit, in writing, a petition for a waiver to take the NCLEX a fourth (4th) time, documenting evidence of successful completion of Sections 3.9.A and 3.9.B of these Chapter 1 Rules and Regulations. The applicant may also include any circumstances they wish the Board to consider. The decision to grant or deny any such waiver is at the sole discretion of the Board. It is anticipated that such waivers will be rare.
  - D. All requirements of Section 3.9 of these Chapter 1 Rules and Regulations must be completed within 2 years of the date of the third (3rd) NCLEX examination date. If not completed, the application file will be purged.
  - E. An applicant who has not met criteria as set forth in Sections 3.9 A-D of these Chapter 1 Rules and Regulations, is not eligible for application by examination in Colorado.

#### **4. LICENSURE BY ENDORSEMENT**

- 4.1 Applicants are eligible for licensure as a professional or practical nurse by endorsement in Colorado if the Applicant has met the requirements of Section 2 of these Chapter 1 Rules and Regulations, and:
- A. Has practiced on an active, unencumbered license in another state or territory of the United States within the last two (2) years of the date of application; or
  - B. Has not practiced in the last two (2) years, but is currently or has been previously licensed in another state or territory of the United States, graduated from an Approved Nursing Education Program or a recognized military education program approved by a board of nursing of a state or territory of the United States, passed the NCLEX exam, and has demonstrated competency as defined in Section 24-34-102(8)(e), C.R.S.; or
  - C. Has been previously licensed as a professional nurse in another state or territory of the United States, graduated from a Nontraditional Nursing Education Program, and has worked a minimum of 2,000 hours as a professional nurse and has provided evidence of demonstrated continued competency requirements as defined in Section 24-34-102(8)(e), C.R.S.; or
  - D. Has an encumbered license in another state or territory of the United States, only after review and approval by the Board.

4.2 A temporary license may be granted to an endorsement Applicant if the Applicant meets the requirements of these Chapter 1 Rules and Regulations and provides proof of an active, unencumbered license issued by another state or territory of the United States in a manner approved by the Board.

- 1. A temporary licensee shall not be granted a multistate licensure privilege.

4.3 A temporary license to practice professional or practical nursing expires upon the Board's approval or denial of the application or four (4) months from the date of issue, whichever occurs first.

## 5. REINSTATEMENT

5.1 A licensee who does not renew his or her license within the 60 day grace period, as set forth in Section 24-34-102(8)(c), C.R.S., will have an expired license and is ineligible to practice until such license is reinstated.

5.2 The licensee must apply for reinstatement in a manner approved by the Board.

5.3 The licensee applying for reinstatement must pay an application fee.

5.4 A licensee who has practiced on an expired license may be subject to disciplinary action.

5.5 A licensee whose license has been expired less than two (2) years must comply with requirements of Sections 5.2 and 5.3 of these Chapter 1 Rules and Regulations.

5.6 An individual whose professional or practical nursing license has been inactive or expired for more than two years must demonstrate competency. The Program Director or designee may accept proof of competency through successful completion of remedial or refresher courses under a restricted license as defined in A and B, below. "Successful completion" means achieving a grade of "C" or better or the equivalent in each course. The Program Director or designee may refer any case to an Inquiry Panel for review.

A. The remedial or refresher courses must have medical/surgical focus, must clearly differentiate knowledge and skill level for RN's and LPN's, and have the following minimum content:

1. Physical assessment, history taking, documentation, and health information technologies;
2. Pharmacology, medication administration, and IV therapy;
3. Nursing knowledge and skills update, based on best evidence; and
4. Legal, ethical, and professional issues.

B. The number of successfully completed contact hours required of each individual to demonstrate competency prior to reinstatement, reactivation, or endorsement will be determined by the number of years that his or her license has been inactive or expired, as follows:

2-5 years	Contact Hours:	80 Theory (including lab) and 80 Clinical
6-10 years	Contact Hours:	120 Theory (including lab) and 120 Clinical
more than 10 years	Contact Hours:	120 Theory (including lab) and 120 Clinical; and possible additional hours as determined by the Board on a case-by-case basis.

5.7 Upon a petition by the licensee, and with due consideration of the need to protect the public, the Board may accept an alternative method for establishing competency. It is anticipated that such alternative methods for establishing competency will rarely be used. The decision to accept an alternative method for establishing competency is at the sole discretion of the Board.

