

§2173. General provisions and jurisdiction -- Article 3

1. Multistate license. A multistate license to practice registered or licensed practical or vocational nursing issued by a home state to a resident in that state is recognized by each party state as authorizing a nurse to practice as a registered nurse or as a licensed practical or vocational nurse, under a multistate licensure privilege, in each party state.

[PL 2017, c. 258, Pt. A, §1 (NEW).]

2. Criminal history records. A party state shall implement procedures for considering the criminal history records of an applicant for an initial multistate license or licensure by endorsement. Such procedures must include the submission of fingerprints or other biometric-based information by an applicant for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

[PL 2017, c. 258, Pt. A, §1 (NEW).]

3. Requirements. Each party state shall require that an applicant to obtain or retain a multistate license in the home state:

A. Meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable laws; [PL 2017, c. 258, Pt. A, §1 (NEW).]

B. Have graduated or be eligible to graduate from a registered nurse or licensed practical or vocational nurse prelicensure education program approved by a licensing board or have graduated in a country other than the United States from a registered nurse or licensed practical or vocational nurse prelicensure education program that has been approved by an authorized accrediting body in the applicable country and has been verified by an independent credentials review agency to be comparable to a prelicensure education program approved by a licensing board; [PL 2017, c. 258, Pt. A, §1 (NEW).]

C. Have, if a graduate of a prelicensure education program not taught in English or if English is not the applicant's native language, successfully passed an English proficiency examination that includes the components of reading, speaking, writing and listening; [PL 2017, c. 258, Pt. A, §1 (NEW).]

D. Have successfully passed a National Council Licensure Examination for registered nurses or a National Council Licensure Examination for practical or vocational nurses given by the National Council of State Boards of Nursing or an exam given by a predecessor or successor organization, as applicable; [PL 2017, c. 258, Pt. A, §1 (NEW).]

E. Be eligible for or hold an active, unencumbered nurse license; [PL 2017, c. 258, Pt. A, §1 (NEW).]

F. Have submitted, in connection with an application for initial licensure or licensure by endorsement, fingerprints or other biometric-based information for the purpose of obtaining criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records; [PL 2017, c. 258, Pt. A, §1 (NEW).]

G. Have not been convicted or found guilty, or have entered into an agreed disposition, of a felony offense under applicable state or federal criminal law; [PL 2017, c. 258, Pt. A, §1 (NEW).]

H. Have not been convicted or found guilty, or have entered into an agreed disposition, of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis; [PL 2017, c. 258, Pt. A, §1 (NEW).]

I. Be not currently enrolled in an alternative program; [PL 2017, c. 258, Pt. A, §1 (NEW).]

J. Be subject to self-disclosure requirements regarding current participation in an alternative program; and [PL 2017, c. 258, Pt. A, §1 (NEW).]

K. Have a valid social security number. [PL 2017, c. 258, Pt. A, §1 (NEW).]
[PL 2017, c. 258, Pt. A, §1 (NEW).]

4. Adverse action. A party state is authorized, in accordance with existing state due process law, to take adverse action against a nurse's multistate licensure privilege such as revocation, suspension, probation or any other action that affects a nurse's authorization to practice under a multistate licensure privilege, including cease and desist actions. If a party state takes an action under this subsection, it shall promptly notify the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the home state of any action under this subsection by a remote state.

[PL 2017, c. 258, Pt. A, §1 (NEW).]

5. Practice of nursing. A nurse practicing in a party state shall comply with the state practice laws of the state in which the client is located at the time service is provided. The practice of nursing is not limited to patient care, but includes all nursing practice as defined by the state practice laws of the party state in which the client is located. The practice of nursing in a party state under a multistate licensure privilege subjects a nurse to the jurisdiction of the licensing board, the courts and the laws of the party state in which the client is located at the time service is provided.

[PL 2017, c. 258, Pt. A, §1 (NEW).]

6. Single-state license. A person not residing in a party state may apply for a party state's single-state license as provided under the laws of each party state; however, a single-state license granted under this subsection is not recognized as granting the privilege to practice nursing in any other party state. Nothing in this compact affects the requirements established by a party state for the issuance of a single-state license.

[PL 2017, c. 258, Pt. A, §1 (NEW).]

7. Licenses active on the effective date of compact. A nurse holding a home state multistate license on the effective date of this compact may retain and renew the multistate license issued by the nurse's then-current home state, except that:

A. A nurse who changes primary state of residence after the effective date of this compact must meet all applicable requirements under subsection 3 to obtain a multistate license from a new home state; and [PL 2017, c. 258, Pt. A, §1 (NEW).]

B. A nurse who fails to satisfy the multistate licensure requirements in subsection 3 due to a disqualifying event occurring after the effective date of this compact is ineligible to retain or renew a multistate license, and the nurse's multistate license must be revoked or deactivated in accordance with applicable rules adopted by the commission. [PL 2017, c. 258, Pt. A, §1 (NEW).]

[PL 2017, c. 258, Pt. A, §1 (NEW).]

SECTION HISTORY

PL 2017, c. 258, Pt. A, §1 (NEW).

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