

TITLE 485. OKLAHOMA BOARD OF NURSING
CHAPTER 10. LICENSURE OF PRACTICAL AND REGISTERED NURSES

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Minimum Standards for Approved Nursing Education Programs

485:10-5-5.2. [AMENDED]

485:10-5-12. [AMENDED]

Subchapter 7. Requirements for Registration and Licensure as a Registered Nurse

485:10-7-1. [AMENDED]

485:10-7-2. [AMENDED]

Subchapter 9. Requirements for Registration and Licensure as a Licensed Practical Nurse

485:10-9-1. [AMENDED]

485:10-9-2. [AMENDED]

485:10-9-4. [AMENDED]

Subchapter 11. Disciplinary Action

485:10-11-1. [AMENDED]

Subchapter 15. Requirements for Practice as an Advanced Practice Registered Nurse

485:10-15-4. [AMENDED]

485:10-15-5. [AMENDED]

Subchapter 16. Requirements for Prescriptive Authority for Advanced Practice Registered Nurses

485:10-16-6. [AMENDED]

SUMMARY:

Proposed revisions include:

Subchapter 5 includes grammatical clarification in OAC 485:10-5-5.2(d); and adds the word “higher” in consideration of existing nursing education bridge programs. OAC 485:10-5-12(c)(2) adds “unencumbered” in alignment with in-state nursing education faculty requirements.

Subchapters 7 and 9 have citation corrections due to reformatting of Rules. Options for qualification for practice are expanded for endorsement applicants, in alignment with current options for renewal and reinstatement of licensure. Specific to subchapter 9, the period of demonstrating evidence of continued qualifications is extended from two years to five years aligning with Board-approved timeline.

Subchapter 11 adds new language clarifying deceit or material misrepresentation.

Subchapter 15 proposes grammatical and punctuation revisions to clarify options for demonstrating continued qualifications as introduced in stem language.

Subchapter 16 adds new language in consideration of the recommendation included in *The Oklahoma Commission on Opioid Abuse – Final Report*, as developed by the nine-member commission and issued on January 23, 2018 by Attorney General Mike Hunter, Chairman of the Commission, for appropriate medical boards to pursue requiring at least one hour of continuing education on proper prescribing, the risks of opioids and recognizing addiction and diversion for all prescribers every reporting period.

AUTHORITY:

Oklahoma Board of Nursing; 59 O.S. §§ 567.2(A); 567.4(F); 567.5(B)(5)(D); 567.5a(B)(6) (C) (D)(6)(7); 567.6(B)(5)(D); 567.7(B); 567.8; 567.12(A)(B); 567.12a(B)

COMMENT PERIOD:

Persons wishing to submit written comments must do so by January 28, 2019, at 4:30 p.m. to the Oklahoma Board of Nursing, 2915 N. Classen, Suite 524, Oklahoma City, Oklahoma 73106, Attn: Jackye Ward, MS, RN, NEA-BC.

PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views on Tuesday, February 5, 2019, at 5:30 p.m., at The Sheraton Oklahoma City Downtown, 2nd floor Ballroom, 1 North Broadway Avenue, Oklahoma City, Oklahoma. Anyone who wishes to speak at this public hearing must sign in with the Oklahoma Board of Nursing by 5:00 p.m., February 5, 2019.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed *Rules* are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed *Rules*. Business entities may submit this information in writing by January 28, 2019, at 4:30 p.m., to the Oklahoma Board of Nursing, 2915 N. Classen, Suite 524, Oklahoma City, OK 73106, Attn: Jackye Ward, MS, RN, NEA-BC.

COPIES OF PROPOSED RULES:

Copies of the proposed *Rules* may be obtained by contacting Jackye Ward, MS, RN, NEA-BC, at the Oklahoma Board of Nursing, 2915 N. Classen, Suite 524, Oklahoma City, Oklahoma 73106, (405) 962-1809. The proposed amendments may also be viewed on the Oklahoma Board of Nursing web site at <http://www.nursing.ok.gov/rules.html>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. Section 303(D), a rule impact statement has been prepared. The rule impact statement may be obtained by contacting Jackye Ward, MS, RN, NEA-BC, at the Oklahoma Board of Nursing, 2915 N. Classen, Suite 524, Oklahoma City, Oklahoma 73106, (405) 962-1809. The Rule Impact Statement may also be viewed on the Oklahoma Board of Nursing web site at <http://www.nursing.ok.gov/rules.html>.

CONTACT PERSON:

Jackye Ward, MS, RN, NEA-BC, (405) 962-1809.

RULE IMPACT STATEMENT: OAC Title 485. Oklahoma Board of Nursing, Chapter 10. Licensure of Practical and Registered Nurses, Subchapter 5. Minimum Standards for Approved Nursing Education Programs; Subchapter 7. Requirements for Registration and Licensure as a Registered Nurse; Subchapter 9. Requirements for Registration and Licensure as a Licensed Practical Nurse; Subchapter 11. Disciplinary Action; Subchapter 15. Requirements for Practice as an Advanced Practice Registered Nurse; Subchapter 16. Requirements for Prescriptive Authority for Advanced Practice Registered Nurses

a. Description of the purpose of the proposed rule:

Revisions to Subchapter 5 include grammatical clarification by adding the word, “for” when referencing faculty responsibilities related to the teaching-learning process. OAC 485:10-5-5.2(g)(1) adds “or higher” specific to degree to be held by nursing program faculty in consideration of existing nursing education bridge programs. OAC 485:10-5-12(c)(2) adds “unencumbered” to faculty nursing licensure status.

In Subchapters 7 and 9, citations are corrected due to earlier reformatting of Rules, and the word “or” is added to clarify that only one option of meeting continuing qualifications for practice. Specific to endorsement of licensure, additional options for demonstrating evidence of meeting continuing qualifications for practice are added to align with previous Board-approved rules. Specific to Subchapter 9, the period of time for demonstrating evidence of meeting continuing qualifications is extended from two years to five years to align with previously approved timeline and the timeline of surrounding compact states.

Revisions in Subchapter 11 add new language clarifying “deceit” and “misrepresentation”. In Subchapter 15, “and/or” is removed as the number of options to be selected is clear in the stem language.

OAC 485:10-16-6(B) adds new language in consideration of the recommendation included in *The Oklahoma Commission on Opioid Abuse – Final Report*, as developed by the nine-member commission and issued on January 23, 2018, by Attorney General Mike Hunter, Chairman of the Commission, for appropriate medical boards to pursue requiring at least one hour of continuing education on proper prescribing, the risks of opioids and recognizing addiction and diversion for all prescribers every reporting period.

b. Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

Specific to Subchapter 5, the class of persons most likely affected favorably by the proposed rules include practical nursing education faculty who obtain through a bridge program, a degree in nursing higher than a baccalaureate degree.

In regard to Subchapters 7 and 9, the classes of persons most like to be affected favorably by the proposed rules include applicants for nursing licensure by endorsement, as it provides two additional options for demonstrating evidence of meeting required continued qualifications for practice. In Subchapter 9, additional proposed revisions extend the period of time for meeting the continuing qualifications for practice requirements from two years to five years, as approved in other sections of the rules in 2018; therefore, benefiting both endorsement and reinstatement applicants.