## **6. SPECIAL PERMITS**

6.1 Permits may be granted, in the Board's discretion, to individuals possessing active and unencumbered licenses to practice professional or practical nursing in other states or territories of the United States, to allow for occasional nursing practice which is patient- or procedure-specific for educational purposes and/or clinical practice of professional development. However, if such nurse has any established or regularly used healthcare agency connections in this state for the provision of such services, the nurse must possess a license to practice nursing in Colorado, except as otherwise provided in these rules.

6.2 All individuals seeking a permit must apply in a manner approved by the Board.

6.3 A permit may be denied if the Applicant has committed any of the acts that would be grounds for discipline under Section 12-38-117, C.R.S.

## **7. STUDENT PERMITS**

7.1 Student permits are intended for students in Nontraditional Nursing Education Programs who must obtain in-state clinical training and experience.

7.2 Eligibility.

A. An individual who is a Graduate of a Nontraditional Nursing Education Program is eligible for a student permit if:

1. The program is physically located in another state or territory of the United States; and
2. The program is accredited by the United States Department of Education and is approved by a board of nursing of a state or territory of the United States.

B. A student permit is not required for persons actively enrolled in an Approved Nursing Education Program in Colorado and who participate in clinical training as defined in Section 1.5, Chapter 2 Rules and Regulations for Approval of Nursing Education Programs.

7.3 Nontraditional Nursing Education Program Graduate Requirements to take the NCLEX Examination.

- A. The Applicant is able to demonstrate satisfactory completion of 750 hours of supervised clinical experience in the role of a professional nurse; or
- B. The Applicant has an active license to practice as a practical nurse in any state and is able to demonstrate satisfactory completion of 350 hours of supervised clinical experience in the role of a professional nurse.
- C. The required elements for satisfactory completion of the supervised clinical experience are as follows:

1. Acceptable clinical sites that take place in acute care or subacute care settings, skilled nursing facilities, or other sites as approved by the Board.
2. Clinical Supervision may be provided either in a traditional format with one instructor directly overseeing a group of students or as a preceptorship experience where a direct ongoing 1:1 relationship is established.
3. Qualified instructor/preceptor is educated at or above the level of the Applicant with at least two years of experience in a practice setting and has an active, unencumbered license to practice as a professional registered nurse in Colorado. The Applicant must provide documentation that the instructor/preceptor meets these requirements when he/she applies for a permit and must also provide a written agreement between the Applicant, the preceptor, the faculty, and the facility where the Clinical Supervision will occur.
4. Required components of the supervised clinical experience include:
  - a. Clinical decision making and critical thinking;
  - b. Patient assessment as part of the nursing process;
  - c. Interdisciplinary collaboration and evaluation of care evidenced in caring for multiple patients with both predictable and unpredictable outcomes across the variety of learning options appropriate for contemporary nursing; and
  - d. Nursing delegation and supervision.
  - e. A signed, original checklist and instructor/preceptor agreement, provided by the Board, must be completed by the primary instructor/preceptor, documenting the Applicant's satisfactory completion of the required components in a manner approved by the Board.

7.4 Limitations of student permits.

- A. Individuals practicing under a student permit are subject to the Nurse Practice Act.
- B. Student permit holders may not supervise Licensees or other permit holders.
- C. Individuals practicing under a student permit are responsible for arranging and obtaining their own clinical hours.
- D. Individuals practicing under a student permit may not exceed the terms of the permit.
- E. A student permit may be issued for a period of twelve consecutive months.

**8. CHANGE OF NAME AND ADDRESS**

- 8.1 The Licensee must supply to the Board legal evidence of a name change within 30 days of the effective date of the name change.
- 8.2 The Licensee must notify the Board within 30 days of any change of address. This notification may be submitted in writing or through the Board's on-line system.

- 8.3 Any notification by the Board to Licensees required or permitted under the Nurse Practice Act, Sections 12-38-101 to -133, C.R.S., or the State Administrative Procedure Act, Sections 24-4-101 to -108, C.R.S., will be addressed to the last address provided in writing to the Board by the Licensee and any such mailing will be deemed proper service on said Licensee.

**9. INCOMPLETE APPLICATIONS**

- 9.1 Any application not completed within one (1) year of the date of receipt of the original application expires and will be purged.

