

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

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Regulations for Approved Nursing Education Programs

485:10-3-2. [AMENDED]

485:10-3-5. [AMENDED]

Subchapter 5. Minimum Standards for Approved Nursing Education Programs

485:10-5-7. [AMENDED]

485:10-5-9. [AMENDED]

Subchapter 6. Minimum Standards for Approved Advanced Practice Registered Nursing (APRN) Education Programs (Effective January 1, 2016)

485:10-6-3. [AMENDED]

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

485:10-7-1. [AMENDED]

485:10-7-2. [AMENDED]

485:10-7-4. [AMENDED]

485:10-7-5. [AMENDED]

485:10-7-6. [REVOKED]

485:10-7-7. [REVOKED]

485:10-7-10. [NEW]

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]

485:10-9-5. [AMENDED]

485:10-9-6. [REVOKED]

485:10-9-7. [REVOKED]

485:10-9-10. [NEW]

Subchapter 10. Advanced Unlicensed Assistant

485:10-10-2. [AMENDED]

Subchapter 11. Disciplinary Action

485:10-11-2. [AMENDED]

485:10-11-3. [AMENDED]

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

485:10-15-4. [AMENDED]

Subchapter 19. Peer Assistance Program

485:10-19-5. [AMENDED]

SUMMARY:

Proposed revisions include:

Subchapters 3, 6 and 10 amendments add specificity to education program application formatting requirements, and timeliness of submission allowing adequate time for Board staff review prior to required survey visit. In addition, calculation of completion rates is clarified.

Subchapter 5 changes requirements in meeting graduate and employer program satisfaction measures from submitting both qualitative and quantitative measures, to requiring either measure. In referencing semester hours in academic years, OAC 485:10-5-9 changes 64 hours to 60 hours in alignment with the Oklahoma State Regents for Higher Education.

Subchapters 7, 9 and 15 add “transcript” as proof of degree, and extend time period for demonstrating evidence of continued qualifications from 2 years to 5 years, in alignment with other states. Also noted in Subchapters 7 and 9 is deletion of language specific to providing duplicate license cards and replacing certifications of licensure, as effective December 1, 2017, license cards and certificates may be printed by licensees by entering secured personal identification numbers on the agency verification website and selecting “print”. Specific to foreign-educated requirements, a report no longer provided by the Commission of Graduates of Foreign Nursing Schools is deleted, and “current” and “valid”, specific to English competence test scores, are deleted removing restrictions that do not currently exist in surrounding and compact states.

Subchapter 11 adds language clarifying that none of the Board officers participating in emergency summary licensure suspension decision shall participate in the Board hearing considering the suspension.

Subchapter 15 clarifies that APRN endorsement requirements for national certification aligns with licensure requirements for APRNs initially licensed in Oklahoma.

Subchapter 19 clarifies that nurses disciplined by any board of nursing shall be ineligible to participate in the Peer Assistance Program without Board order.

AUTHORITY:

Oklahoma Board of Nursing; 59 O.S. §§ 567.2(A); 567.4(F); 567.5(B)(5)(D); 567.5a(B)(6) (C)(3); 567.6(B)(5)(D); 567.7(B); 567.8(O); 567.12(A)(B); 567.12a(B); 567.17(D)

COMMENT PERIOD:

Persons wishing to submit written comments must do so by March 20, 2018, 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, March 27, 2018, 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., March 27, 2018.

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 March 20, 2018, 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.

CHAPTER 10. LICENSURE OF PRACTICAL AND REGISTERED NURSES

SUBCHAPTER 3. REGULATIONS FOR APPROVED NURSING EDUCATION PROGRAMS

485:10-3-2. Establishment of new nursing education programs

(a) Step I. Initial application.

- (1) An institution wishing to establish a new nursing education program shall advise the Board of its intent in writing, and shall seek Board consultation in the initial planning.
- (2) The institution shall submit the Step I Initial Application to the Board office at least eight weeks prior to a regularly-scheduled Board meeting, which provides the following information for the Board's consideration:
 - (A) mission and organization of the educational institution;
 - (B) accreditation status of the educational institution;
 - (C) type of nursing program to be established;
 - (D) relationship of nursing program to the educational institution;
 - (E) documentation of the rationale for the establishment of the nursing program in Oklahoma;
 - (F) tentative time-table for program development and implementation;
 - (G) source of potential qualified Nurse Administrator and faculty, with projected times of employment;
 - (H) tentative budget plans including evidence of financial resources adequate for developing, implementing, and continuing the nursing program;
 - (I) source of anticipated student population;
 - (J) description of support staff for the proposed program;
 - (K) description of physical facilities;
 - (L) description of available clinical resources with letters from clinical resources supporting development of a new program in nursing.
- (3) The application shall be signed by the controlling institution's administrative official with evidence that the institution is authorized to offer educational programs in Oklahoma. Regional accreditation is recommended for institutions offering programs in nursing education.
- (4) The Board shall advise the institution in writing of its decision to:
 - (A) approve proceeding with development of the program-Step II; or
 - (B) defer approval pending a visit to the institution and/or receipt of further information; or
 - (C) deny approval specifying reasons for denial.
- (5) The application ~~is~~ shall be limited to fifteen (15), single-sided, ~~double-spaced~~ pages, with at least a one inch margin, no less than 1.5 line spacing and no less than an 11 point font size.