The classes of persons who will most likely be affected by the proposed rules revisions in Subchapter 11 include those who have participated in “deceit or misrepresentation” actions in applying for licensure and/or taking the licensure/certification examinations.

Specific to Subchapter 16, the classes of persons most likely affected by the proposed revisions include Advanced Practice Registered Nurses (APRNs) with prescriptive authority.

c. Description of classes of persons who will benefit from the proposed rule:

The classes of persons who will benefit from proposed rules in Subchapter 5 include practical nursing education faculty who have obtained a nursing degree higher than baccalaureate through a nursing education bridge program.

The classes of persons who will benefit from proposed rules in Subchapter 7 and 9 are RN and LPN endorsement applicants who will be able to consider two additional options when demonstrating evidence of continuing qualifications for practice. In addition, specific to Subchapter 9, practical nurse endorsement and reinstatement applicants will benefit from being allowed five years, instead of two years, to demonstrate evidence of meeting required continuing qualifications for practice.

The classes of persons who will benefit from Subchapter 15 proposed rule changes include APRNs endorsing into Oklahoma or reinstating his/her OK APRN license, as formatting clarifies that the applicant need meet only one of the options for demonstrating continuing qualifications for practice.

Regarding proposed changes in Subchapter 16, the public seeking health care in OK will benefit from providers with prescriptive authority being educated and informed specific to proper prescribing of opioids, risks of opioids, and/or recognizing addiction and diversion.

d. Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change.

There are no fee increases associated with the proposed rules.

e. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency.

There are no additional costs to the agency for implementation and enforcement of the proposed rules. There is not an anticipated impact on state revenue.

f. Determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

The implementation of the proposed rule will have no economic impact on any political subdivision or require cooperation in implementing or enforcing the rule.

- g. Determination of whether implementation of the proposed rule will have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.

The proposed rules will have no impact on small business.

- h. Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

The agency carefully considered each of the proposed rules to ensure there were no less costly, non-regulatory, or less intrusive methods to implement the statutory requirements and meet the agency's mission of protection of the public. It was determined that each of the proposed rules provides the most effective and fiscally-responsible method for achieving the purpose.

- i. Determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

The proposed rules will have a positive effect on the public health, safety and environment, by expanding the educational pathway of practical nurse educators in consideration of current nursing education bridge programs, without compromising the competency of the educator. Adding two more options of demonstrating evidence of meeting continuing qualifications for practice for endorsement applicants, expands the pool of nursing applicants in OK without compromising nursing competency to practice. In addition, practical nursing endorsement and reinstatement applicants are afforded five years instead of two years to meeting continuing qualifications for practice. This expansion of time is in alignment with other enhanced Nurse Licensure Compact states and language approved for registered nurse applicants in 2018. Providing clarification of what acts are considered as "deceit or misrepresentation" further protects the public from those who are licensed to practice nursing and those applying for nursing licensure in OK who commit such actions.

- j. Determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented:

There is not a detrimental effect on the public health, safety and environment if the proposed rule is not implemented.

- k. Date the rule impact statement was prepared and if modified, the date modified:

Prepared: October 25, 2018

**CHAPTER 10. LICENSURE OF PRACTICAL AND REGISTERED NURSES
SUBCHAPTER 1. GENERAL PROVISIONS**

**SUBCHAPTER 5. MINIMUM STANDARDS FOR APPROVED NURSING
EDUCATION PROGRAMS**

485:10-5-5.2. Faculty for nursing education programs

- (a) There shall be sufficient number of qualified full-time faculty to meet the purpose and student learning outcomes of the nursing program.
- (b) Qualifications, rights, and responsibilities of faculty members shall be available in writing.
- (c) Faculty policies shall be available in writing, shall include those used in evaluating performance, specify the teaching load for the faculty and Nurse Administrator, and be in keeping with accepted educational standards.
- (d) Sufficient time shall be provided for faculty to accomplish those activities related to the teaching-learning process.
- (e) All nurse faculty shall:
 - (1) hold a valid unencumbered license to practice as a Registered Nurse in the State of Oklahoma;
 - (2) present evidence of a minimum of two (2) years full-time equivalent practice as a Registered Nurse in a clinical setting preceding the first date of first employment as a nursing faculty member, PROVIDED: any person employed in the faculty position on September 1, 2016, is deemed to meet this requirement;
 - (3) submit a Faculty Qualification Record to the Board office on a form provided by the Board and in accordance to OAC 485:10-3-5(1); and
 - (4) engage in teaching, scholarship, service and/or practice in keeping with the mission, goals, and expected faculty outcomes.
- (f) All programs leading to licensure as a Registered Nurse in this state shall establish comparable educational qualifications for the nursing faculty as required for other teaching faculty in the governing organization. The minimum requirements shall be as follows:
 - (1) a master's or higher degree in nursing; or
 - (2) a baccalaureate degree in nursing plus evidence of continued progress toward a master's or higher degree in nursing with completion of a minimum of six (6) semester hours per calendar year; and
 - (3) at least one-half of the full-time faculty having a master's or higher degree in nursing; and
 - (4) part-time clinical instructors, regardless of title used, having a minimum of a baccalaureate degree in nursing.
- (g) All programs leading to licensure as a Practical Nurse in this state shall establish requirements for nursing faculty as follows:
 - (1) minimum of an associate degree or diploma in nursing in this state, and effective January 1, 2017, has evidence of continued progress toward a baccalaureate or higher degree in nursing with completion of a minimum of six (6) semester hours per calendar year, PROVIDED: any person employed in the position of faculty of a practical nursing education program on December 31, 2016, is deemed to meet this requirement; and
 - (2) teacher certification, as established by the State Department of Education, when employed in schools conducted by public comprehensive high school systems.

(h) There shall be a faculty organization with written policies and procedures to guide its activities and shall:

- (1) hold regular meetings for all members to participate in planning, developing, implementing, and evaluating the nursing program;
- (2) establish committees as necessary to carry out the functions of the program;
- (3) provide for student participation; and
- (4) maintain minutes of all meetings documenting actions and decisions of the faculty.

485:10-5-12. Out-of-State nursing education programs conducting clinical experiences in Oklahoma

(a) Nursing education programs leading to initial licensure that wish to conduct clinical experiences in Oklahoma must obtain prior permission from the Board.

(b) To apply for permission from the Board, the program must submit a letter of request to the Board and provide evidence that the following standards will be met:

- (1) The program must be on full approval status with the board of nursing in another member board jurisdiction;
- (2) The program will provide for supervision of students while in the clinical area by a nursing faculty member with an unencumbered Oklahoma nursing license;
- (3) A written clinical affiliation agreement with the clinical facility will be in place; and
- (4) If precepted clinical experiences are requested, the program will ensure they are conducted in accordance with the Board's policy.

(c) Registered Nurses enrolled in out-of-state advanced practice registered nursing education programs may participate in clinical experiences and clinical preceptorship in Oklahoma as part of the advanced practice registered nursing education program, under the following conditions:

- (1) The advanced practice registered nurse student has an unencumbered Oklahoma license to practice registered nursing,
- (2) The faculty responsible for oversight of the clinical component of the nursing education program has an Oklahoma unencumbered license to practice nursing at the level of the education being taught or higher, and
- (3) The advanced practice registered nursing education program meets the requirements established by the Oklahoma Board of Nursing for education preparation of Advanced Practice Registered Nurses.

