

**CHAPTER 6310
BOARD OF NURSING
LICENSING AND REGISTRATION**

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LICENSURE BY EXAMINATION

6310.0200 QUALIFICATIONS FOR REGISTERED NURSE EXAMINATION.

Subpart 1. **Minnesota students.** A student from a nursing program approved by the Minnesota Board of Nursing as provided in Minnesota Statutes, section 148.251 may be admitted to the licensure examination providing all the following criteria are met:

- A. the student is enrolled in the last school term;
- B. the student is in good standing and there is reasonable expectation graduation requirements will be completed;
- C. requirements for graduation will be completed no later than six weeks after the date of the examination for which the student is applying; and
- D. remaining course work will not include any basic content in the five areas covered by the examination: medical nursing, surgical nursing, nursing of children, obstetric nursing, and psychiatric nursing.

Subp. 2. **Out-of-state students.** An applicant from a nursing program approved by a board of nursing in another U.S. jurisdiction shall have had substantially the same course of study as stated in the minimum curriculum requirements for Minnesota approved nursing programs at the time of his/her application. The applicant who cannot demonstrate having had the same course of study shall remove deficiencies before the examination as directed by the Minnesota Board of Nursing. The applicant from a program approved by

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another jurisdiction must hold a diploma from an approved nursing program before he/she can be admitted to the licensure examination.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 1*

6310.0300 APPLICATION FOR LICENSURE BY EXAMINATION.

Subpart 1. **In general.** The application forms and instructions for filing are provided by the board. The application shall be submitted to the board in advance of the published deadline for the desired examination date.

Subp. 2. **Application from graduate of Minnesota program.** An application for licensure by examination from a graduate of a Minnesota program shall consist of:

- A. the notarized application form;
- B. the recommendation from the nursing program director; and
- C. the fee of \$50, effective January 1, 1983.

Following graduation, whether this occurs before or after the examination, the applicant must also submit an affidavit of graduation (notarized) and an official school transcript.

Subp. 3. **Application from out-of-state graduate.** A completed application from an out-of-state graduate shall consist of:

- A. the notarized application;
- B. the recommendation from the nursing program director;
- C. the fee of \$50, effective January 1, 1983;
- D. the affidavit of graduation; and
- E. the official school transcript.

Subp. 4. **Examination schedule.** The board will schedule the applicant to write the first examination available after application is completed within the constraints of space, expense, personnel, and time.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 1; 214.06*

6310.0400 PERMIT TO PRACTICE PROFESSIONAL NURSING.

An applicant accepted to write the first licensure examination following graduation from a U.S. school of nursing shall be issued a permit to practice professional nursing until notification of examination results.

An applicant who does not write at the scheduled examination date must return the permit to the Minnesota Board of Nursing.

A holder of a permit shall not use the title "registered nurse", abbreviated RN, in Minnesota until his license is issued, although he may be employed in professional nursing in Minnesota while the permit is valid. The holder of a permit may use the title "graduate nurse" and may use the letters "GN."

A holder of a permit who failed to pass the examination shall not practice professional nursing in Minnesota following the expiration of the permit until he has successfully rewritten the examination and his license has been issued.

Statutory Authority: *MS s 148.171 subd 2; 148.191 subd 2; 148.211 subd 2; 148.271 subd 3*

6310.0500 EXAMINATION AND REEXAMINATION.

Subpart 1. **Preparation.** The licensure examination may be prepared by the Minnesota Board of Nursing or by others delegated to do so by the Minnesota Board of Nursing.

Subp. 2. **Passing score.** The passing score on the Minnesota licensure examination, the National Council Licensure Examination (NCLEX-RN), shall be a scaled score of at least 1,600.

Subp. 3. **Time limit.** An applicant must pass the examination in not more than three writings within a 24-month period that begins on the date of the first examination of the cycle.

Subp. 4. **Remedial assistance.** An applicant who does not pass the examination within the 24-month period must present evidence of remedial assistance to the board prior to admission to each subsequent examination. The remedial assistance must occur during the period following the applicant's last examination and prior to the applicant's next examination. The remedial assistance must relate to the subject matter of the examination, test-taking skills, or English proficiency.