(b) Step II. Application for Provisional Approval.

- (1) The institution shall employ a qualified Nurse Administrator ensuring adequate time is provided to develop Step II. A consultative visit will be conducted by Board staff at least one month prior to submission of the Step II application. The institution shall provide a DRAFT of the Step II application for the Board staff to review not less than 14 days before the consultative visit. A report of the findings from this visit will be submitted to the Board with the Step II application.
- (2) The Nurse Administrator shall prepare the following materials following the Guidelines for Provisional Approval for the Board's consideration:
 - (A) philosophy, program and course objectives;
 - (B) curriculum plan;
 - (C) policy statements;
 - (D) survey of clinical facilities, with evidence that a sufficient amount and variety of clinical experience is available to support an additional nursing education program in the service area;
 - (E) faculty qualifications, criteria and job descriptions;
 - (F) budget plan projected for a three (3) year period;
 - (G) learning resources; and
 - (H) institutional and program organizational plans.
- (3) At least four months prior to the anticipated admission of students and at least eight weeks prior to a regularly-scheduled Board meeting, the Nurse Administrator shall submit the "Application for Provisional Approval" for Board review.
- (4) Nursing education and institutional representatives may be present during the Board meeting. The Board shall advise the institution in writing of its decision to:

- (A) grant Provisional Approval, authorizing the institution to proceed with implementation of the nursing education program and admission of students; or
 - (B) defer Provisional Approval and program implementation pending further development; or
 - (C) deny Provisional Approval.
- (5) The program cannot admit students until Provisional Approval is granted.
 - (6) Faculty qualification forms must be submitted to the Board and qualified faculty employed at least thirty days prior to the admission of students.
 - (7) Progress reports shall be made by the Nurse Administrator as requested by the Board while on Provisional Approval.
 - (8) The application shall be limited to fifty (50), single-sided, double-spaced pages, with at least a one inch margin, no less than 1.5 line spacing and no less than an 11 point font size.

485:10-3-5. Reports to the Board

The Board shall take action on all reports as appropriate.

(1) **Faculty qualification report.**

(A) A Faculty Qualification Record shall be submitted for all instructional staff (full-time, part-time, classroom, or clinical), and shall include educational preparation and employment experience.

(B) The Faculty Qualification Record must be submitted to the Board office by the Nurse Administrator on a form provided by the Board within thirty days of day of appointment, a change in title or status of position, and any time that an advanced degree is attained. The Faculty Qualification Record may be submitted electronically to a designated email address.

(2) **Enrollment and annual reports.** Enrollment and annual reports shall be submitted in formats requested by the Board.

(3) **Special reports.** Special reports to the Board shall include but not be limited to:

(A) notification in writing of administrative changes relating to and affecting the program within thirty days of the change, to include a change in Nurse Administrator;

(B) requests in writing to obtain approval prior to implementation for:

- (i) major curriculum changes that alter the length of the program, substantially change the objectives, or reflect a significant philosophical or conceptual shift. Board staff may approve minor changes including but not limited to such matters as reorganizing existing course offerings, transferring existing objectives or content from one course to another, or alterations in the leveling of course objectives.
- (ii) extended, distance learning, or off-campus offerings, when any nursing course is offered;
- (iii) a significant change in instructional format;
- (iv) a pilot or experimental program.

(4) **Pass Rate Reports.** Pass Rate Reports are required when the first-time NCLEX writer pass rate falls ten (10) percentage points or more below the national average and at least ten candidates wrote the examination (based on a calendar year.)

(5) **Completion Rate Reports.** A completion rate report is required when the program completion rate average is less than 70% for the most recent three (3) calendar year/annual report years. Program completion rate shall be calculated as 200% of the program length as defined by selective admission to the nursing program's first nursing course. Admission is defined as the grade of the first nursing course that is transcribed with a letter grade of A, B, C, D, or F, which are used to calculate the grade point average. Individual exceptions to the calculation of completion rate include death, military, and peace corp.

(6) All reports shall be limited to ten (10), single-sided, double-spaced pages, with at least a one inch margin, no less than 1.5 line spacing and no less than an 11 point font size.

SUBCHAPTER 5. MINIMUM STANDARDS FOR APPROVED NURSING EDUCATION PROGRAMS

485:10-5-7. Evaluation

(a) **Program.**

(1) There shall be a written systematic program evaluation plan that effectively supports the planning process for the program and specifies responsibilities, time-frames and procedures for evaluating each aspect of the program;

(2) The systematic plan for evaluation of the nursing education unit emphasizes the ongoing assessment and evaluation of each of the following:

- (A) student learning outcomes;

