



BOARD OF NURSING

Room 121A, 1400 East Washington Avenue, Madison
Contact: Dan Williams (608) 266-2112
April 9, 2015

Notice: The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of actions and deliberation of the Board.

8:00 A.M.

AGENDA

CALL TO ORDER – ROLL CALL – OPEN SESSION

- A. Adoption of the Agenda (1-3)**
- B. Approval of the Minutes of March 12, 2015 (4-9)**
- C. Administrative Matters – Discussion and Consideration**
 - 1) Staff Updates
 - 2) Board Member – Term Expiration Date
 - a. Paul Abegglen – 7/1/2015 (reappointed, not yet confirmed)
 - b. Julie Ellis – 7/1/2015
 - c. Maria Joseph – 7/1/2013
 - d. Sheryl Krause – 7/1/ 2018
 - e. Jeffrey Miller – 7/1/2016
 - f. Peter Kallio – 7/1/ 2018
 - g. Lillian Nolan – 7/1/2015 (reappointed, not yet confirmed)
 - h. Luann Skarlupka – 7/1/2017
 - i. Cheryl Streeter – 7/1/2017
- D. Speaking Engagement(s), Travel, or Public Relations Request(s) – Discussion and Consideration**
 - 1) Update from National Council of State Boards of Nursing (NCSBN) Midyear Meeting
 - a. Nurse Licensure Compact **(10-31)**
 - b. May 4, 2015 - Delegate assembly meeting **(32)**
 - 2) Status Report from BON Presentation Workgroup
- E. Legislative and Administrative Rule Matters – Discussion and Consideration**
 - 1) Update on Legislation and Pending or Possible Rulemaking Projects
- F. Education and Examination Matters – Discussion and Consideration**
 - 1) Status of Updates to Board of Nursing Forms and Website Pages
 - 2) Update as to La Courte Oreilles Ojibwa Community College Site Inspection

G. Discussion and Consideration of Items Received After Preparation of the Agenda

- 1) Introductions, Announcements, and Recognition
- 2) Election of Board Officers
- 3) Appointment of Board Liaison(s)
- 4) Informational Item(s)
- 5) Division of Legal Services and Compliance Matters
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislation / Administrative Rule Matters
- 10) Liaison Report(s)
- 11) Presentations of Petition(s) for Summary Suspension
- 12) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 13) Presentation of Final Decision and Order(s)
- 14) Speaking Engagement(s), Travel, or Public Relations Request(s)

H. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

I. **Proposed Final Decision and Order (33-46)**

- 1) Eric L. Nielsen, R.N., (DHA Case # SPS-14-0047)(DLSC Case # 12 NUR 368)

J. **Order Fixing Costs in the Matter of Disciplinary Proceedings Against Karyn M. Kaiser, L.P.N. – Discussion and Consideration (47-55)**

K. **Stipulation and Interim Order in the Matter of Tamera R. Pickhard, R.N.(DLSC Case # 15 NUR 148) (56-60)**

L. **Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

1) **Attorney Amanda Florek**

a. Proposed Stipulations, Final Decisions and Orders

1. 13 NUR 537 (M.A.B.) **(61-69)**
2. 13 NUR 608 (J.A.W.) **(70-76)**
3. 14 NUR 081 (B.M.S.) **(77-82)**
4. 14 NUR 489 (K.A.F.) **(83-90)**
5. 14 NUR 629 (H.M.C.) **(91-103)**
6. 15 NUR 020 (C.V.L.) **(104-109)**
7. 15 NUR 079 (B.D.A.) **(110-121)**

2) **Attorney Kim Kluck**

a. Proposed Stipulations, Final Decisions and Orders

1. 13 NUR 663 (L.M.C.) **(122-130)**
2. 14 NUR 060 (B.N.B.) **(131-139)**
3. 14 NUR 235 (N.F.B.) **(140-145)**
4. 14 NUR 393 (J.M.K.) **(146-151)**
5. 14 NUR 467 (P.C.M.) **(152-163)**
6. 14 NUR 687 (S.M.A.) **(164-170)**

7. 15 NUR 039 (N.L.D.) **(171-178)**

8. 15 NUR 058 (S.A.T.) **(179-190)**

9. 15 NUR 156 (M.K.) **(191-195)**

b. Administrative Warnings

1. 14 NUR 221 (A.J.G.) **(196-197)**

2. 14 NUR 683 (J.M.S.) **(198-199)**

3. 14 NUR 714 (C.P.E.) **(200-201)**

4. 15 NUR 050 (K.L.K.B.) **(202-203)**

3) **Case Closures and Case Status Report (204-210)**

4) **Monitoring Matters (211-287)**

a. Randy Cornell, R.N. – Requesting Access to Controlled Substances **(213-232)**

b. Jamie Meints, R.N. – Requesting Full Licensure **(233-253)**

c. Coreen Srnec, L.P.N. – Requesting Termination of Therapy & Direct Supervision **(254-267)**

d. Sarah Travis, R.N. – Requesting Reduction in Drug & Alcohol Screens **(268-287)**