SUBCHAPTER 7. REQUIREMENTS FOR REGISTRATION AND LICENSURE AS A REGISTERED NURSE

485:10-7-1. Licensure by examination

(a) **Qualifications.** An applicant for licensure by examination as a Registered Nurse must meet the following qualifications:

- (1) Submits an application containing such information as the Board may prescribe;
- (2) Be a minimum of eighteen (18) years of age on or before the date the license is issued;
- (3) Cause submission of an official transcript showing completion of the basic professional curricula of a state Board-approved registered nursing education program conducted in a member board jurisdiction that meets the requirements of ~~485:10-5-6 (d)(1), (2), and (3)~~ 485:10-5-6(d), and showing the diploma or degree and the date conferred. The transcript

must be obtained from an entity approved and recognized by the U.S. Department of Education as a primary source for providing education transcripts.

(b) **Applications.** Applications for licensure by examination must be completed and filed with the Board prior to the examination. If the application is not completed within one (1) year, a new application and new fee will be required.

(c) **Admission to the examination.** The candidate must register with the authorized testing service and submit the required fee. An authorization to test will be issued by the testing service allowing the candidate to schedule the examination.

(d) **Fee for examination.**

(1) The fee for writing the licensing examination adopted by the Board for Registered Nurse licensure shall be established by the Board in accordance with statutory guidelines and shall accompany the application.

(2) The fee for rewriting the licensing examination adopted by the Board for Registered Nurse licensure shall be the same as the fee established for the first-time writing.

(3) The fee for the examination is not refundable.

(e) **Policies for the examination.**

(1) Applicants must pass the National Council Licensure Examination for Registered Nurses (NCLEX-RN).

(2) Applicants who fail the NCLEX-RN may be eligible to repeat the examination upon filing an application and fee, and upon meeting Board requirements.

(3) To be eligible to write or rewrite the NCLEX-RN, the applicant must submit a completed application, transcript, and fee to the Board and a completed registration form and fee to the authorized testing service within two years of completion of the nursing education program. If more than two years has elapsed, the applicant must complete additional education as follows:

(A) Successfully complete a Board-approved refresher course in accordance with the Board's policy; or

(B) Successfully complete nursing didactic coursework and faculty-supervised clinical experience in a board-approved nursing education program at the appropriate educational level, to include at least 80 hours in classroom and skills laboratory review and at least 80 hours participating in patient care activities in the clinical setting.

(4) After completion of the required additional education, the applicant will have two years from the completion date of the additional education to take and pass the NCLEX-RN.

(5) If more than two (2) years has elapsed since the applicant successfully passed the NCLEX-RN and did not obtain licensure as a Registered Nurse, the applicant must complete additional education as follows:

(A) Successfully complete a Board-approved refresher course in accordance with the Board's policy; or

(B) Successfully complete nursing didactic coursework and faculty-supervised clinical experience in a Board-approved nursing education program at the appropriate educational level, to include at least 80 hours in classroom and skills laboratory review and at least 80 hours participating in patient care activities in the clinical setting.

485:10-7-2. Licensure by endorsement

(a) **Qualifications.**

- (1) The applicant must submit an application containing such information as the Board may prescribe;
- (2) Be a minimum of eighteen (18) years of age on or before the date the license is issued;
- (3) An applicant for licensure by endorsement as a Registered Nurse must meet the requirements of the Oklahoma Nursing Practice Act. An evaluation of educational requirements may be completed to ensure the applicant meets educational standards.
- (4) An applicant licensed in another state or U.S. territory since January 1, 1952 must have written the licensing examination adopted by the Board with a passing score as established by the Board. A license to practice nursing in Oklahoma will not be issued until this requirement is met.
- (5) An applicant must submit evidence of either:
 - (A) successful completion of the National Council Licensure Examination for Registered Nurses since July 1, 1982; or
 - (B) passing the State Board Test Pool Examination for Registered Nurse licensure prior to July 1, 1982.
- (6) In addition to meeting other requirements for endorsement established by the Board in these Rules, each applicant for endorsement must demonstrate evidence of continued qualifications for practice through completion of one or more of the following requirements within the last five (5) years prior to receipt of the completed application in the Board office:
 - (A) Submission of an official transcript or certificate of completion verifying completion of a nurse refresher course with content consistent with Board policy;
 - (B) Successfully pass the National Council Licensure Examination for Registered Nurses;
 - (C) Cause submission of an official transcript, provided by an entity approved and recognized by the U.S. Department of Education as a primary source for providing education transcripts, verifying successful completion of at least six (6) academic semester credit hours of nursing courses which include classroom and clinical instruction; ~~and/or~~
 - (D) Present evidence of licensure as a registered nurse in another state, territory or country with employment in a position that requires nursing licensure with verification of at least 520 work hours during the past five (5) years;
 - (E) Submit evidence of completing at least twenty-four (24) contact hours of continuing education applicable to nursing practice;
 - (F) Submit current certification in a nursing specialty area.
- (7) Applicants for endorsement who took the National Council Licensure Examination for Registered Nurses for initial licensure within the last two years must:
 - (A) Provide evidence of completion of the nursing education program within two years of initial application for licensure by examination; or
 - (B) Provide evidence of at least six months work experience as a registered nurse in the state, U.S. territory, or country of licensure; or
 - (C) Successfully complete a Board-approved refresher course in accordance with the Board's policy; or
 - (D) Successfully complete nursing didactic coursework and faculty-supervised clinical experience in a board-approved nursing education program at the appropriate educational level, to include at least 80 hours in classroom and skills laboratory review and at least 80 hours participating in patient care activities in the clinical setting.

(b) Applications.

- (1) Applications must be completed and filed with the Board.
 - (2) Endorsement may be accepted from the original state or U.S. territory of licensure by examination.
 - (3) If the applicant has written the licensing examination adopted by the Board in a state other than the state or U.S. territory of original licensure, an endorsement will be requested from that state, also.
 - (4) If the application is not completed within one (1) year after receipt of fee, the application must be refiled.
- (c) **Fee for licensure by endorsement.**
- (1) The fee shall accompany the application.
 - (2) The fee is not refundable.
 - (3) If the application is not completed within one (1) year, a new application and new fee will be required for licensure.
- (d) **Qualifications for applicants educated in foreign countries or in a U.S. territory.** An applicant educated in a foreign country must meet the current educational requirements for licensure in Oklahoma. An applicant educated in a U.S. territory not recognized as a full member of National Council of State Boards of Nursing (NCSBN) must meet the requirements for applicants educated in foreign countries. An applicant educated in a U.S. territory that is a full member of NCSBN but in a nursing education program not included on the NCSBN state-approved programs of nursing list at the time of the applicant's graduation from the program must meet the requirements for applicants educated in foreign countries.
- (1) The applicant must present evidence of:
 - (A) graduation from a government-approved post-secondary nursing education program, as verified from the Commission of Graduates of Foreign Nursing Schools (CGFNS);
 - (B) completion of formal courses including theory and clinical experience in nursing care of the adult, nursing care of children, maternal-infant nursing, psychiatric-mental health nursing as evidenced by:
 - (i) a translated transcript with certified proof of translation received directly from the nursing education program in the original country of licensure, or
 - (ii) a certified copy of original transcript obtained directly from the Commission of Graduates of Foreign Nursing Schools (CGFNS)
 - (C) licensure or registration as required in country of graduation as evidenced by official verification received directly from the Commission of Graduates of Foreign Nursing Schools;
 - (D) competence in oral and written English as evidenced by receipt of scores directly from the approved testing service or from CGFNS verifying successful completion of:
 - (i) Test of English for International Communication (TOEIC), to include the Listening and Reading Test, and the Speaking and Writing Test of the Educational Testing Service, or
 - (ii) International English Language Testing System (IELTS), or
 - (iii) Test of English as a Foreign Language Internet-based test (TOEFL iBT) of the Educational Testing Service, or
 - (iv) Michigan English Language Assessment Battery (MELAB).
 - (E) An evaluation of educational credentials as evidenced by:
 - (i) CGFNS Certificate Status or Visa Screen Certificate; or
 - (ii) CGFNS Credentials Evaluation Service Professional Report;