- (B) program outcomes;
 - (C) role-specific graduate competencies; and
 - (D) administration and organization, clinical facilities, physical facility, learning resources, student services, student and faculty policies and procedures, curriculum, methods of evaluation, and program outcomes (including data related to factors impacting completion rate and NCLEX pass rate).
- (3) The systematic plan of evaluation contains specific, measurable expected levels of achievement; appropriate assessment methods; and a minimum of three (3) years of data for each component within the plan.
 - (4) Evaluation findings are aggregated and trended by program option, location, and date of completion and are sufficient to inform program decision making for the maintenance and improvement of the student learning outcomes and the program outcomes.
 - (5) Evaluation findings are shared with communities of interest.
 - (6) The program demonstrates evidences of achievement in meeting the program outcomes.
 - (7) Graduate Program Satisfaction: Qualitative and/or quantitative measures address graduates six to twelve months post-graduation.
 - (8) Employer Program Satisfaction: Qualitative and/or quantitative measures address employer satisfactions with graduate preparation for entry-level positions six to twelve months post-graduation.
 - (9) Job Placement Rates: Expected levels of achievement are determined by the faculty and are addressed through quantified measures six to twelve months post-graduation.
- (b) **Students.** Evaluation of student achievement shall be the responsibility of the faculty, and shall:
- (1) be consistent with policies of controlling institution, with differences justified by the nature of the program;
 - (2) provide valid and reliable evidence of student's progress and achievement;
 - (3) adequately discriminate between students with differing levels of achievement;
 - (4) measure competencies essential for safe and effective nursing practice appropriate to type of nursing education program; ~~and~~
 - (5) provide evidence that students are notified of their progress in the classroom and clinical area in a timely manner as defined in the course syllabus; and
 - (6) shall not use standardized testing as the sole criteria for progression or graduation.

485:10-5-9. Length of approved nursing programs

- (a) College or university nursing education programs shall have a minimum of two (2) academic years with at least ~~64~~60 semester hours and a plurality of the hours in the nursing major not to exceed five (5) semesters for associate degree and ten (10) semesters for baccalaureate degree of full-time study, including nursing education program pre-requisites.
- (b) Practical nursing education programs shall have a minimum of 1300 clock hours or 32 semester credit hours in practical nursing education, including classroom, clinical, and laboratory courses; and not to exceed 1600 clock hours or 40 semester credit hours.
- (c) The total number of hours and ratio between nursing and non-nursing courses shall be:
 - (1) based on a rationale to ensure sufficient preparation for the safe and effective practice of nursing;
 - (2) appropriate for the type of nursing education program;
 - (3) reflect educational practices of controlling institution; and
 - (4) conform to current beliefs about nursing education.

SUBCHAPTER 6. MINIMUM STANDARDS FOR APPROVED ADVANCED PRACTICE REGISTERED NURSING (APRN) EDUCATION PROGRAMS (EFFECTIVE JANUARY 1, 2016)

485:10-6-3. Establishment of a new APRN education program in the state of Oklahoma

- (a) An institution wishing to establish a new APRN education program shall submit an application for approval to the Board at least eight weeks prior to a regularly-scheduled Board meeting and at least six months prior to planned admission of the first students, which provides the following information for the Board's consideration:
 - (1) mission and organization of the education institution;
 - (2) accreditation or candidacy status of the education institution and of the proposed program;
 - (3) advanced practice registered nurse role(s) and population focus/foci of the proposed program;
 - (4) degree to be offered;
 - (5) degree plan;
 - (6) philosophy, program and course objectives;
 - (7) curriculum plan;

- (8) tentative time-table for program development and implementation;
 - (9) proposed size of program;
 - (10) source of anticipated student population
 - (11) information on employment opportunities for program graduates;
 - (12) identification of sufficient financial and other resources;
 - (13) evidence of governing institution approval and support;
 - (14) evidence of community support;
 - (15) evidence of clinical opportunities and availability of resources; and
 - (16) evidence of availability of qualified faculty.
- (b) The application shall be signed by the controlling institution's administrative official with evidence that the institution is authorized to offer education programs in Oklahoma.
- (c) The Board shall advise the institution in writing of its decision to:
- (1) approve the program; or
 - (2) defer approval pending receipt of further information; or
 - (3) deny approval specifying reasons for denial.
- (d) The application shall be limited to fifty (50), single-sided, double-spaced pages, with at least a one inch margin, no less than 1.5 line spacing and no less than an 11 point font size.

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) ~~is~~Be a minimum of eighteen (18) years of age on or before the date the license is issued;
 - (3) ~~Submits proof satisfactory to the Board in such manner and upon such forms as the Board may require to show that the applicant has completed~~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), and holds or is entitled to hold a diploma or degree therefrom 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) ~~is~~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 ~~two (2)~~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) ~~Submission~~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 ~~two (2)~~five (5) years.

(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 refilled.
- (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) ~~current~~ competence in oral and written English as evidenced by receipt of ~~current, valid~~ 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 Healthcare Profession and Science Course by Course Report or~~ 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 ~~and provide evidence of at least one year full-time equivalent work experience in a clinical setting as a Registered Nurse in the state or territory of licensure.~~
- ~~(3)~~(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) ~~Healthcare Profession and Science Course by Course Report or~~ 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 ~~current~~ 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) applies;
 - (F) Demonstrating evidence of continued qualifications for practice through meeting the requirements of 485:10-7-2(a)(6) and (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.

485:10-7-4. Reinstatement of license

- (a) The Registered 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 ~~two~~ 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 registered 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 nursing license has not been in an active licensure status for a period of ~~two~~ (2) 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 ~~two~~ (2) 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 Registered Nurses;
- (3) Submission of an official transcript verifying successful completion of at least six (6) academic semester credit hours of nursing courses which include classroom and clinical instruction; and/or
- (4) 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 ~~two (2)~~five (5) years preceding receipt of the application for reinstatement in the Board office.