M. **Deliberation of Credentialing Matters**

1) Beth North – Request for Modification **(288-295)**

N. **Deliberation of Items Received After Preparation of the Agenda**

1) Professional Assistance Procedure (PAP) Matters

2) Division of Legal Services and Compliance Matters

3) Monitoring Matters

4) Credentialing Matters

5) Education and Examination Matters

6) Administrative Warnings

7) Review of Administrative Warnings

8) Proposed Stipulations, Final Decisions and Orders

9) Proposed Final Decisions and Orders

10) Orders Fixing Costs/Matters Related to Costs

11) Case Closings

12) Case Status Report

13) Petitions for Summary Suspension

14) Petitions for Designation of Hearing Examiner

15) Petitions for Re-hearings

16) Appearances from Requests Received or Renewed

17) Motions

O. **Consult with Legal Counsel**

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

P. **Board Meeting Process (Time Allocation, Agenda Items) – Discussion and Consideration**

1) Newsletter Discussion

Q. **Board Strategic Planning and its Mission, Vision, and Values – Discussion and Consideration**

ADJOURNMENT

The next scheduled meeting is May 14, 2015.

**BOARD OF NURSING
MEETING MINUTES
March 12, 2015**

PRESENT: Paul Abegglen, Julie Ellis, Maria Joseph, Peter Kallio, Sheryl Krause (*arrived at 8:18 a.m.*), Jeffrey Miller, Lillian Nolan, Luann Skarlupka, Cheryl Streeter

STAFF: Dan Williams, Executive Director; Nilajah Madison-Head, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Jeffrey Miller called the meeting to order at 8:00 a.m. A quorum of eight (8) members was confirmed.

ADOPTION OF THE AGENDA

Amendments to the Agenda:

- *Under Item J(1)(a) (Closed Session): Add Proposed Stipulation, Final Decision, and Order 14 NUR 219 and 14 NUR 583 (B.J.W.)*

MOTION: Luann Skarlupka moved, seconded by Maria Joseph, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 12, 2015

MOTION: Paul Abegglen moved, seconded by Luann Skarlupka, to approve the minutes of February 12, 2015 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Delegation of Authority

MOTION: Julie Ellis moved, seconded by Peter Kallio that Board Counsel or another Department attorney is formally authorized to serve as the Board's designee for purposes of Wis. Admin. Code SPS § 1.08(1). Motion carried unanimously.

MOTION: Paul Abegglen moved, seconded by Cheryl Streeter, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

(Sheryl Krause arrived at 8:18 a.m.)

EDUCATION AND EXAMINATION MATTERS

Bryant and Stratton College Request for Authorization to Plan a Nursing School (PN)

MOTION: Maria Joseph moved, seconded by Cheryl Streeter, to approve the request of Bryant and Stratton College for authorization to plan a Nursing School (PN). Motion carried unanimously.

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to acknowledge and thank Linda Krueger, Ed.D., R.N., M.S.N. for her presence. Motion carried unanimously.

Lakeshore Technical College NLCEX Pass Rate Analysis and Plan

MOTION: Julie Ellis moved, seconded by Luann Skarlupka, to acknowledge receipt of Lakeshore Technical College's NLCE Pass Rate Analysis and Plan. Motion carried unanimously.

CLOSED SESSION

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Jeffrey Miller, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Paul Abegglen-yes; Julie Ellis-yes; Maria Joseph-yes; Peter Kallio-yes; Sheryl Krause-yes; Jeffrey Miller-yes; Lillian Nolan-yes; Luann Skarlupka-yes; and Cheryl Streeter-yes. Motion carried unanimously.

The Board convened into Closed Session at 8:59 a.m.

RECONVENE TO OPEN SESSION

MOTION: Cheryl Streeter moved, seconded by Sheryl Krause, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 10:58 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Paul Abegglen moved, seconded by Luann Skarlupka, to affirm all motions made in closed session. Motion carried unanimously.

PROPOSED FINAL DECISION AND ORDERS

Carrie Pietrasik-Dewey, R.N. (DHA case SPS-14-0071)(DLSC case 14 NUR 117)

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Carrie Pietrasik-Dewey, R.N. (DHA case SPS-14-0071)(DLSC case 14 NUR 117) Motion carried. Recused: Jeffrey Miller

(Jeffrey Miller recused himself and left the room for deliberation, and voting in the matter concerning Carrie Pietrasik-Dewey, R.N. (DHA case SPS-14-0071)(DLSC case 14 NUR 117) Sheryl Krause, Vice Chair, assumed the role of Chair during this topic.)

Karyn Kaiser, L.P.N. (DHA case SPS-14-0097)(DLSC case 14 NUR 007)

MOTION: Luann Skarlupka moved, seconded by Cheryl Streeter, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Karyn Kaiser, L.P.N. (DHA case SPS-14-0097)(DLSC case 14 NUR 007) Motion carried. Recused: Jeffrey Miller

(Jeffrey Miller recused himself and left the room for deliberation, and voting in the matter concerning Karyn Kaiser, L.P.N. (DHA case SPS-14-0097)(DLSC case 14 NUR 007). Sheryl Krause, Vice Chair, assumed the role of Chair during this topic.)