**10. RETIRED VOLUNTEER NURSE LICENSURE**

- 10.1 Applicants for Retired Volunteer Licensure must meet all requirements of Section 12-38-112.5, C.R.S.

- 10.2 A licensee on retired status in accordance with Section 12-38-112.5, C.R.S., may apply to reinstate to active status. The reinstatement application must be submitted as described in Section 5 of these Chapter 1 Rules and Regulations and the applicant must demonstrate competency by one of the following:

- A. Proof they have actively volunteered as a nurse during the two (2) year period immediately preceding application.
- B. Proof they meet the Board's requirements for demonstrated competency as defined in Section 24-34-102(8)(d), C.R.S.

**11. INACTIVE LICENSE STATUS - REACTIVATION**

- 11.1 A licensee may elect inactive status in accordance with Section 12-38-118.5, C.R.S. Upon inactivation, any and all authorities attached to that license will be cancelled.

- 11.2 A licensee may not apply for inactive status to avoid disciplinary action.

- 11.3 A licensee on inactive status in accordance with Section 12-38-118.5, C.R.S., may apply in a manner approved by the Board and pay the license reactivation fees to reactivate the license to practice nursing:

- A. Reactivation to active status may occur at any time and is subject to the Board's requirements of demonstrated competency as defined in Section 24-34-102(8)(e), C.R.S.
- B. An Applicant for reactivation of advanced practice authorities must provide proof that the licensee has maintained national certification in each Role/Specialty and Population Focus or meets the current requirements in accordance with the Chapter 14 Rules and Regulations, and/or meets current requirements for prescriptive authority in accordance with the Chapter 15 Rules and Regulations.
- C. An Applicant for reactivation of practical nurse IV authority must meet the current requirements for practical nurse IV authority in accordance with the Chapter 9 Rules and Regulations.

## CHAPTER 20 – RULES AND REGULATIONS FOR MULTISTATE NURSE LICENSURE

**BASIS:** The authority for the promulgation of these rules and regulations by the State Board of Nursing is set forth in Sections 12-38-108(1), and (4), 12-38-111, 12-38-112 and 24-60-3201, and -3202, C.R.S. The Division name changed pursuant to Section 24-34-102, C.R.S.

**PURPOSE:** To revise the Nurse Licensure Compact and specify the requirements, pursuant to the enhanced Nurse Licensure Compact, for recognition of a professional or practical nursing license issued by a Home State as authorizing a Multistate Licensure Privilege in a Party State. The purpose of the April 2013 amendments is to incorporate the enhanced nurse licensure compact rules, extend the period a nurse may continue to practice during processing of a licensing application in a new Home State to ninety days consistent with the Nurse Licensure Compact Model Rules and Regulations adopted November 2012.

### 1. DEFINITIONS:

For the purposes of these Chapter 20 Rules, the following terms have the indicated meaning:

- 1.1 Alternative Program: A voluntary, non-disciplinary monitoring program for Nurses, approved by the licensing entity of a state or territory.
- 1.2 Board: A Party State's regulatory body responsible for issuing Nurse licenses.
- 1.3 Coordinated Licensure Information System: An integrated process for collecting, storing, and sharing information on Nurse licensure and enforcement activities related to Nurse licensure laws, which is administered by a non-profit organization composed of state Nurse licensing boards.
1. ~~4~~ 3 Commission: The Interstate Commission of Nurse Licensure Compact Administrators.
- 1.5 Compact: The Nurse Licensure Compact that became effective on July 20, 2017 and implemented on January 19, 2018.
- 1.6 Convert: To change a multistate license to a single-state license if a nurse changes primary state of residence by moving from a party state to a non-party state; or to change a single-state license to a multistate license once any disqualifying events are eliminated.
- 1.7 Coordinated Licensure Information System: An integrated process for collecting, storing, and sharing information on Nurse licensure and enforcement activities related to Nurse licensure laws, which is administered by a non-profit organization composed of state Nurse licensing boards.
- 1.8 Deactivate: To change the status of a multistate license or privilege to practice.
- 1.9 Director: The individual referred to in Article IV of the Interstate Commission of Nurse Licensure Compact Administrators Bylaws.
- 1.10 Disqualifying Event: An incident, which results in a person becoming disqualified or ineligible to retain or renew a multistate license. These include but are not limited to the following: any adverse action resulting in an encumbrance, current participation in an alternative program, a misdemeanor offense related to the practice of nursing (which includes, but is not limited to, an agreed disposition), or a felony offense (which includes, but is not limited to, an agreed disposition).
- 1.11 Independent Credentials Review Agency: A non-governmental evaluation agency that verifies and certifies that foreign nurse graduates have graduated from nursing programs that are academically equivalent to nursing programs in the United States.
- 1.12 Licensure: Includes the authority to practice nursing granted through the process of examination, endorsement, renewal, reinstatement and/or reactivation.