- (iii) Reports received from CGFNS must have been completed within the five (5) years immediately preceding the date of application for licensure by endorsement. The five-year requirement is waived if the applicant holds a license in another state.
- (F) Evidence of either:
 - (i) successful completion of the National Council Licensure Examination for Registered Nurses since July 1, 1982; or
 - (ii) passing the State Board Test Pool Examination for Registered Nurse licensure prior to July 1, 1982;
- (2) The requirement for verification by CGFNS is waived for applicants currently licensed in another state when the state validates that the credential review report was prepared by an independent credentials review agency.
- (3) The requirements for competence in spoken and written English are waived for applicants who are:
 - (A) Graduates of nursing education programs taught in English in Australia, Canada (except Quebec), Ireland, New Zealand, the United Kingdom, Trinidad, Tobago, Jamaica, Barbados, South Africa, and the United States.
 - (B) Licensed in another US State or Territory and have successfully completed the licensure examination approved by the Board.
- (4) Applicants must submit a completed application and the required fee.
- (e) **Temporary license for endorsement applicants.**
 - (1) A temporary license may be issued to the applicant on proof of:
 - (A) Current unrestricted licensure in another state, territory or country with no history of arrest or disciplinary action requiring further review;
 - (B) Evidence of having successfully passed the licensure examination adopted by the Oklahoma Board of Nursing;
 - (C) Evidence of meeting educational qualifications through completion of a state board-approved nursing education program meeting the educational standards established by the Board, or an evaluation of educational credentials and nursing licensure or registration as required in country of origin for the foreign-educated nurse as evidenced by:
 - (i) Commission on Graduates of Foreign Nursing Schools (CGFNS) Credentials Evaluation Service Professional Report with verification of equivalent educational credentials and unrestricted licensure in country of origin, or
 - (ii) Commission on Graduates of Foreign Nursing Schools (CGFNS) Certificate status or Visa Screen Certificate, accompanied by a verification of graduation from a government approved nursing education program, the translated transcript, and verification of unrestricted nursing licensure or registration as required in country of graduation;
 - (D) Payment of the fee for licensure by endorsement and temporary license;
 - (E) Foreign-educated applicants must provide evidence of competence in oral and written English by meeting the requirements of 485:10-7-2(d)(1)(D) unless 485:10-7-2(d)~~(2)~~(3) applies;
 - (F) Demonstrating evidence of continued qualifications for practice through meeting the requirements of 485:10-7-2(a)(6) ~~and/or~~ (7); and
 - (G) Submission of fingerprint images with the fee established by the Oklahoma State Bureau of Investigation and/or vendor for the purpose of permitting a state and national criminal history records search to be completed.

- (2) The temporary license may not be issued for a period longer than ninety (90) days.
- (3) The temporary license may be extended, but such period shall be no longer than one (1) year for any applicant.

SUBCHAPTER 9. REQUIREMENTS FOR REGISTRATION AND LICENSURE AS A LICENSED PRACTICAL NURSE

485:10-9-1. Licensure by examination

(a) **Qualifications.** An applicant for licensure by examination as a Licensed Practical Nurse must meet the following qualifications:

- (1) Be a minimum of eighteen (18) years of age on or before the date the license is issued;
- (2) Submits an application containing such information as the Board may prescribe;
- (3) Cause submission of an official transcript from an entity approved and recognized by the U.S. Department of Education as a primary source for providing education transcripts, showing completion of the basic curricula of a state Board-approved practical nursing education program conducted in a member board jurisdiction that meets the requirements of ~~485:10-5-6(e)(1) and (2)~~485:10-5-6(d), and showing the diploma or degree and the date conferred; or
- (4) Has completed equivalent courses through one of the following methods:
 - (A) in a state approved program of nursing with a minimum overall grade point average of 2.0, and a grade of a "C" or higher in all nursing courses. Evidence must be provided by an entity approved and recognized by the U.S. Department of Education as a primary source for providing education transcripts, verifying successful completion of a minimum of one academic year of instruction in a registered nursing education program, including classroom instruction and clinical practice in nursing care of the adult, nursing care of children, and maternal-infant nursing. Course content in anatomy and physiology, growth and development, mental health, pharmacology and nutrition also must have been successfully completed. Courses in external degree programs or completed by challenge examination are not acceptable for PN equivalency; or
 - (B) has completed a registered nursing education program in a foreign country and meets the requirements of 485:10-7-2(d).
- (5) Board-approved role transition learning packet related to legal and ethical aspects of practical nursing must be successfully completed by all PN equivalency applicants prior to approval to write the examination for licensure.

(b) **Applications.** Applications for licensure by examination must be completed and filed with the Board prior to the examination. If the application is not completed within one (1) year, a new application and new fee will be required.

(c) **Admission to the examination.** The candidate must register with the authorized testing service and submit required fee. An authorization to test will be electronically mailed to the candidate by the testing service allowing them to schedule the exam.

(d) **Fee for examination.**

- (1) The fee for writing the licensing examination adopted by the Board for practical nurse licensure shall be established by the Board in accordance with statutory guidelines and shall accompany the application.
- (2) The fee for rewriting the licensing examination adopted by the Board for practical nurse licensure shall be the same as the fee established for the first-time writing.

(3) The fee for the examination (first time and rewrite) is not refundable.

(e) Policies for the examination.

(1) Applicants must pass the National Council Licensure Examination for Practical Nurses (NCLEX-PN).

(2) Applicants who fail the NCLEX-PN may be eligible to repeat the examination upon filing an application and fee meeting Board requirements.

(3) To be eligible to write or rewrite the NCLEX-PN, the applicant must submit a completed application, transcript, and fee to the Board and a completed registration form and fee to the authorized testing service within two years of completion of the nursing education program or the equivalent coursework and/or related experience. If more than two years has elapsed, the applicant must complete additional education as follows:

(A) Successfully complete a Board-approved refresher course in accordance with the Board's policy; or

(B) Successfully complete nursing didactic coursework and faculty-supervised clinical experience in a board-approved nursing education program at the appropriate educational level, to include at least 80 hours in classroom and skills laboratory review and at least 80 hours participating in patient care activities in the clinical setting.