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

DLSC Attorney Amanda Florek

Proposed Stipulations, Final Decisions and Orders

MOTION: Paul Abegglen moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 13 NUR 608 (L.J.W.)
2. 13 NUR 708 (J.J.P.)
3. 14 NUR 303 (S.U.)
4. 14 NUR 357 (A.A.R.)
5. 14 NUR 602 (B.A.H.)
6. 14 NUR 623 (S.A.K.)
7. 14 NUR 659 (J.A.C.)
8. 14 NUR 702 (R.C.C.)
9. 14 NUR 707 (E.S.J.)
10. 14 NUR 722 (S.S.B.)
11. 15 NUR 016 (T.L.A.)
12. 14 NUR 219 and 14 NUR 583 (B.J.W.)

Motion carried unanimously.

Administrative Warnings

14 NUR 586 – F.E.S.

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to issue an Administrative Warning in the matter of 14 NUR 586 (F.E.S.). Motion carried. Recused: Paul Abegglen

(Paul Abegglen recused himself and left the room for deliberation and voting in the matter of 14 NUR 586 (F.E.S.).)

15 NUR 010 – J.A.F.

MOTION: Peter Kallio moved, seconded by Luann Skarlupka, to issue an Administrative Warning in the matter of 15 NUR 010 (J.A.F.). Motion carried unanimously.

DLSC Attorney Kim Kluck

Proposed Stipulations, Final Decisions and Orders

MOTION: Luann Skarlupka moved, seconded by Peter Kallio, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 14 NUR 060 (B.N.B.)
2. 14 NUR 167 (R.J.S.)
3. 14 NUR 290 (S.C.S.)
4. 14 NUR 307 (J.M.K.)
5. 14 NUR 395 (D.J.H.)
6. 14 NUR 498 (J.L.N.)
7. 14 NUR 530 (S.L.W.)
8. 14 NUR 592 (L.K.S.)
9. 14 NUR 642 (M.K.H.)
10. 14 NUR 693 (J.L.H.)
11. 15 NUR 008 (C.D.J.)
12. 15 NUR 011 (D.C.B.)
13. 15 NUR 059 (T.J.S.)

Motion carried unanimously.

Administrative Warnings

14 NUR 710 – P.E.K.

MOTION: Cheryl Streeter moved, seconded by Maria Joseph, to issue an Administrative Warning in the matter of 14 NUR 710 (P.E.K.). Motion carried unanimously.

15 NUR 053 – A.M.N.

MOTION: Cheryl Streeter moved, seconded by Maria Joseph, to issue an Administrative Warning in the matter of 15 NUR 053 (A.M.N.). Motion carried unanimously.

Case Closures

MOTION: Sheryl Krause moved, seconded by Paul Abegglen, to close the DLSC cases for the reasons outlined below:

1. 15 NUR 004 – Prosecutorial Discretion (P2)
2. 14 NUR 652 – No Violation (NV)
3. 14 NUR 408 – No Violation (NV)
4. 14 NUR 642 (M.C.) – No Violation (NV)
5. 14 NUR 709 – No Violation (NV)
6. 14 NUR 495 – Insufficient Evidence (IE)
7. 14 NUR 662 – Prosecutorial Discretion (P7)
8. 14 NUR 265 – Insufficient Evidence (IE)
9. 14 NUR 503 – No Violation (NV)
10. 15 NUR 126 – Insufficient Evidence (IE)

Motion carried unanimously.

Monitoring

Annette Malcomson, R.N. - Requesting Modification

MOTION: Lillian Nolan moved, seconded by Peter Kallio, to deny the request of Annette Malcomson, R.N. for the ability to work with access to controlled substances.

Reason for Denial: Failure to comply with Board Order. Respondent needs to work under the complete terms and conditions of the original Board Order (06/02/2011). Motion carried unanimously.

Samantha (Bader) Schlesner, R.N. – Requesting Modifications

MOTION: Peter Kallio moved, seconded by Maria Joseph, to grant the request of Samantha (Bader) Schlesner, R.N. for the ability to work with access to controlled substances, termination of direct supervision requirement, and the ability to work in home-health, hospice, pool nursing and/or an agency setting. The Board denies the request of Samantha (Bader) Schlesner, R.N. for termination of treatment. **Reason for Denial:** Applicant needs to practice nursing under the current conditions before the Board will consider amending the other limitations. All other terms of Board Order (12/03/2009) not otherwise modified remain in effect. Motion carried unanimously.

DELIBERATION OF CREDENTIALING MATTERS

Joni Eberhardy – Conviction Review

MOTION: Paul Abegglen moved, seconded by Peter Kallio, to request DSPS staff to inquire of Joni Eberhardy to submit documentation from her current therapist with respect to AODA issues, mental health issues, and fitness to practice as a nurse. Motion carried unanimously.

Ketura Wanless – Conviction Review

MOTION: Cheryl Streeter moved, seconded by Luann Skarlupka, to issue an intent to deny the Registered Nurse application of Ketura Wanless. **Reason for Intent to Deny:** Denial of full licensure per Wis. Stat. 441.07(1g). Motion carried unanimously.

BOARD MEETING PROCESS (TIME ALLOCATION, AGENDA ITEMS)

MOTION: Luann Skarlupka moved, seconded by Sheryl Krause, to cancel the Board of Nursing meeting scheduled for August 13, 2015. Motion carried unanimously.