Subp. 5. **Reexamination fee.** The fee for reexamination shall be \$25, effective January 1, 1983, and is required for each reexamination whether one or more sections of the examination are to be rewritten at that time.

Subp. 6. **Admission card.** Prior to the examination date each accepted applicant will be sent an admission card which shall be presented by the applicant for admission to the examination center.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 1; 214.03; 214.06*

6310.0600 DUPLICATE ORIGINAL LICENSE.

Duplicate original licenses are not issued for any reason.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 1*

LICENSURE BY INTERSTATE ENDORSEMENT

6310.1100 QUALIFICATIONS FOR LICENSURE BY INTERSTATE ENDORSEMENT.

Subpart 1. **Previous licensing.** An applicant for Minnesota licensure by interstate endorsement shall have been granted licensure in another jurisdiction of the United States. Minnesota registered nurse licensure shall not be required for a nurse licensed in another jurisdiction who is in Minnesota as a student enrolled in a program of formal education which involves nursing practice, such as a program leading to a higher degree, a program to enhance skills in a clinical field or a program leading to certification in a nursing specialty. A Minnesota license or permit shall be required if the individual receives any monetary compensation for the nursing services provided or if the individual wishes to be employed during spare hours at the same time as he/she is enrolled in an educational program.

Subp. 2. **Education.** The applicant shall have graduated from a program preparing for registered nurse licensure which is approved by the Minnesota Board of Nursing or similar board in another U.S. jurisdiction. The applicant must have had substantially the same general and nursing education as required by the board for Minnesota program graduates at the time such applicant was accepted for licensure in the original jurisdiction.

Subp. 3. **Additional study.** An applicant who does not present evidence of satisfactory general or nursing education may be required to take an additional course of study to insure that his/her background is comparable to that of Minnesota program graduates.

Subp. 4. **Nongraduate licensees.** A person who is not a graduate of an approved nursing program but has been licensed as a registered nurse in another jurisdiction may be licensed in Minnesota providing the criteria for licensure that he/she met in the original jurisdiction were comparable to criteria required in Minnesota at the time of his/her licensure in the other jurisdiction.

Subp. 5. **Licensure examination.** An applicant must have written the same licensure examination as that administered in Minnesota and achieved scores established as passing for that examination by the Minnesota Board of Nursing unless he/she graduated from a U.S. nursing program and was licensed by examination in a U.S. jurisdiction prior to 1954.

Subp. 6. **Low score.** An applicant whose licensure examination scores do not meet the Minnesota requirements for 1954 or thereafter shall be required to rewrite the current Minnesota examination and achieve a passing result before a

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Minnesota license is issued.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 2*

6310.1200 CONTINUING EDUCATION.

Subpart 1. **Before August 1, 1980.** Before August 1, 1980, the registered nurse applying for licensure by interstate endorsement who has not been employed in nursing for five or more years immediately preceding application, except an applicant who graduated from an approved professional nursing program during the five years immediately preceding application, shall be required to submit evidence of competency in nursing before receiving a license in Minnesota. Such evidence, submitted on an affidavit, may include any of the following which occurred within the five-year period immediately prior to the application for a license: completion of a refresher course, attendance at no less than 15 clock hours of nursing-related continuing education courses, completion of an apprenticeship, participation in an orientation program at least one week in length conducted by an employer or potential employer, or such other evidence as the board may reasonably require.

Subp. 2. **August 1, 1980, and after.** On August 1, 1980, and thereafter, an applicant for licensure by interstate endorsement who has not been employed as a registered nurse for a period of two years or more immediately preceding application shall be required to submit an evidence form attesting to participation in continuing education activities that meet the criteria specified in part 6310.2800. The continuing education participation must have occurred within the 24 months preceding application for licensure.

On August 1, 1980, and thereafter, continuing education participation required in the previous paragraph shall not be required of an applicant who graduated from an approved professional nursing program during the two years immediately preceding application for licensure.