(4) After completion of the required additional education, the applicant will have two years from the completion of the additional education to take and pass the NCLEX-PN.

(5) If more than two (2) years has elapsed since the applicant successfully passed the NCLEX-PN and did not obtain licensure as a Licensed Practical Nurse, the applicant must complete additional education as follows:

(A) Successfully complete a Board-approved refresher course in accordance with the Board's policy; or

(B) Successfully complete nursing didactic coursework and faculty-supervised clinical experience in a Board-approved nursing education program at the appropriate educational level, to include at least 80 hours in classroom and skills laboratory review and at least 80 hours participating in patient care activities in the clinical setting.

485:10-9-2. Licensure by endorsement

(a) Qualifications.

(1) The applicant must submit an application containing such information as the Board may prescribe;

(2) Be a minimum of eighteen (18) years of age on or before the date the license is issued;

(3) An applicant for licensure by endorsement as a Licensed Practical Nurse shall meet the requirements of the Oklahoma Nursing Practice Act. An evaluation of educational requirements may be completed to ensure the applicant meets educational standards.

(4) An applicant licensed in another state or U.S. territory since June 30, 1954, must have passed the licensing examination adopted by the Board. A license to practice practical nursing in Oklahoma will not be issued until this requirement is met.

(5) In addition to meeting other requirements for endorsement established by the Board in these rules, each applicant for endorsement must demonstrate evidence of continued qualifications for practice through completion of one or more of the following requirements within the last five (5) years prior to receipt of the completed application in the Board office:

(A) Submission of an official transcript or certificate of completion verifying completion of a nurse refresher course with content consistent with Board policy;

- (B) Successfully pass the National Council Licensure Examination for Practical Nurses;
- (C) Cause submission of an official transcript, provided by an entity approved and recognized by the U.S. Department of Education as a primary source for providing education transcripts, verifying successful completion of at least six (6) academic semester credit hours or 105 contact hours of nursing courses in a state-approved practical or registered nursing education program, which includes classroom and clinical instruction; ~~and/or~~
- (D) Present evidence of licensure as a practical nurse in another state, territory or country with employment in a position that requires practical nursing licensure with verification of at least 520 work hours during the past ~~two (2)~~ five (5) years;:
- (E) Submit evidence of completing at least twenty-four (24) contact hours of continuing education applicable to nursing practice;
- (F) Submit current certification in a nursing specialty area.

(6) Applicants for endorsement who took the National Council Licensure Examination for Practical Nurses for initial licensure within the last two years must:

- (A) Provide evidence of completion of the nursing education program within two years of initial application for licensure by examination; or
- (B) Provide evidence of at least six months work experience as a Licensed Practical Nurse in the state, U.S. territory, or country of licensure; or
- (C) Successfully complete a Board-approved refresher course in accordance with the Board's policy; or
- (D) Successfully complete nursing didactic coursework and faculty-supervised clinical experience in a board-approved nursing education program at the appropriate educational level, to include at least 80 hours in classroom and skills laboratory review and at least 80 hours participating in patient care activities in the clinical setting.

(b) Applications.

- (1) Applications must be completed and filed with the Board.
- (2) Endorsement may be accepted from the original state of licensure by examination.
- (3) If the applicant has written the licensing examination adopted by the Board in a state other than the state or U.S. territory of original licensure, an endorsement will be requested from that state, also.
- (4) If the application is not completed within one (1) year after receipt of fee, the application must be refiled.

(c) Fee for licensure by endorsement.

- (1) The fee shall accompany the application.
- (2) The fee is not refundable.
- (3) If the application is not completed within one (1) year, a new application and new fee will be required for licensure.

(d) Qualifications for applicants educated in foreign countries or in a U.S. territory. An applicant educated in a foreign country must meet the current educational requirements for licensure in Oklahoma. An applicant educated in a U.S. territory not recognized as a full member of National Council of State Boards of Nursing (NCSBN) must meet the requirements for applicants educated in foreign countries. An applicant educated in a U.S. territory that is a full member of NCSBN but in a nursing education program not included on the NCSBN state-approved programs of nursing list at the time of the applicant's graduation from the program must meet the requirements for applicants educated in foreign countries.

- (1) The applicant must present evidence of:
 - (A) competence in oral and written English as evidenced by receipt of scores directly from the testing service or from CGFNS verifying successful completion of:
 - (i) Test of English for International Communication (TOEIC), to include the Listening and Reading Test, and the Speaking and Writing Test of the Educational Testing Service; or
 - (ii) International English Language Testing System (IELTS); or
 - (iii) Test of English as a Foreign Language Internet-based test (TOEFL iBT) of the Educational Testing Service; or
 - (iv) Michigan English Language Assessment Battery (MELAB).
 - (B) graduation from a government approved post-secondary practical nursing education program or equivalent courses in a government approved post-secondary nursing education program, as verified from the Commission of Graduates of Foreign Nursing Schools (CGFNS);
 - (C) licensure or registration as required in country of graduation as evidenced by official verification completed within the last twelve (12) months immediately preceding the date of application for licensure by endorsement received directly from the Commission of Graduates of Foreign Nursing Schools,
 - (D) completion of formal courses including theory and clinical experience in nursing care of the adult, nursing care of children, and maternal-infant nursing in a government-approved school of nursing as evidenced by:
 - (i) a translated transcript received directly from the nursing education program in the original country of licensure with certified proof of translation; or
 - (ii) a certified copy of the transcript received directly from the Commission on Graduates of Foreign Nursing Schools (CGFNS).
 - (E) An evaluation of educational credentials as evidenced by:
 - (i) Commission on Graduates of Foreign Nursing Schools (CGFNS) Credentials Evaluation Service Professional Report, or
 - (ii) Commission on Graduates of Foreign Nursing Schools (CGFNS) Certificate or Visa Screen Certificate status;
 - (iii) Reports received from CGFNS must have been completed within the five (5) years immediately preceding the date of application for licensure by endorsement.
The five-year requirement is waived if the applicant holds a license in another state.
- (2) The requirement for verification by CGFNS is waived for applicants currently licensed in another state when the state validates that the credential review report was prepared by an independent credentials review agency.
- (3) The applicant must successfully complete the licensing examination adopted by the Oklahoma Board of Nursing.
- (4) The requirements for competence in spoken and written English are waived for applicants who are:
 - (A) Graduates of nursing education programs taught in English in Australia, Canada (except Quebec), Ireland, New Zealand, the United Kingdom, Trinidad, Tobago, Jamaica, Barbados, South Africa, and the United States, or
 - (B) Licensed in another US State or Territory and have successfully completed the licensure examination approved by the Board.

(5) Applicants must submit a completed application with the required application and evaluation fees.

(e) Temporary license for endorsement applicants.