485:10-7-5. Inactive status

- (a) Any Registered Nurse licensee who desires to retire from the practice of nursing shall submit a written request to be placed on the Inactive List.
- (b) The date of transfer to the inactive status will be the date of approval by the Board. The Board may delegate approval of the licensee's request to be placed on inactive status to the Board Staff.
- (c) A licensee shall remain on the Inactive List unless otherwise indicated without the payment of the renewal fee.
- (d) The return to active fee shall be due when the licensee desires to return to active practice. The applicant must submit an application containing such information as the Board may prescribe.
- (e) An application for return to active status for a license that has been placed on Inactive Status by Order of the Board shall be considered by the Board.
- (f) In addition to meeting other requirements to return to active status as established by the Board in these Rules, if the nursing license has been on the Inactive List for a period of ~~two (2)~~five (5) years or more, the licensee must demonstrate continued 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) Submission of an official transcript or certificate of completion verifying completion of a nursing refresher course with content consistent with Board policy;
 - (2) Successfully pass the National Council Licensure Examination for Registered Nurses;
 - (3) Submission of an official transcript verifying successful completion of at least six (6) academic semester credit hours of nursing courses which include classroom and clinical instruction; and/or
 - (4) Present evidence of licensure as a 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 ~~two (2)~~five (5) years preceding receipt of the request for return to active status in the Board office.
- (g) In addition to meeting other reinstatement requirements established by the Board in these Rules, if the Oklahoma nursing license has been inactive less than ~~two~~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 registered 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.

485:10-7-6. Duplicate license card [REVOKED]

- ~~(a) One duplicate Registered Nurse license card may be issued per renewal cycle.~~
- ~~(b) If a license card is lost, stolen or destroyed, the licensee must submit written evidence of the situation and a duplicate license may be issued for a fee as established by the Board. A duplicate license card will be issued upon notification by the licensee of a name change.~~
- ~~(c) If a license card is not received and the Board office receives written notification within ninety (90) days of date of issuance, a duplicate license may be issued without fee.~~

485:10-7-7. Replacement certificate of licensure [REVOKED]

- ~~(a) A replacement certificate of licensure as a Registered Nurse may be issued when the licensee notifies the Board, by notarized statement, that the original certificate of licensure has been lost, stolen, or destroyed.~~
- ~~(b) The certificate shall be marked "Replacement" and date of issuance indicated.~~

~~(c) The fee for a replacement certificate of licensure shall be established by the Board.~~

485:10-7-10. Issuance of a multistate license to an existing licensee

Application for a multistate license by an existing licensee must be completed and filed with the Board. If the application is not completed within six (6) months, a new application and new fee will be required.

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) ~~is~~Be a minimum of eighteen (18) years of age on or before the date the license is issued;
- (2) ~~submits~~Submits an application containing such information as the Board may prescribe;
- (3) ~~submits proof satisfactory to the Board in such manner and upon such forms as the Board may require to show that the applicant has completed~~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), and holds or is entitled to hold a diploma or degree therefrom showing the diploma or degree and the date conferred; or
- (4) ~~has~~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 ~~that verifies 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) ~~is~~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 ~~two (2)~~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) ~~Submission~~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) years.

(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.

(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) ~~current~~ competence in oral and written English as evidenced by receipt of ~~current, valid~~ 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) ~~Healthcare Profession and Science Course by Course Report or~~ 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.

~~(3)~~(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 ~~and provide evidence of at least one year full-time equivalent work experience in a clinical setting as a Licensed Practical Nurse in the state or territory of licensure.~~

~~(4)~~(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) ~~Healthcare Profession and Science Course by Course Report~~ or 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 ~~current~~ competence in oral and written English by meeting the requirements of 485:10-9-2(d)(1) ~~(B)~~ (A) unless 485:10-9-2(d)(3) 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 ~~two~~ 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) 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 ~~two (2)~~ 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 ~~two (2)~~ 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 ~~two~~ five (5) years preceding receipt of the application for reinstatement in the Board office.

485:10-9-5. Inactive status

- (a) Any licensee who desires to retire from the practice of practical nursing shall submit a written request to be placed on the inactive list.
- (b) The date of transfer to the inactive status will be the date of approval by the Board. The Board may delegate approval of the licensee's request to be placed on inactive status to the Board Staff.
- (c) A licensee shall remain on the Inactive List unless otherwise indicated without the payment of the renewal fee.
- (d) The return to active fee shall be due when the licensee desires to return to active practice. The applicant must submit an application containing such information as the Board may prescribe.
- (e) An application for return to active status for a license that has been placed on Inactive Status by Order of the Board shall be considered by the Board.
- (f) In addition to meeting other requirements to return to active status as established by the Board in these rules, if the practical nursing license has been on the Inactive List for a period of ~~two (2)~~ five (5) years or more, the licensee must demonstrate continued 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) Submission of an official transcript or certificate of completion verifying completion of a nursing 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 certification of at least 520 work hours during the past ~~two~~ five (5) years preceding receipt of the request for return to active status in the Board office.
- (g) In addition to meeting other reinstatement requirements established by the Board in these Rules, if the Oklahoma nursing license has lapsed less than ~~two~~ 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.