ADJOURNMENT

MOTION: Luann Skarlupka moved, seconded by Maria Joseph, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:16 a.m.

Nurse Licensure Compact

March 17, 2015

ARTICLE I

Findings and Declaration of Purpose

- a. The party states find that:
 1. The health and safety of the public are affected by the degree of compliance with and the effectiveness of enforcement activities related to state nurse licensure laws;
 2. Violations of nurse licensure and other laws regulating the practice of nursing may result in injury or harm to the public;
 3. The expanded mobility of nurses and the use of advanced communication technologies as part of our nation's health care delivery system require greater coordination and cooperation among states in the areas of nurse licensure and regulation;
 4. New practice modalities and technology make compliance with individual state nurse licensure laws difficult and complex;
 5. The current system of duplicative licensure for nurses practicing in multiple states is cumbersome and redundant for both nurses and states; and
 6. Uniformity of nurse licensure requirements throughout the states promotes public safety and public health benefits.
- b. The general purposes of this Compact are to:
 1. Facilitate the states' responsibility to protect the public's health and safety;
 2. Ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation;
 3. Facilitate the exchange of information between party states in the areas of nurse regulation, investigation and adverse actions;
 4. Promote compliance with the laws governing the practice of nursing in each jurisdiction;
 5. Invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses;

6. Decrease redundancies in the consideration and issuance of nurse licenses; and
7. Provide opportunities for interstate practice by nurses who meet uniform licensure requirements.

ARTICLE II

Definitions

As used in this Compact:

- a. "Adverse action" means any administrative, civil, equitable or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against a nurse, including actions against an individual's license or multistate licensure privilege such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a nurse's authorization to practice, including issuance of a cease and desist action.
- b. "Alternative program" means a non-disciplinary monitoring program approved by a licensing board.
- c. "Coordinated licensure information system" means an integrated process for collecting, storing and sharing information on nurse licensure and enforcement activities related to nurse licensure laws that is administered by a nonprofit organization composed of and controlled by licensing boards.
- d. "Current significant investigative information" means:
 1. 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
 2. 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.
- e. "Encumbrance" means a revocation or suspension of, or any limitation on, the full and unrestricted practice of nursing imposed by a licensing board.
- f. "Home state" means the party state which is the nurse's primary state of residence.
- g. "Licensing board" means a party state's regulatory body responsible for issuing nurse licenses.

- h. "Multistate license" means a license to practice as a registered or a licensed practical/vocational nurse (LPN/VN) issued by a home state licensing board that authorizes the licensed nurse to practice in all party states under a multistate licensure privilege.
- i. "Multistate licensure privilege" means a legal authorization associated with a multistate license permitting the practice of nursing as either a registered nurse (RN) or LPN/VN in a remote state.
- j. "Nurse" means RN or LPN/VN, as those terms are defined by each party state's practice laws.
- k. "Party state" means any state that has adopted this Compact.
- l. "Remote state" means a party state, other than the home state.
- m. "Single-state license" means a nurse license issued by a party state that authorizes practice only within the issuing state and does not include a multistate licensure privilege to practice in any other party state.
- n. "State" means a state, territory or possession of the United States and the District of Columbia.
- o. "State practice laws" means a party state's laws, rules and regulations that govern the practice of nursing, define the scope of nursing practice, and create the methods and grounds for imposing discipline. "State practice laws" do not include requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.

ARTICLE III

General Provisions and Jurisdiction

- a. A multistate license to practice registered or licensed practical/vocational nursing issued by a home state to a resident in that state will be recognized by each party state as authorizing a nurse to practice as a registered nurse (RN) or as a licensed practical/vocational nurse (LPN/VN), under a multistate licensure privilege, in each party state.
- b. A state must implement procedures for considering the criminal history records of applicants for initial multistate license or licensure by endorsement. Such procedures shall include the submission of fingerprints or other biometric-based information by applicants 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.

- c. Each party state shall require the following for an applicant to obtain or retain a multistate license in the home state:
1. Meets the home state's qualifications for licensure or renewal of licensure, as well as, all other applicable state laws;
 2.
 - i. Has graduated or is eligible to graduate from a licensing board-approved RN or LPN/VN prelicensure education program; or
 - ii. Has graduated from a foreign RN or LPN/VN prelicensure education program that (a) has been approved by the authorized accrediting body in the applicable country and (b) has been verified by an independent credentials review agency to be comparable to a licensing board-approved prelicensure education program;
 3. Has, if a graduate of a foreign prelicensure education program not taught in English or if English is not the individual's native language, successfully passed an English proficiency examination that includes the components of reading, speaking, writing and listening;
 4. Has successfully passed an NCLEX-RN[®] or NCLEX-PN[®] Examination or recognized predecessor, as applicable;
 5. Is eligible for or holds an active, unencumbered license;
 6. Has submitted, in connection with an application for initial licensure or licensure by endorsement, fingerprints or other biometric data 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;
 7. Has not been convicted or found guilty, or has entered into an agreed disposition, of a felony offense under applicable state or federal criminal law;
 8. Has not been convicted or found guilty, or has entered into an agreed disposition, of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis;
 9. Is not currently enrolled in an alternative program;
 10. Is subject to self-disclosure requirements regarding current participation in an alternative program; and
 11. Has a valid United States Social Security number.