(1) A temporary license may be issued to the applicant on proof of

(A) Current unrestricted licensure in another state, territory or country with no history of arrest or disciplinary action requiring further review;

(B) Evidence of having successfully passed the licensure examination adopted by the Oklahoma Board of Nursing;

(C) Evidence of meeting educational qualifications through completion of a state board-approved nursing education program meeting the educational standards established by the Board, or an evaluation of educational credentials and nursing licensure or registration as required in country of origin for the foreign-educated nurse as evidenced by:

(i) Commission on Graduates of Foreign Nursing Schools (CGFNS) Credentials Evaluation Service Professional Report with verification of equivalent educational credentials and unrestricted licensure in country of origin, or

(ii) Commission on Graduates of Foreign Nursing Schools (CGFNS) Certificate status or Visa Screen Certificate, accompanied by a verification of graduation from a government approved nursing education program, the translated transcript, and verification of unrestricted nursing licensure or registration as required in country of graduation;

(D) Payment of the fee for licensure by endorsement and temporary license;

(E) Foreign-educated applicants must provide evidence of competence in oral and written English by meeting the requirements of 485:10-9-2(d)(1)(A) unless 485:10-9-2(d)(~~3~~)(4) applies; and

(F) Demonstrating evidence of continued qualifications for practice through meeting the requirements of 485:10-9-2(a)(5) ~~and~~ (6); and

(G) Submission of fingerprint images with the fee established by the Oklahoma State Bureau of Investigation and/or vendor for the purpose of permitting a state and national criminal history records search to be completed.

(2) The temporary license may not be issued for a period longer than ninety (90) days.

(3) The temporary license may be extended, but such period shall be no longer than one (1) year.

485:10-9-4. Reinstatement of license

(a) The Licensed Practical Nurse license is lapsed if not renewed by expiration date thereof.

(b) The applicant must submit an application containing such information as the Board may prescribe.

(c) A completed application for reinstatement must be submitted to the Board office with the required fee. If the application is not completed within one (1) year, a new application and new fee will be required.

(d) The fee for reinstatement of license shall be established by the Board.

(e) An application for reinstatement for a license that has been suspended or surrendered must be in compliance with all terms and conditions of any Order entered with regard to the suspension or surrender and shall be considered by the Board.

(f) An application for reinstatement of a license that has been revoked by the Board shall be considered by the Board.

(g) An application for reinstatement for a license not previously revoked, suspended or surrendered may be granted on such terms and conditions as the Board may require.

(h) In addition to meeting other reinstatement requirements established by the Board in these Rules, if the Oklahoma nursing license has not been in an active status less than five years, each applicant shall demonstrate evidence of continuing qualifications for practice through completion of one or more of the following requirements within the last ~~two (2)~~ five (5) years prior to receipt of the completed application in the Board office:

(1) Verify employment in a position that requires a practical nurse license with verification of at least 520 work hours; or

(2) Verify the completion of at least twenty-four (24) contact hours of continuing education applicable to nursing practice; or

(3) Verify current certification in a nursing specialty area; or

(4) Verify completion of a Board-approved refresher course; or

(5) Verify completion of at least six (6) academic semester credit hours of nursing coursework at the licensee's current level of licensure or higher.

(i) In addition to meeting other reinstatement requirements established by the Board in these Rules, if the Oklahoma practical nursing license has not been in an active licensure status for a period of five (5) years or more, the applicant for reinstatement must demonstrate continued qualifications for practice through completion of one or more of the following requirements within the last five (5) years prior to receipt of the completed application in the Board office:

(1) Submission of an official transcript or certificate of completion verifying completion of a nurse refresher course with content consistent with Board policy;

(2) Successfully pass the National Council Licensure Examination for Practical nurses;

(3) Submission of an official transcript verifying successful completion of at least six (6) academic semester credit hours or 105 contact hours of nursing courses in a state-approved practical or registered nursing education program, which includes classroom and clinical instruction; and/or

(4) Present evidence of licensure as a practical nurse in another state, territory or country with employment in a position that requires practical nursing licensure with verification of at least 520 work hours during the past five (5) years preceding receipt of the application for reinstatement in the Board office.

SUBCHAPTER 11. DISCIPLINARY ACTION

485:10-11-1. Denial, revocation or suspension of license or certificate

(a) **Causes.** Causes for denial, revocation or suspension of license or certificate as a Registered Nurse, Licensed Practical Nurse, Advanced Practice Registered Nurse and/or Authorization for Prescriptive Authority or Authority to Order, Select, Obtain, and Administer Drugs, or as an Advanced Unlicensed Assistant are as defined in 59 O.S. Section 567.8.

(b) **Definitions.** The following definitions relate to the causes for disciplinary action as specified in the statutes.

(1) The terms "deceit or material misrepresentation" in procuring or attempting to procure a license, certificate, prescriptive authority recognition, and/or authorization to order, select, obtain and administer drugs shall include but not be limited to the following:

(A) false representation of facts in connection with an application for licensure, certification, prescriptive authority recognition, and/or authorization to order, select,

obtain and administer drugs and/or renewal of any of the above; or certificate, or renewal of license; or application for recognition as an advanced practitioner; or
(B) false representation by having another person appear in her/his place for the licensing examination engaging in conduct that violates the security of the licensure/certification examination or the integrity of the examination results, including, but not limited to the following:

- (i) Copying, disseminating or receiving any portion of an examination;
- (ii) Having unauthorized possession of any portion of a future, current or previously administered examination;
- (iii) Violating the standards and/or rules of test administration;
- (iv) Permitting an impersonator to take the examination on one's behalf;
- (v) Impersonating an examinee;
- (vi) Possessing unauthorized items and/or materials during the examination;
- (vii) Any other conduct that violates the security or integrity of the examination.

(2) Sufficient knowledge or reasonable skill means adherence to minimal standards of acceptable practical nurse practice, registered nurse practice, advanced registered nurse practice, or advanced unlicensed assistant's practice generally prevailing in the State of Oklahoma.

(3) Unprofessional conduct is behavior (acts, knowledge, and practices) which fails to conform to the accepted standards of the nursing profession, or advanced unlicensed assistant's activities generally prevailing in the State of Oklahoma and which could jeopardize the health and welfare of the people which shall include but not be limited to the following:

- (A) inaccurate recording, falsifying, altering or inappropriate destruction of patient records; or
- (B) verbally or physically abusing patients; or
- (C) falsely manipulating drug supplies, narcotics or patient records; or
- (D) appropriating without authority medications, supplies or personal items of the patient or agency; or
- (E) falsifying documents submitted to the Board of Nursing; or
- (F) leaving a nursing assignment or patient care assignment without properly advising appropriate personnel; or
- (G) violating the confidentiality of information or knowledge concerning the patient by any means; or
- (H) conduct detrimental to the public interest; or
- (I) discriminating in the rendering of nursing services or patient care assignment; or
- (J) aiding and abetting the practice of practical nursing, registered nursing, advanced practice registered nursing, or advanced unlicensed assistive persons by any person not licensed as a Licensed Practical Nurse or a Registered Nurse or an Advanced Practice Registered Nurse or not certified as an Advanced Unlicensed Assistant; or
- (K) impersonating any applicant or acting as proxy for the applicant in any examination required for the issuance of a license or certificate; or
- (L) impersonating another licensed or certified practitioner, or permitting another person to use her/his license, certificate, or certificate of recognition for any purpose; or