1.13 Prior Compact: The Nurse Licensure Compact that was in effect until January 19, 2018.

1.14 Unencumbered License: A license that authorizes a nurse to engage in the full and unrestricted practice of nursing.

1.154 Current Significant Investigative Information:

- A. Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the Nurse to respond if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or
- B. Investigative information that indicates that the Nurse represents an immediate threat to Public health and safety, regardless of whether the Nurse has been notified and had an opportunity to respond.

1.165 Home State: The Party State that is the Nurse's Primary State of Residence.

1.176 Information System: The Coordinated Licensure Information System.

1.187 Multistate Licensure Privilege: A current, official authority from a Remote State permitting the practice of nursing as a professional or practical nurse in such Party State.

1.198 Nurse: A professional or practical nurse, as that term is defined by each Party State's practice laws.

1.209 Party State: Any state that has adopted the Interstate Nurse Licensure Compact.

1.219 Primary State of Residence: The state of a person's declared fixed, permanent, and principal home for legal purposes; domicile.

1.224 Public: Any individual or entity other than designated staff or representatives of Party State boards or the National Council of State Boards of Nursing, Inc.

1.2342 Remote State: A Party State, other than the Home State, where the patient or recipient of nursing practice is located at the time nursing services are provided.

1.2443 Single State License: A professional or practical nursing license that is valid only for practice in the granting state and not valid for practice in other Party States.

1.25 Unencumbered License: A license that authorizes a nurse to engage in the full and unrestricted practice of nursing.

## 2. ISSUANCE OF A LICENSE

2.1 ~~As of July 1, 2005, no applicant~~No applicant for initial licensure may be issued a compact license granting a multi-state privilege to practice, unless the applicant first obtains a passing score on the applicable National Council Licensure Examination (NCLEX) or any predecessor examination used for licensure, and has satisfied all other conditions required by the Board.

2.2 A Nurse applying for a license in a Home State shall produce evidence of the Nurse's Primary State of Residence. Such evidence shall include a declaration signed by the licensee. Further evidence that may be requested may include, but is not limited to:

- A. Driver's license with a home address;
- B. Voter registration card displaying a home address;
- C. Federal income tax return declaring the Primary State of Residence;
- D. Military Form No. 2058 – state of legal residence certificate; or

E. Form W-2 from U. S. Government or any bureau, division or agency thereof, indicating the declared state of residence.

2.3 A Nurse applicant who is a citizen of a foreign country and working on a visa ~~and from another country~~ applying for multistate licensure in a Party State may declare either ~~the their~~ country of origin or the Party State where they are living as the Primary State of Residence. If the foreign country is declared the Primary State of Residence, a Single State License will be issued by the Party State if the applicant meets the licensure requirements.

2.4 A multistate license issued by a Party State is valid for practice in all other Party States, unless clearly designated as valid only in the state which issued the license.

2.5 When a Party State issues a Single State License, the license shall be clearly marked with the words "Single State", indicating that it is valid only in the state of issuance.

2.6 ~~A Nurse changing Primary State of Residence, from one Party State to another Party State, may continue to practice under the former Home State license and Multistate Licensure Privilege during the processing of the nurse's licensure application in the new Home State for a period not to exceed ninety (90) days. A nurse who changes his or her primary state of residence from one party state to another party state may continue to practice under the existing multistate license while the nurse's application is processed and a multistate license is issued in the new primary state of residence.~~

~~2.7 The licensure application in the new Home State of a Nurse under pending investigation by the former Home State shall be held in abeyance and the ninety (90) day period in Section 2.6 shall be stayed until resolution of the pending investigation.~~

2.78 The former Home State multistate license shall no longer be valid upon the issuance of a new Home State multistate license.