485:10-9-6. Duplicate license card [REVOKED]

- ~~(a) One duplicate Licensed Practical Nurse license card may be issued per renewal cycle.~~
- ~~(b) If a license card is lost, stolen or destroyed, the licensee must submit written evidence of the situation and a duplicate license may be issued for a fee as established by the Board. A duplicate license card will be issued upon notification by the licensee of a name change.~~
- ~~(c) If a license card is not received and the Board office receives written notification within ninety (90) days of date of issuance, a duplicate license may be issued without fee.~~

485:10-9-7. Replacement certificate of licensure [REVOKED]

- ~~(a) A replacement certificate of licensure as a Licensed Practical Nurse may be issued when the licensee notifies the Board, with a notarized statement, that the original certificate of licensure has been lost, stolen, or destroyed.~~
~~(b) The certificate shall be marked "Replacement" and date of issuance indicated.~~
~~(c) The fee for a replacement certificate of licensure shall be established by the Board.~~

485:10-9-10. Issuance of a multistate license to an existing licensee

Application for a multistate license by an existing licensee must be completed and filed with the Board. If the application is not completed within six (6) months, a new application and new fee will be required.

SUBCHAPTER 10. ADVANCED UNLICENSED ASSISTANT

485:10-10-2. Certification training program

- (a) The certification training program shall consist of classroom and clinical instruction in the performance of specific core skills that have been selected and approved by the Board;
- (b) Any certified training program submitted to the Board for approval shall meet the following requirements:
- (1) Any health-care facility, educational institution or education provider that meets the Board's criteria for approved programs and is approved by the Board may provide the certification training program.
 - (2) Any health-care facility, educational institution or education provider wishing to establish a certification training program for advanced unlicensed assistive personnel shall file the appropriate forms with the Board. The application shall include, but is not limited to:
 - (A) program plan following the curriculum approved by the Board;
 - (B) clock hours of classroom and supervised clinical instruction;
 - (C) description of classroom and skills training facility;
 - (D) evidence of adequate learning resources; and
 - (E) faculty qualification record for each instructor.
 - (3) The Board shall advise the institution in writing of its decision to:
 - (A) approve proceeding with the program; or
 - (B) defer approval pending a site visit and/or receipt of further information; or
 - (C) deny approval specifying reasons for denial.
 - (4) The application shall be limited to fifteen (15), single-sided pages, with at least a one inch margin, no less than 1.5 line spacing and no less than an 11 point font size.
 - (5) An approved program shall notify the Board when there are substantive changes in the program that alter the length of the program, reorganize course offerings or change in instructors.

SUBCHAPTER 11. DISCIPLINARY ACTION

485:10-11-2. Hearings

- (a) **Conduct of hearing.** All hearings and notice thereof shall be conducted and governed in accordance with the provisions of the Oklahoma Administrative Procedures Act. [75 O.S. Section 309 *et seq.*]
- (b) **Procedures before the Board.**
- (1) Every individual proceeding shall be initiated by a sworn complaint containing a brief statement of the facts supporting the request for action by the Board.
 - (2) The respondent shall file with the Board a written response under oath to the Complaint by the date to be furnished. If no response is filed, the Respondent shall be considered in default and the Board may take whatever action it deems sufficient and appropriate. The Executive Director of the Board or designee may extend the time within which a response must be filed, but in no event may the time be extended beyond the hearing date.
 - (3) Written requests for continuances shall be received in the Board office not less than four (4) business days prior to the date and time set for the hearing. The request shall state the reasons for the request and time period desired. The Board or its designee shall promptly rule on such requests.
 - (4) Discovery shall be conducted in accordance with the Administrative Procedures Act except that all discovery must be completed ten (10) days prior to the date set for hearing unless otherwise ordered by the Board.
 - (5) The order of procedure at the hearing shall be as follows: (1) presentation of evidence by both parties followed by cross-examination and rebuttal of witnesses, questions by State Board members; (2) closing arguments by legal counsel of both parties; and (3) submission of case to Board for decision.
 - (6) The admissibility of evidence shall be governed by the provisions of the Oklahoma Administrative Procedures Act [75 O.S. Section 310].

(7) The President of the Board or his/her designee shall rule on admissibility of evidence and objections to such evidence and shall rule on other motions or objections in the course of the hearing.

(8) The Board, its designee, attorney for the Board, the respondent or attorney for the respondent, may conduct examinations.

(9) A respondent who fails to appear, after having received proper notice, may be determined to have waived the right to present a defense to the charges in the complaint and the Board may declare the respondent in default and revoke, suspend or otherwise discipline respondent as it may deem necessary.

(10) Subpoenas for the attendance of witnesses and/or furnishing of information required by the Board staff and as requested by the respondent, and/or the production of evidence or records of any kind shall be issued by the Director of the Investigative Division or the Director's designee.

(A) In all cases where a party desires to have subpoenas or subpoenas duces tecum issued to compel the attendance of witnesses, or production of documents, a written request shall be filed with the administrative office of the Board by such party or his attorney, and directed to the Director of the Investigative Division or the Director's designee. The Director of the Investigative Division or the Director's designee shall have three (3) business days to process the request. The request shall specify the witness by name and address; and shall identify any documents to be subpoenaed. The request shall acknowledge that any expense associated with the subpoena process shall be paid by the party requesting the subpoena, including travel expense and daily attendance fees, in the amount as set by statute for other civil matters, at the time of the service of such subpoena.