- d. All party states shall be 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 such action, 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 such actions by remote states.
- e. A nurse practicing in a party state must 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 shall include 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 will subject 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.
- f. Individuals not residing in a party state shall continue to be able to apply for a party state's single-state license as provided under the laws of each party state. However, the single-state license granted to these individuals will not be recognized as granting the privilege to practice nursing in any other party state. Nothing in this Compact shall affect the requirements established by a party state for the issuance of a single-state license.
- g. Any 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, provided that:
 - 1. A nurse, who changes primary state of residence after this Compact's effective date, must meet all applicable Article III.c. requirements to obtain a multistate license from a new home state.
 - 2. A nurse who fails to satisfy the multistate licensure requirements in Article III.c. due to a disqualifying event occurring after this Compact's effective date shall be ineligible to retain or renew a multistate license, and the nurse's multistate license shall be revoked or deactivated in accordance with applicable rules adopted by the Interstate Commission of Nurse Licensure Compact Administrators ("Commission").

ARTICLE IV

Applications for Licensure in a Party State

- a. Upon application for a multistate license, the licensing board in the issuing party state shall ascertain, through the coordinated licensure information system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on any license or multistate licensure privilege held by the applicant, whether any adverse action has been taken against any license or multistate licensure privilege held by the applicant and whether the applicant is currently participating in an alternative program.
- b. A nurse may hold a multistate license, issued by the home state, in only one party state at a time.
- c. If a nurse changes primary state of residence by moving between two party states, the nurse must apply for licensure in the new home state, and the multistate license issued by the prior home state will be deactivated in accordance with applicable rules adopted by the Commission.
 1. The nurse may apply for licensure in advance of a change in primary state of residence.
 2. A multistate license shall not be issued by the new home state until the nurse provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a multistate license from the new home state.
- d. If a nurse changes primary state of residence by moving from a party state to a non-party state, the multistate license issued by the prior home state will convert to a single-state license, valid only in the former home state.

ARTICLE V

Additional Authorities Invested in Party State Licensing Boards

- a. In addition to the other powers conferred by state law, a licensing board shall have the authority to:
 1. Take adverse action against a nurse's multistate licensure privilege to practice within that party state.
 - i. Only the home state shall have the power to take adverse action against a nurse's license issued by the home state.
 - ii. For purposes of taking adverse action, the home state licensing board shall give the same priority and effect to reported conduct received from a remote state as it would if such

conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

2. Issue cease and desist orders or impose an encumbrance on a nurse's authority to practice within that party state.
 3. Complete any pending investigations of a nurse who changes primary state of residence during the course of such investigations. The licensing board shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of such investigations to the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any such actions.
 4. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses, as well as, the production of evidence. Subpoenas issued by a licensing board in a party state for the attendance and testimony of witnesses or the production of evidence from another party state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence are located.
 5. Obtain and submit, for each nurse licensure applicant, fingerprint or other biometric-based information to the Federal Bureau of Investigation for criminal background checks, receive the results of the Federal Bureau of Investigation record search on criminal background checks and use the results in making licensure decisions.
 6. If otherwise permitted by state law, recover from the affected nurse the costs of investigations and disposition of cases resulting from any adverse action taken against that nurse.
 7. Take adverse action based on the factual findings of the remote state, provided that the licensing board follows its own procedures for taking such adverse action.
- b. If adverse action is taken by the home state against a nurse's multistate license, the nurse's multistate licensure privilege to practice in all other party states shall be deactivated until all

encumbrances have been removed from the multistate license. All home state disciplinary orders that impose adverse action against a nurse's multistate license shall include a statement that the nurse's multistate licensure privilege is deactivated in all party states during the pendency of the order.

- c. Nothing in this Compact shall override a party state's decision that participation in an alternative program may be used in lieu of adverse action. The home state licensing board shall deactivate the multistate licensure privilege under the multistate license of any nurse for the duration of the nurse's participation in an alternative program.

ARTICLE VI

Coordinated Licensure Information System and Exchange of Information

- a. All party states shall participate in a coordinated licensure information system of all licensed registered nurses (RNs) and licensed practical/vocational nurses (LPNs/VNs). This system will include information on the licensure and disciplinary history of each nurse, as submitted by party states, to assist in the coordination of nurse licensure and enforcement efforts.
- b. The Commission, in consultation with the administrator of the coordinated licensure information system, shall formulate necessary and proper procedures for the identification, collection and exchange of information under this Compact.
- c. All licensing boards shall promptly report to the coordinated licensure information system any adverse action, any current significant investigative information, denials of applications (with the reasons for such denials) and nurse participation in alternative programs known to the licensing board regardless of whether such participation is deemed nonpublic or confidential under state law.
- d. Current significant investigative information and participation in nonpublic or confidential alternative programs shall be transmitted through the coordinated licensure information system only to party state licensing boards.
- e. Notwithstanding any other provision of law, all party state licensing boards contributing information to the coordinated licensure information system may designate information that may not be shared with non-party states or disclosed to other entities or individuals without the express permission of the contributing state.