- (M) aiding, abetting or assisting any other person to violate or circumvent any law or rule or regulation intended to guide the conduct of a Registered Nurse, Licensed Practical Nurse, Advanced Practice Registered Nurse, or Advanced Unlicensed Assistant; or
 - (N) forging a prescription for medication, drugs, or supplies or equipment; or
 - (O) presenting a forged prescription; or
 - (P) selling or attempting to sell drugs or controlled substances or otherwise making such drugs available without authority to self, friends, or family members; or
 - (Q) engaging in conduct with a patient or key party, inside or outside the health care setting that is sexual or may reasonably be interpreted as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient or key party, or engaging in sexual exploitation of a patient or key party. Patient or key party consent to, or initiation of, a relationship is not a defense; or
 - (R) obtaining money, property or services from a patient, other than reasonable fees for service provided to the patient, through the use of undue influence, harassment, duress, deception or fraud; or
 - (S) engaging in fraudulent billing practices, including violations of federal Medicare and Medicaid laws or state medical assistance laws; or
 - (T) failure to maintain proper custody and control of controlled dangerous substances of the patient or agency; or
 - (U) diversion or attempts to divert drugs or controlled substances; or
 - (V) failure to cooperate with a lawful investigation by Board of Nursing staff.
- (4) Conduct which jeopardizes a patient's life, health or safety shall include but not be limited to the following:
- (A) Failure of a Licensed Practical Nurse, a Registered Nurse, or Advanced Practice Registered Nurse to supervise adequately the performance of acts by any person working at the nurse's direction; or
 - (B) Delegating or accepting the delegation of a nursing function or a prescribed health care function when the delegation or acceptance could reasonably be expected to result in unsafe or ineffective patient care; or
 - (C) Unauthorized alterations of medications; or
 - (D) Failure to utilize appropriate judgment in administering safe nursing practice or patient care assignment based upon the level of nursing for which the individual is licensed or recognized; or
 - (E) Failure to exercise technical competence in carrying out nursing care or patient care assignment; or
 - (F) Performing new nursing techniques, procedures or patient care activities without proper education and preparation; or
 - (G) Failure to report through the proper channels the unsafe or illegal practice of any person who is providing nursing care or patient care.
- (5) Conduct that violates professional boundaries is behavior that jeopardizes or could impair the relationship of trust that should exist between nurse and patient. Nurses must be able to recognize the appropriate interpersonal boundaries in all places and at all times for the duration of any therapeutic relationship. It is immaterial whether the boundary violation is instituted by the nurse or the patient; the nurse is the professional in the nurse-patient relationship.

SUBCHAPTER 15. REQUIREMENTS FOR PRACTICE AS AN ADVANCED PRACTICE REGISTERED NURSE

485:10-15-4. Application

(a) An applicant for licensure as an Advanced Practice Registered Nurse must:

- (1) Hold a current license to practice as a Registered Nurse in Oklahoma;
- (2) Cause submission of an official transcript verifying completion of an advanced practice registered nursing education program in one of the four advanced practice registered nurse roles (CNP, CNM, CNS, and CRNA) and a specialty area recognized by the Board. The transcript must be obtained from an entity approved and recognized by the U.S. Department of Education as a primary source for providing education transcripts. Effective January 1, 2016, the applicant shall have completed an accredited graduate level advanced practice registered nursing education program in at least one of the following population foci: family/individual across the lifespan, adult-gerontology (acute and/or primary), neonatal, pediatrics (acute and/or primary), women's health/gender related, or psychiatric/mental health;
- (3) submit evidence of current national certification consistent with educational preparation and by a national certifying body recognized by the Board; and
- (4) submit a completed application for licensure containing such information as the Board may prescribe and the required fee. If the application is not completed within one (1) year, a new application and new fee will be required.

(b) Changing and adding certifications.

- (1) An Advanced Practice Registered Nurse who wishes to add an area of specialty and national certification must meet initial requirements for advanced practice licensure, as identified in 485:10-15-4(a).
- (2) An Advanced Practice Registered Nurse who changes national certification and certifying body within the same specialty area must notify the Board in writing within thirty (30) days of the change and submit a copy of a current national certification recognized by the Board within the same specialty area.
- (3) An Advanced Practice Registered Nurse holding more than one certification who does not renew or maintain one of the national certifications must notify the Board in writing within thirty (30) days of the change. The license for which the national certification has expired will be placed on inactive status. The Advanced Practice Registered Nurse shall not work in the specialty area upon expiration of national certification.

(c) Endorsement.

- (1) An applicant who is licensed or recognized as an APRN in another U.S. state or territory may be issued an APRN license by endorsement if current Board requirements for licensure as an APRN are met. A Board-recognized APRN holding recognition may continue to be licensed as an APRN with his or her current certification, even if such certification is no longer included on the list of recognized APRN certifications and certifying bodies approved by the Board, PROVIDED the APRN license remains in an active status and current certification is maintained. The applicant must have met all requirements of the advanced practice certifying body to maintain full certification, including requirements for maintaining continuing competence. An applicant for APRN licensure by endorsement who holds certification on provisional or conditional status may be considered for licensure by the Board.

(2) In addition to meeting other requirements for endorsement established by the Board in these rules, the applicant for endorsement of the APRN license must demonstrate continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to receipt of a completed application in the Board office:

(A) Cause submission of an official transcript, from an entity approved and recognized by the U.S. Department of Education as a primary source for providing education transcripts, or certificate of completion verifying completion of an APRN nursing refresher course meeting the requirements established by the Board in policy;

(B) Cause submission of an official transcript, from an entity approved and recognized by the U.S. Department of Education as a primary source for providing education transcripts, verifying successful completion of at least six (6) academic semester credit hours of APRN nursing courses in the same role and population focus as was previously held by the APRN in a graduate-level APRN program, which includes classroom and clinical instruction; ~~and/or;~~

(C) Present evidence of current licensure or recognition as an APRN in another state or territory with employment in a position that requires APRN licensure or recognition with verification of at least 520 work hours during the past two (2) years preceding receipt of the application for endorsement in the Board office;:

(D) Submission of evidence of current national certification consistent with educational preparation and by a national certifying body recognized by the Board.

(d) **Temporary license for endorsement applicants.** Temporary licensure may be granted under the following conditions:

(1) Current unrestricted licensure as an RN in Oklahoma;

(2) Current unrestricted APRN licensure or recognition in another state or territory in the same role with no history of arrest or disciplinary action requiring further review;

(3) Demonstrates evidence of meeting continuing qualifications for practice through meeting the requirements of 485:10-15-4(c)(2);

(4) Evidence of completing an advanced practice registered nursing education program in one of the four roles and a specialty area recognized by the Board;

(5) Evidence of current national certification consistent with educational preparation and by a national certifying body recognized by the Board;

(6) Completed application for endorsement and temporary recognition and the required fees; and

(7) Submission of fingerprints with the fee established by the Oklahoma State Bureau of Investigation and/or vendor for the purpose of permitting a state and national criminal history records search to be completed.

(8) The temporary license may not be issued for a period longer than ninety (90) days.

(9) The temporary license may be extended, but such period shall be no longer than one (1) year for any applicant.