(B) The Director of the Investigative Division or the Director's designee shall cause such subpoenas to be issued and mailed in conformity with said written requests; provided, that in said subpoena the witnesses named therein shall be advised that they may demand their travel fees and daily attendance fees from the party, or his representative; and that neither the Board nor the State of Oklahoma shall be responsible for any traveling fees, daily attendance fees, or other expenses incurred by such witness in attending any proceeding.

(C) All requests for subpoenas and subpoenas duces tecum shall be filed with the Director of the Investigative Division or the Director's designee, no later than ten (10) business days prior to the date of the proceeding at which the presence of any such witness or documents would be required.

(D) A party requesting issuance of subpoenas and subpoenas duces tecum shall be responsible for obtaining service and for the cost of that service.

(11) The respondent is responsible for any expenses associated with witnesses, subpoenas and/or evidence presented on her/his behalf.

(12) Any pre-trial motions and/or discovery motions must be filed in the Board office not less than 20 days prior to the date set for hearing unless otherwise ordered by the Board.

(13) The respondent shall not communicate with any member of the Board concerning the matters alleged in the complaint before or during or after the hearing. This restriction does not apply to the presentation of testimony or evidence by the respondent in the course of the hearing.

(14) If for any reason a hearing is not completed and the Board finds that the public health, safety or welfare imperatively requires emergency action, the Board may take such emergency action with regard to the respondent's license as it deems necessary in order to protect the health, safety or welfare of the public.

(15) When a majority of the officers of the Board, those being the President, Vice President and Secretary/Treasurer, have summarily suspended an individual's license or certification pursuant to Title 59 Section 567.8(O) of the Oklahoma Statutes, none of the officers participating in the emergency summary suspension decision shall participate in the Board hearing at which the emergency summary suspension will be considered by the full Board.

(c) **Administrative Penalties.** When determining the amount of the administrative penalty to be imposed for a violation of the Oklahoma Nursing Practice Act the following additional factors shall be a part of the consideration by the Board when establishing the nature, circumstance, and gravity of the violation, the degree of culpability, the effect on the ability of the person to continue to practice and any show of good faith in attempting to achieve compliance with the provisions of the Oklahoma Nursing Practice Act:

- (1) evidence of actual or potential harm to patients, clients or the public;
- (2) the seriousness of the violation, including the nature, circumstances, extent and gravity of any prohibited acts, and the hazard or potential hazard created to the health, safety and welfare of the public;
- (3) evidence of misrepresentation(s) of knowledge, education, experience, credentials or skills which would lead a member of the public, an employer, a member of the health-care team, or a patient to rely on the fact(s) misrepresented where such reliance could be unsafe;
- (4) evidence of practice history;

- (5) evidence of present lack of fitness;
- (6) evidence of prior disciplinary history by the Board or any other health care licensing agency in Oklahoma or another jurisdiction;
- (7) the length of time the licensee has practiced;
- (8) the actual damages, physical or otherwise resulting from the violation;
- (9) the deterrent effect of the penalty imposed;
- (10) attempts by the licensee to correct or stop the violation;
- (11) any mitigating or aggravating circumstances;
- (12) the extent to which system dynamics in the practice setting contributed to the problem;
- (13) evidence of a lack of truthfulness or trustworthiness;
- (14) any other matter that justice may require.

(d) **Orders.**

- (1) At the conclusion of the hearing, the Board will announce its decision and a written order reviewed and signed by the Board President or other official who presided at the hearing will be issued within twenty (20) days of the Board's decision.
- (2) A copy of the order shall be delivered or mailed to the Respondent and the Respondent's attorney of record.

(e) **Record of hearing.**

- (1) The record in an individual proceeding shall be as defined in the Oklahoma Administrative Procedures Act and shall also include the licensing history of the respondent.
- (2) All hearings shall be transcribed by a duly certified reporter, unless the presiding officer designates otherwise. A transcript of the proceedings shall not be made except in the event of an appeal of the decision of the Board, or upon written application accompanied by a deposit sufficient to cover the cost of transcription. Tapes and shorthand or stenotype notes of the proceedings shall be retained for a period of not less than five (5) years.

(f) **Appeals and reconsideration.** Requests for reconsideration and appeals of order in individual proceeding shall be in accordance with the Oklahoma Administrative Procedures Act.

485:10-11-3. Informal disposition

. . . Informal disposition may be made of any individual proceeding by stipulation, agreed settlement, consent order, or default. [75 O.S. Section 309(~~e~~)(e)]

(1) **Informal proceedings.** Informal proceedings may be conducted after the filing of a sworn complaint; and information so presented may be considered by the Board as a body or by any designated member or any representative designated therefore, with the party or parties affected by correspondence or otherwise in an effort to bring about an adjustment and solution of the problem without a formal Hearing. Such proceedings shall be held without prejudice to the right of the Board, thereafter to institute formal proceedings and conduct Hearings covering the same subject matter.

(2) **Informal conferences.** If deemed advisable to speed the consideration and determination of complaints and controversies which may not justify or require more formal proceedings, the Board may hold an informal conference with the party or parties affected. Thereafter the Board as a body, or any designated member, or representative thereof, shall attempt to resolve the controversy in an equitable manner. Such proceedings shall be without prejudice to the right of the Board thereafter to institute formal proceedings covering the same or related subject matter, or the right of the person involved, if the controversy is not resolved, to request a formal hearing.