~~2.8 If a licensee holding a multistate license changes primary state of residence to a non-party state, the party state shall convert the multistate license to a single state license within fifteen (15) days and report the conversion to the Licensure Information System.~~

~~2.9 If a decision is made by the new Home State denying licensure, the new Home State shall notify the former Home State within ten (10) business days and the former Home State may take action in accordance with that state's laws and rules~~

### ~~3~~ CREDENTIALING AND ENGLISH PROFICIENCY FOR FOREIGN NURSE GRADUATES

~~3.1 A party state shall verify that an independent credentials review agency evaluated the credentials of graduates as set forth in Article III 9 (c) (2) ii.~~

~~3.2 The party state shall verify successful completion of an English proficiency examination for graduates as set forth in Article III (c) (3).~~

### ~~3.3~~ LIMITATIONS OF MULTISTATE LICENSURE PRIVILEGE -- DISCIPLINE DEACTIVATION, DISCIPLINE AND REVOCATION OF MULTISTATE LICENSURE PRIVILEGE

~~3.41 All licensure disciplinary orders and/or agreements that limit practice and/or require monitoring shall include the requirement that the licensee subject to said order and/or agreement will agree to limit the licensee's practice to the Home State during the pendency of the disciplinary order and/or agreement. This requirement may, in the alternative, allow the Nurse to practice in other Party States with prior written authorization from both the Home State's and such other Party State's Boards. A party state shall determine whether a disqualifying event will result in adverse action or deactivation of a multistate license or privilege. Upon deactivation due to a disqualifying event, the home state may issue a single state license.~~

~~3.52~~ An individual who had a license which was surrendered, revoked, suspended, or an application denied for cause in a prior Home State, may be issued a Single State License in a new Home State

until such time as the individual would be eligible for an unrestricted license in all prior Party State(s) of adverse action. Once eligible for licensure in all prior state(s), a multistate license may be issued.

#### 4. COORDINATED LICENSURE INFORMATION SYSTEM

##### 4.1 Uniform data set and levels of access:

A. ~~The Public shall have access to~~ The Compact Administrator of each party state shall furnish uniform data to the Coordinated Licensure Information System, which shall consist of the following: nurse licensure information contained in the Information System limited to:

1. The Nurse's name;
2. Jurisdiction(s) of licensure;
3. License expiration date(s);
4. Licensure classification(s), license number and status(es);
5. Public emergency and final disciplinary actions, as defined by contributing state authority; ~~and~~
6. A change in the status of a disciplinary action or licensure encumbrance;
7. The status of Multistate Licensure Privileges.
8. Current participation by the nurse in an alternative program;
9. Information that is required to be expunged by the laws of a party state;
10. The applicant or nurse's United States social security number;
11. Current significant investigative information;
12. A correction to a licensee's data.

B. The public shall have access to items (A) (1) through (7) and information about a licensee's participation in an alternative program to the extent allowed by state law. Non-Party State Boards shall have access to all Information System data except Current Significant Investigative Information and other information as limited by contributing Party State authority.

C. Party State Boards shall have access to all Information System data contributed by the Party States and other information as limited by contributing Non-Party authority.

4.2 The licensee may request in writing to the Home State Board to review the data relating to the licensee in the Information System. In the event a licensee asserts that any data relating to him or her is inaccurate, the burden of proof shall be upon the licensee to provide evidence that substantiates such claim. The Board shall verify and, within ten (10) business days, correct inaccurate data to the Information System.

4.3 The Board shall report to the Information System within ~~fifteen~~ (15) ~~calendar business~~ days:

A. Items in uniform data set.

B. Disciplinary action, agreement or order requiring participation in Alternative Programs or which limit practice or require monitoring (except agreements and orders relating to

participation in Alternative Programs required to remain non-public by contributing state authority);

CB. Dismissal of a complaint; and

DC. Changes in status, if disciplinary action or licensure encumbrance.

4.4 Current Significant Investigative Information shall be deleted from the Information System within ~~fifteen~~ (150) business-calendar days, upon report of any resulting:

A. Disciplinary action;

B. Agreement or order requiring participation in Alternative Programs; or

C. Agreements which limit practice or require monitoring or dismissal of a complaint.

4.5 Changes to licensure information in the Information system shall be completed within ~~ten-fifteen~~ (150) business-calendar days, upon notification by a Board.

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