(e) **Certification program.** The Board shall identify and keep on file the current list of recognized APRN certifications and certifying bodies approved by the Board. A Board-recognized APRN holding recognition prior to July 1, 2012, may continue to be licensed as an APRN with his or her current certification, even if such certification is no longer included on the list of recognized APRN certifications and certifying bodies approved by the Board, PROVIDED the APRN license remains in an active status and current certification is maintained. A licensee may request that a certification program be considered by the Board for inclusion on the list.

Effective July 1, 2012, the certification program shall provide documentation of compliance with the following standards:

- (1) The certification program is national in the scope of its credentialing;
- (2) Conditions for taking the certification examination are consistent with standards of the testing community;
- (3) Educational requirements are consistent with the requirements of the advanced practice role and specialty;
- (4) The standard's methodologies used are acceptable to the testing community such as incumbent job analysis studies and logical job analysis studies;
- (5) Certification programs are accredited by a national accreditation body as acceptable by the Board;
- (6) The examination represents entry-level practice in the APRN role and specialty;
- (7) The examination represents the knowledge, skills and abilities essential for the delivery of safe and effective advanced nursing care to patients;
- (8) Examination items shall be reviewed for content validity and correct scoring using an established mechanism, both before use and at least every five years. When possible, items will be reviewed for cultural bias;
- (9) The passing standard is established using acceptable psychometric methods and is re-evaluated at least every five years;
- (10) Certification is issued based upon meeting all certification requirements and passing the examination;
- (11) A re-take policy is in place;
- (12) Certification maintenance program, which includes review of qualifications and continued competence, is in place;
- (13) Mechanisms are in place for communication to boards of nursing for timely verification of an individual's certification status, changes in the certification status, and changes in the certification program, including qualifications, test plan and scope of practice; and
- (14) An evaluation process is in place to provide quality assurance in the certification program.

485:10-15-5. Renewal, reinstatement and inactive status of licensure

(a) Renewal.

- (1) Renewal shall be concurrent with the two-year licensure renewal for Registered Nurse.
- (2) The renewal form shall include a statement that the nurse's national certification is current and that certification will be maintained during the period of licensure renewal.
- (3) Each Advanced Practice Registered Nurse shall submit a copy of a current national certification document to the Board with the renewal form, if requested.
- (4) The applicant must submit an application containing such information as the Board may prescribe.

(b) Reinstatement.

- (1) If an Advanced Practice Registered Nurse fails to renew licensure prior to the expiration date of that license, the advanced practice license shall lapse.
- (2) The applicant may request reinstatement of advanced practice licensure by submitting a completed application and the required fee. If the application is not completed within one (1) year, a new application and new fee will be required. If the reinstatement is not approved

within two (2) years of the expiration date of licensure, the applicant must meet current requirements for initial advanced practice licensure.

(3) The applicant must submit an application containing such information as the Board may prescribe.

(4) In addition to meeting other requirements for reinstatement established by the Board in these Rules, if the Oklahoma APRN license has not been in an active licensure status for a period of two (2) years or more, the applicant for reinstatement of the APRN license must demonstrate continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to receipt of a completed application in the Board office:

(A) Submission of an official transcript or certificate of completion verifying completion of an APRN nursing refresher course meeting the requirements established by the Board in policy;

(B) Submission of an official transcript verifying successful completion of at least six (6) academic semester credit hours of APRN nursing courses in the same role and population focus as was previously held by the APRN in a graduate-level APRN program, which includes classroom and clinical instruction; and/or

(C) Present evidence of licensure or recognition as an APRN in another state with employment in a position that requires APRN licensure or recognition with verification of at least 520 work hours during the past two (2) years preceding receipt of the application for reinstatement in the Board office.

(D) Submission of evidence of current national certification consistent with educational preparation and by a national certifying body recognized by the Board.

(c) Inactive Status.

(1) An Advanced Practice Registered Nurse may submit a written request to place advanced practice licensure on inactive status.

(2) The date of inactive status will be the date of approval by the Board.

(3) The Board may delegate approval to place advanced practice licensure on inactive status to Board staff.

(4) The applicant may request return-to-active status of advanced practice licensure by submitting a completed application containing such information as the Board may prescribe and the required fee. If the application is not completed within one (1) year, a new application and new fee will be required. If the advanced practice license has been on inactive status for two or more years, the applicant must meet current requirements for initial advanced practice licensure.

(5) In addition to meeting other requirements for return to active status established by the Board in these Rules, if the Oklahoma APRN license has not been in an active licensure status for a period of two (2) years or more, the applicant for return to active status of the APRN license must demonstrate continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to receipt of a completed application in the Board office:

(A) Submission of an official transcript or certificate of completion verifying completion of an APRN nursing refresher course meeting the requirements established by the Board in policy;

(B) Submission of an official transcript verifying successful completion of at least six (6) academic semester credit hours of APRN nursing courses in the same role and population

focus as was previously held by the APRN in a graduate-level APRN program, which includes classroom and clinical instruction;~~and/or~~

(C) Present evidence of licensure or recognition as an APRN in another state with employment in a position that requires APRN licensure or recognition with verification of at least 520 work hours during the past two (2) years preceding receipt of the application for return to active status in the Board office.;

(D) Submission of evidence of current national certification consistent with educational preparation and by a national certifying body recognized by the Board.

SUBCHAPTER 16. REQUIREMENTS FOR PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE REGISTERED NURSES

485:10-16-6. Renewal

The application for renewal of prescriptive authority shall:

(1) be concurrent with the two-year RN licensure renewal and renewal of advanced practice registered nurse licensure;

(2) include:

(A) a completed application containing such information as the Board may prescribe and required fee;

(B) documentation approved by the Board verifying a minimum of fifteen (15) contact hours, or one academic credit hour of education, or the equivalent, in pharmacotherapeutics, clinical application and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health. At least one hour of the fifteen (15) required hours shall be specific to proper prescribing of opioids, risks of opioids, and/or recognizing addiction and diversion. All of the required hours shall be obtained in a program beyond basic registered nurse preparation, approved by the Board, within the two-year period immediately preceding the effective date of application for renewal of prescriptive authority, which is applicable to the scope of practice and specialty certification. This documentation requirement does not apply to individuals renewing within twenty-four (24) months of initial prescriptive authority approval.

(i) The following categories identify how this requirement may be met. No more than the identified percentage for each category may apply towards the contact hour/academic hour or the equivalent requirements for renewal of prescriptive authority;

(ii) Maximum number of units acceptable in continuing education categories:

(I) Category A: up to 100% of requirement (1 credit hour)

(II) Category B: up to 100% of requirement (15 contact hours)

(III) Category C: up to 100% of requirement (15 contact hours)

(IV) Category D: up to 20% of requirement (3 contact hours)

(V) Category E: up to 20% of requirement (3 contact hours)

(C) A written statement signed by the physician supervising prescriptive authority that includes a method of assuring availability of the supervising physician through direct contact, telecommunications or other appropriate electronic means for consultation, assistance with medical emergencies, or patient referral. Applicants for renewal who have submitted a written statement signed by the physician supervising prescriptive authority

prior to renewal but within ninety (90) days of the expiration date are not required to submit another written statement for renewal.