(3) **Informal Disposition Panel.** The respondent has a right to a hearing before the full Board. In the alternative informal disposition may be requested under certain circumstances.

(A) Informal Disposition Panel shall be composed of one or more individuals appointed by the Board President, at least one of whom shall be a current Board member. More than one panel may be appointed if warranted by the number of cases.

(B) Informal Disposition Panel may be utilized for the following types of cases or otherwise at the discretion of the Executive Director:

- (i) Reinstatement/Return To Active which require Board action such as:
 - (I) when working with a lapsed license;
 - (II) after surrender, suspension or revocation of license;
- (ii) Voluntary surrenders;
- (iii) Termination of Probation;
- (iv) Requests to amend orders;
- (v) Certain uncontested complaints such as action in another jurisdiction and/or criminal convictions;

- (vi) Negotiated disposition of complaint.
- (C) If the nurse and the Panel member(s) do not agree, the case will be set for a Board hearing. The outcome of the informal disposition will be held in confidence and not admitted into evidence at the hearing. The Panel member(s) will not participate in the hearing before the full Board.
- (D) If the nurse and the Panel member(s) do agree but the Board does not accept the recommendations of the Panel, the case will be set for a hearing before the full Board.

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~~Hold a current license to practice as a Registered Nurse in Oklahoma;
 - (2) ~~submit~~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) ~~Submission~~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) ~~Submission~~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.

SUBCHAPTER 19. PEER ASSISTANCE PROGRAM

485:10-19-5. Qualifications of applicant

(a) To be eligible for participation in the Peer Assistance Program, each applicant must:

- (1) have a current license to practice nursing in the State of Oklahoma, unless referred by the Board,
 - (2) have no pending felony charge or conviction that would prevent the nurse from practicing,
 - (3) voluntarily submit an application for participation, and
 - (4) practice nursing only within the State of Oklahoma while participating in the Program.
- (b) Nurses previously disciplined by ~~the Board~~ any board of nursing shall be ineligible, unless referred to the Peer Assistance Program by the Board.
- (c) Nurses referred by the Board shall have sixty (60) days from the date of acceptance into the Program within which to obtain a current license.

RULE IMPACT STATEMENT: OAC Title 485. Oklahoma Board of Nursing, Chapter 10. Licensure of Practical and Registered Nurses, Subchapter 3. Regulations for Approved Nursing Education Programs; Subchapter 5. Minimum Standards for Approved Nursing Education Programs; Subchapter 6. Minimum Standards for Approved Advanced Practice Registered Nursing (APRN) Education Programs (Effective January 1, 2016); Subchapter 7. Requirements for Registration and Licensure as a Registered Nurse; Subchapter 9. Requirements for Registration and Licensure as a Licensed Practical Nurse; Subchapter 10. Advanced Unlicensed Assistant; Subchapter 11. Disciplinary Action; Subchapter 15. Requirements for Practice as an Advanced Practice Registered Nurse; Subchapter 19. Peer Assistance Program

a. Description of the purpose of the proposed rule:

Revisions to Subchapters 3, 6 and 10 include changes adding specificity to nursing education program application formatting requirements, and address the timeliness of the application submission allowing Board staff adequate time for review of the application prior to conducting an on-site consultative survey visit. OAC 485:10-3-5(5), modifies the calculation of the completion rates of nursing education programs, and, in an effort to align consistent reporting of all programs, defines admission to the nursing education program as when the first nursing course is transcribed with a letter grade used to calculate the grade point average.

To support receipt of meaningful data, OAC 485:10-5-7(a)(7)(8) allow for nursing education programs to submit either qualitative or quantitative measures in meeting graduate and employer program satisfaction instead of requiring both. OAC 485:10-5-9(a) changes the minimum number of semester hours for college or university nursing education programs from 64 to 60, aligning with the Oklahoma State Regents for Higher Education.

In Subchapters 7, 9 and 15, “official transcript” has been added to serve as evidence that the applicant has completed the required formal education for licensure. In an effort to mitigate fraud, language has been added clarifying that applicant transcripts must be received from an entity approved by the U.S. Department of Education as a primary source.

Throughout Subchapters 7 and 9, the time allowed for demonstrating continued qualifications for practice have been extended from 2 years to 5 years, decreasing barriers to continued licensure and aligning with the same period of time in surrounding states. OAC 485: 10-9-2(a)(6)(C)(D) add new options for PN endorsement applicants, who took the National Council Licensure Examination for Practical Nurses within the last two years, to mirror RN endorsement requirements, allowing individuals to complete a Board-approved refresher course or nursing didactic coursework and clinical experience in a board-approved nursing education program at the appropriate educational level. Specific to foreign-educated applicants, OAC 485:10-7-2(d)(e) and OAC 485:10-9-2(d)(e) delete an evaluation of credentials report no longer provided by the Commission of Graduates of Foreign Nursing Schools (CGFNS). Also noted in same sections of the rules, is the removal of “current” and “valid” when referencing competence in oral and written English, bringing Oklahoma in alignment with 62 per cent of all other state boards of nursing, thus providing consistency in required competency of nurses who, effective January 19, 2018, may provide nursing care in Oklahoma via the privilege to practice through the enhanced Nurse