- f. Any personally identifiable information obtained from the coordinated licensure information system by a party state licensing board shall not be shared with non-party states or disclosed to other entities or individuals except to the extent permitted by the laws of the party state contributing the information.
- g. Any information contributed to the coordinated licensure information system that is subsequently required to be expunged by the laws of the party state contributing that information shall also be expunged from the coordinated licensure information system.
- h. The Compact administrator of each party state shall furnish a uniform data set to the Compact administrator of each other party state, which shall include, at a minimum:
 - 1. Identifying information;
 - 2. Licensure data;
 - 3. Information related to alternative program participation; and
 - 4. Other information that may facilitate the administration of this Compact, as determined by Commission rules.
- i. The Compact administrator of a party state shall provide all investigative documents and information requested by another party state.

ARTICLE VII

Establishment of the Interstate Commission of Nurse Licensure Compact Administrators

- a. The party states hereby create and establish a joint public entity known as the Interstate Commission of Nurse Licensure Compact Administrators.
 - 1. The Commission is an instrumentality of the party states.
 - 2. Venue is proper, and judicial proceedings by or against the Commission shall be brought solely and exclusively, in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.
 - 3. Nothing in this Compact shall be construed to be a waiver of sovereign immunity.
- b. Membership, Voting and Meetings
 - 1. Each party state shall have and be limited to one administrator. The head of the state licensing board or designee shall be the administrator of this Compact for each party state. Any

administrator may be removed or suspended from office as provided by the law of the state from which the Administrator is appointed. Any vacancy occurring in the Commission shall be filled in accordance with the laws of the party state in which the vacancy exists.

2. Each administrator shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. An administrator shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for an administrator's participation in meetings by telephone or other means of communication.
3. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws or rules of the commission.
4. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Article VIII.
5. The Commission may convene in a closed, nonpublic meeting if the Commission must discuss:
 - i. Noncompliance of a party state with its obligations under this Compact;
 - ii. The employment, compensation, discipline or other personnel matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;
 - iii. Current, threatened or reasonably anticipated litigation;
 - iv. Negotiation of contracts for the purchase or sale of goods, services or real estate;
 - v. Accusing any person of a crime or formally censuring any person;
 - vi. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
 - vii. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
 - viii. Disclosure of investigatory records compiled for law enforcement purposes;
 - ix. Disclosure of information related to any reports prepared by or on behalf of the Commission for the purpose of investigation of compliance with this Compact; or
 - x. Matters specifically exempted from disclosure by federal or state statute.

6. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.
- c. The Commission shall, by a majority vote of the administrators, prescribe bylaws or rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of this Compact, including but not limited to:
1. Establishing the fiscal year of the Commission;
 2. Providing reasonable standards and procedures:
 - i. For the establishment and meetings of other committees; and
 - ii. Governing any general or specific delegation of any authority or function of the Commission;
 3. Providing reasonable procedures for calling and conducting meetings of the Commission, ensuring reasonable advance notice of all meetings and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The Commission may meet in closed session only after a majority of the administrators vote to close a meeting in whole or in part. As soon as practicable, the Commission must make public a copy of the vote to close the meeting revealing the vote of each administrator, with no proxy votes allowed;
 4. Establishing the titles, duties and authority and reasonable procedures for the election of the officers of the Commission;
 5. Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the Commission. Notwithstanding any civil service or other similar laws of any

party state, the bylaws shall exclusively govern the personnel policies and programs of the Commission; and

6. Providing a mechanism for winding up the operations of the Commission and the equitable disposition of any surplus funds that may exist after the termination of this Compact after the payment or reserving of all of its debts and obligations;
- d. The Commission shall publish its bylaws and rules, and any amendments thereto, in a convenient form on the website of the Commission.
- e. The Commission shall maintain its financial records in accordance with the bylaws.
- f. The Commission shall meet and take such actions as are consistent with the provisions of this Compact and the bylaws.
- g. The Commission shall have the following powers:
 1. To promulgate uniform rules to facilitate and coordinate implementation and administration of this Compact. The rules shall have the force and effect of law and shall be binding in all party states;
 2. To bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any licensing board to sue or be sued under applicable law shall not be affected;
 3. To purchase and maintain insurance and bonds;
 4. To borrow, accept or contract for services of personnel, including, but not limited to, employees of a party state or nonprofit organizations;
 5. To cooperate with other organizations that administer state compacts related to the regulation of nursing, including but not limited to sharing administrative or staff expenses, office space or other resources;
 6. To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of this Compact, and to establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters;

7. To accept any and all appropriate donations, grants and gifts of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the Commission shall avoid any appearance of impropriety or conflict of interest;
 8. To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, whether real, personal or mixed; provided that at all times the Commission shall avoid any appearance of impropriety;
 9. To sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property, whether real, personal or mixed;
 10. To establish a budget and make expenditures;
 11. To borrow money;
 12. To appoint committees, including advisory committees comprised of administrators, state nursing regulators, state legislators or their representatives, and consumer representatives, and other such interested persons;
 13. To provide and receive information from, and to cooperate with, law enforcement agencies;
 14. To adopt and use an official seal; and
 15. To perform such other functions as may be necessary or appropriate to achieve the purposes of this Compact consistent with the state regulation of nurse licensure and practice.
- h. Financing of the Commission
1. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities.
 2. The Commission may also levy on and collect an annual assessment from each party state to cover the cost of its operations, activities and staff in its annual budget as approved each year. The aggregate annual assessment amount, if any, shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule that is binding upon all party states.
 3. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the party states, except by, and with the authority of, such party state.

4. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Commission.

i. Qualified Immunity, Defense and Indemnification

1. The administrators, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional, willful or wanton misconduct of that person.

2. The Commission shall defend any administrator, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further that the actual or alleged act, error or omission did not result from that person's intentional, willful or wanton misconduct.

3. The Commission shall indemnify and hold harmless any administrator, officer, executive director, employee or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission

employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from the intentional, willful or wanton misconduct of that person.

ARTICLE VIII

Rulemaking

- a. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Article and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment and shall have the same force and effect as provisions of this Compact.
- b. Rules or amendments to the rules shall be adopted at a regular or special meeting of the Commission.
- c. Prior to promulgation and adoption of a final rule or rules by the Commission, and at least sixty (60) days in advance of the meeting at which the rule will be considered and voted upon, the Commission shall file a notice of proposed rulemaking:
 1. On the website of the Commission; and
 2. On the website of each licensing board or the publication in which each state would otherwise publish proposed rules.
- d. The notice of proposed rulemaking shall include:
 1. The proposed time, date and location of the meeting in which the rule will be considered and voted upon;
 2. The text of the proposed rule or amendment, and the reason for the proposed rule;
 3. A request for comments on the proposed rule from any interested person; and
 4. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments.
- e. Prior to adoption of a proposed rule, the Commission shall allow persons to submit written data, facts, opinions and arguments, which shall be made available to the public.
- f. The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment.

- g. The Commission shall publish the place, time and date of the scheduled public hearing.
 - 1. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing. All hearings will be recorded, and a copy will be made available upon request.
 - 2. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this section.
- h. If no one appears at the public hearing, the Commission may proceed with promulgation of the proposed rule.
- i. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.
- j. The Commission shall, by majority vote of all administrators, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
- k. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment or hearing, provided that the usual rulemaking procedures provided in this Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:
 - 1. Meet an imminent threat to public health, safety or welfare;
 - 2. Prevent a loss of Commission or party state funds; or
 - 3. Meet a deadline for the promulgation of an administrative rule that is required by federal law or rule.
- l. The Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall

be made in writing, and delivered to the Commission, prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

ARTICLE IX

Oversight, Dispute Resolution and Enforcement

a. Oversight

1. Each party state shall enforce this Compact and take all actions necessary and appropriate to effectuate this Compact's purposes and intent.
2. The Commission shall be entitled to receive service of process in any proceeding that may affect the powers, responsibilities or actions of the Commission, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process in such proceeding to the Commission shall render a judgment or order void as to the Commission, this Compact or promulgated rules.

b. Default, Technical Assistance and Termination

1. If the Commission determines that a party state has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall:
 - i. Provide written notice to the defaulting state and other party states of the nature of the default, the proposed means of curing the default or any other action to be taken by the Commission; and
 - ii. Provide remedial training and specific technical assistance regarding the default.
2. If a state in default fails to cure the default, the defaulting state's membership in this Compact may be terminated upon an affirmative vote of a majority of the administrators, and all rights, privileges and benefits conferred by this Compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.
3. Termination of membership in this Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be

given by the Commission to the governor of the defaulting state and to the executive officer of the defaulting state's licensing board and each of the party states.

4. A state whose membership in this Compact has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.
5. The Commission shall not bear any costs related to a state that is found to be in default or whose membership in this Compact has been terminated unless agreed upon in writing between the Commission and the defaulting state.
6. The defaulting state may appeal the action of the Commission by petitioning the U.S. District Court for the District of Columbia or the federal district in which the Commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

c. Dispute Resolution

1. Upon request by a party state, the Commission shall attempt to resolve disputes related to the Compact that arise among party states and between party and non-party states.
2. The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes, as appropriate.
3. In the event the Commission cannot resolve disputes among party states arising under this Compact:
 - i. The party states may submit the issues in dispute to an arbitration panel, which will be comprised of individuals appointed by the Compact administrator in each of the affected party states and an individual mutually agreed upon by the Compact administrators of all the party states involved in the dispute.
 - ii. The decision of a majority of the arbitrators shall be final and binding.

d. Enforcement

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this Compact.

2. By majority vote, the Commission may initiate legal action in the U.S. District Court for the District of Columbia or the federal district in which the Commission has its principal offices against a party state that is in default to enforce compliance with the provisions of this Compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.
3. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or state law.

ARTICLE X

Effective Date, Withdrawal and Amendment

- a. This Compact shall become effective and binding on the earlier of the date of legislative enactment of this Compact into law by no less than twenty-six (26) states or December 31, 2018. All party states to this Compact, that also were parties to the prior Nurse Licensure Compact, superseded by this Compact, ("Prior Compact"), shall be deemed to have withdrawn from said Prior Compact within six (6) months after the effective date of this Compact.
- b. Each party state to this Compact shall continue to recognize a nurse's multistate licensure privilege to practice in that party state issued under the Prior Compact until such party state has withdrawn from the Prior Compact.
- c. Any party state may withdraw from this Compact by enacting a statute repealing the same. A party state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.
- d. A party state's withdrawal or termination shall not affect the continuing requirement of the withdrawing or terminated state's licensing board to report adverse actions and significant investigations occurring prior to the effective date of such withdrawal or termination.
- e. Nothing contained in this Compact shall be construed to invalidate or prevent any nurse licensure agreement or other cooperative arrangement between a party state and a non-party state that is made in accordance with the other provisions of this Compact.

- f. This Compact may be amended by the party states. No amendment to this Compact shall become effective and binding upon the party states unless and until it is enacted into the laws of all party states.
- g. Representatives of non-party states to this Compact shall be invited to participate in the activities of the Commission, on a nonvoting basis, prior to the adoption of this Compact by all states.

ARTICLE XI

Construction and Severability

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable, and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any party state or of the United States, or if the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact shall be held to be contrary to the constitution of any party state, this Compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

The New Nurse Compact: A Summary of the Key Provisions

(Policy changes from the 1997 NLC are in red text.)

Article I Findings and Declaration of Purpose

- Facilitate the states' responsibility to protect the public's health and safety;
- Ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation;
- Facilitate the exchange of information between party states in the areas of nurse regulation, investigation and adverse actions;
- Promote compliance with the laws governing the practice of nursing in each jurisdiction;
- Invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses;
- Decrease redundancies in the consideration and issuance of nurse licenses; and
- Provide opportunities for interstate practice by nurses who meet uniform licensure requirements.

Article II Definitions (self-explanatory)

Article III General Provisions and Jurisdiction

- Eligibility and uniform licensure requirements for a multistate license
- Authority to take adverse action against a multistate licensure privilege with application of state due process laws
- Nurse compliance with state practice laws
- Exclusion of advanced practice nurses
- Grandfathering provision

Article IV Applications for Licensure in a Party State

- Required verification of licensure information via the coordinated licensure information system
- Limitation to one home state license
- Outlines process for change of primary residence/home state

Article V Additional Authorities Invested in Party State Licensing Boards

- Provides authority to
 - Take adverse action against a multistate licensure privilege
 - Allow cease and desist orders to limit privileges
 - Issue subpoenas
 - Obtain and submit criminal background checks
- Requires deactivation of multistate licensure privileges when license encumbered
- Allows for alternative to discipline program participation

Article VI Coordinated Licensure Information System and Exchange of Information

- Requires participation in Coordinated Licensure Information System
- Requires prompt reporting of adverse action, current significant investigative information and participation in alternative to discipline programs when known to the board of nursing.
- Provides for exchange of information with other party states

Article VII Establishment of the Interstate Commission of Nurse Licensure Compact Administrators

Establishes the governing body as a public agency known as an “Interstate Commission.” This term is commonly used by other interstate compact governing bodies.

Article VIII Rulemaking

Allows for rules to be adopted directly by the Commission. Such rulemaking is legally binding in all party states. There is no requirement that rules be ratified or adopted by individual states. Such rulemaking authority has been permitted and exercised by other interstate compacts. The procedural requirements are based on the national Model Administrative Procedures Act, which is similar to most state APAs and includes:

- Provision for notice to the public of proposed and adopted rules
- Opportunity for comment
- Opportunity for public hearing
- Consideration and voting upon proposed rules
- Responding to comments received

Article IX Oversight, Dispute Resolution and Enforcement

Ensures compliance with the compact by member states. The procedures to be followed in the event of a failure by a party state to comply with the Compact include:

- A period of technical assistance in curing the default
- Improved dispute resolution processes; and
- Termination from the Compact in the event no other means of compliance has been successful.

Article X Effective Date, Withdrawal and Amendment

Addresses the method for states to enter, withdraw from or amend the compact.

Article XI Construction and Severability

Provides for the compact to remain valid in a state when any provision is declared to be contrary to a party state’s constitution.

The NCSBN Board of Directors met March 17, 2015. At this meeting the Board made the following motion:

1. Per Article IV, Section 5 of the NCSBN Bylaws, I move the Board of Directors call a special session of the Delegate Assembly on May 4, 2015 to be held in Chicago, Illinois for the purpose of approval of the new nurse licensure compact and the new advanced practice registered nurse compact and any related business.

Additionally, the Board moved to fund two members from each jurisdiction to attend the special Delegate Assembly.

The special session of the Delegate Assembly will be held in Chicago, Illinois at the Marriott O'Hare Hotel. Registration will be from 8:00am to 9:30am. The special session will begin at 9:30am through 1:00pm. Notification for online registration will be sent to the membership next week.

Within the next week, Joe Dudzik, Director of Human Resources will be sending out a request for identification of member delegates, similar to the process utilized at the annual meeting.

Per the NCSBN Bylaws, proxy voting may be allowed at any special session. The bylaw language reads:

Article IV, Section 2.b. states:

Special Meetings. A Member Board may choose to vote by proxy at any special session of the Delegate Assembly. A proxy vote shall be conducted by distributing to Member Boards a proxy ballot listing a proposal requiring either a yes or no vote. A Member Board may authorize the corporate secretary of the NCSBN or a delegate of another Member Board to cast its votes.