Licensure Compact, which state legislators passed into law in 2016. OAC 485:10-7-2(d)(2) and OAC 485:10-9-2(d)(2) waive the requirement of credential verification by CGFNS for applicants currently licensed in another state, provided the other state validates that the credential review report submitted to that state was prepared by an independent credentials review agency. OAC 485:10-7-6, OAC 485:10-7-7, OAC 485:10-9-6, and OAC 10-9-7 are being deleted, as effective December 1, 2017, licensure and certification cards are no longer provided to licensees, resulting in no need for rules language specific to requesting duplicate license cards or replacement certificates. Individual licensees may access verification of licensure on the agency website, enter a unique personal identification number, and choose to print a paper license card which, in an effort to ensure primary source verification of status of nursing licensure, directs stakeholders to the Board of Nursing website to view current license status. OAC 485:10-7-10 and OAC 485:10-9-10 adds new language regarding the multistate license application process for existing licensees.

Effective November 1, 2017, authority was given allowing a majority of Board officers to summarily suspend the license or certificate of a licensee when findings support that immediate preservation of the public health, safety or welfare of the public is needed. In Subchapter 11, OAC 485:10-11-2(b)(15) adds new language clarifying that none of the Board officers participating in the summary suspension hearing shall participate in the Board hearing in which the suspension is considered.

OAC 485:10-15-4(c) clarifies that Advanced Practice Registered Nurse (APRN) endorsement requirements for national certification mirror requirements for APRNs initially licensed as an APRN in Oklahoma. Amendment to OAC 485:10-19-5(b) adds language clarifying that nurses previously disciplined by any board of nursing are ineligible to participate in the Peer Assistance program unless referred by the Board.

- 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 Subchapters 3, 5, and 10, the class of persons most likely affected by the proposed rules include nursing education program administrators and certified training program directors, who will submit applications and reports in compliance with the formatting and calculation rules.

In regard to Subchapters 7, 9, and 15, the classes of persons most likely affected by the proposed rules are applicants for licensure by examination, endorsement and reinstatement. In addition, individuals with an existing license who submit an application for multistate licensure will be affected by OAC 485:10-7-10 and OAC 485:10-9-10 changes, which require completion of the multistate application within six months, otherwise requiring submission of a new application and new fee.

Specific to Subchapter 11, the classes of persons most affected by the proposed rule include Board members, as well as individuals who have licensure or certification summarily suspended.

In Subchapter 15, specifically OAC 485:10-15-4(c)(1), APRN endorsement applicants are mostly affected, allowing the individual to endorse into Oklahoma with current national certification, when the national certification is no longer on the list of recognized APRN certifications, provided the APRN license remains in an active status and current certification is maintained.

The class of persons most affected by the proposed rule change in Subchapter 19, is the nurse(s) previously disciplined by any board of nursing, when considering entry into the Peer Assistance Program.

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

The classes of persons who will benefit from proposed rules in Subchapters 3 and 5 include nursing education program administrators who prepare nursing education applications and reports, who will no longer need to submit both quantitative and qualitative measures when addressing graduate and employer program satisfaction, and who develop curriculum when establishing semester hour minimums.

Those classes of persons who will benefit from proposed rules in Subchapters 7 and 9 include applicants for licensure by examination, endorsement and reinstatement and current licensees. The timeline for meeting continuing qualifications for practice are extended from 2 years to 5 years, allowing applicants a longer period of time to meet the required qualifications. Foreign-educated endorsement applicants no longer have to repeat competency testing every two years to meet the current, valid definitions of the competency testing agencies, nor is there a requirement for the individual to obtain an additional CGFNS verification provided the applicant is currently licensed in another state and that state can validate that the credentials review was prepared by an independent credentials review agency. Licensees will benefit from having the ability to print a paper license card at any time without having to pay for a duplicate license. Specific to Subchapter 9, applicants for endorsement will benefit from additional options for demonstrating evidence of continuing qualifications for practice.

The class of persons who will benefit from the proposed rules in Subchapter 11 include those individuals who will appear before the full Board for consideration of the emergency summary suspension of licensure, as the Board officers who participated in the emergency suspension of licensure shall not participate in the Board hearing at which the emergency suspension is considered.

In Subchapter 15, the class of persons benefiting from the proposed rules include APRNs who endorse in with a certification that is no longer on the list of Board recognized national certifications, provided the APRN license remains in active status and current certification is maintained.

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 requiring applicants to cause submission of an official transcript showing completion of required basic curricula from an entity approved and recognized by the U.S Department of Education as a primary source for providing transcripts, mitigating fraudulent document submission. In addition, the period of time for meeting continued qualifications for practice is extended to 5 years in alignment with surrounding states, positively impacting the number of qualified nurses in Oklahoma. Similarly, adding 2 new options for meeting application requirements when the individual has not met the practice or academic formal educational requirements for licensure, provides a safe mechanism that

may increase the number of qualified practical nurses providing care in Oklahoma. The public health, safety and environment is further protected by allowing APRNs to endorse into Oklahoma with certifications that are retired by the certifying bodies, thus no longer included on the list of recognized APRN certifications approved by the Board, provided the APRN license remains in an active status and current certification is maintained.

- 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: December 15, 2017