Statutory Authority: *MS s 148.191; 148.211 subd 2; 214.12*

6310.1300 APPLICATION FOR LICENSURE BY INTERSTATE ENDORSEMENT.

The application forms and instructions for filing are provided by the board. The applicant may not be employed as a registered nurse in Minnesota until a Minnesota license or permit has been issued.

A completed application for licensure by interstate endorsement shall include all of the following:

- A. the completed and notarized application form;
- B. a verification of licensure from the state in which the licensure examination was written;
- C. a verification of licensure from the state in which most recently employed if this is different than the state of examination;
- D. a satisfactory employment reference from the five years preceding the application (if the applicant has not been employed during this period, a personal reference is substituted);
- E. the fee of \$40, effective January 1, 1982; and
- F. an affidavit attesting to the required continuing education participation.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 2; 214.06*

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6310.1400 PERMIT TO PRACTICE PROFESSIONAL NURSING.

A permit for the practice of professional nursing in Minnesota for a period up to six months shall be issued by the Minnesota Board of Nursing to an applicant who is a graduate of a U.S. school of nursing and is licensed in another U.S. jurisdiction upon submission of application, statutory fee, and satisfactory evidence of current licensure in another U.S. jurisdiction.

Such permit allows employment in professional nursing in Minnesota while remaining application credentials are being assembled and reviewed for action by the Minnesota Board of Nursing.

A person must not begin employment in professional nursing in Minnesota until a permit or license has been granted. If the permit expires and a license has not been issued, the applicant may no longer be employed in professional nursing in Minnesota.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 2; 148.271 subd 6*
LICENSURE OF FOREIGN-EDUCATED PROFESSIONAL NURSES

6310.2100 QUALIFICATIONS FOR LICENSURE OF FOREIGN-EDUCATED PROFESSIONAL NURSES.

Subpart 1. **Licensure examination.** A foreign-educated nurse will be required to write all parts of the same licensure examination as administered in Minnesota and achieve scores established as passing for that series by the Minnesota Board of Nursing.

The foreign-educated nurse who has passed the same examination as administered in Minnesota and has been licensed on that basis in another U.S. jurisdiction shall be licensed by interstate endorsement.

Subp. 2. **Education.** An applicant shall have graduated with substantially the same general and nursing education as required by the board for Minnesota nursing graduates at the time such applicant was accepted for licensure by examination in the original foreign jurisdiction.

An applicant who does not have evidence of satisfactory general or nursing education may be required to take an additional course of study to ensure that his/her background is comparable to that of Minnesota program graduates.

Subp. 3. **Immigration law.** The applicant shall be required to demonstrate compliance with the U.S. Immigration and Naturalization Act.

An exchange visitor in the United States under the U.S. Mutual Education and Cultural Exchange Act shall not be eligible for Minnesota licensure. Such an exchange visitor may only practice professional nursing in Minnesota when such experience is an integral part of an exchange visitor nurse trainee program approved by the Minnesota Board of Nursing.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 2*

6310.2200 APPLICATION OF FOREIGN-EDUCATED PROFESSIONAL NURSES FOR LICENSURE.

Subpart 1. **Licensure by interstate endorsement.** The foreign educated nurse who has been licensed in another U.S. jurisdiction after passing the same examination as administered in Minnesota shall be licensed by interstate endorsement. He or she shall submit the same application as outlined in part 6310.1300, with the addition of a form indicating compliance with the United States Immigration and Naturalization Act.

Subp. 2. **Licensure by examination.** The foreign educated nurse who has not passed the same licensure examination as administered in Minnesota shall be required to write and pass all parts of the examination. The completed application for such applicant shall include the notarized application form; certification of licensure from the foreign licensure authority, if the applicant has been licensed; certification of graduation from a nursing program; official transcript from the nursing program; reference from a United States employer, if

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employed in the United States; immigration form; and the fee of \$50, effective January 1, 1983. The board will schedule the foreign educated nurse to write the first examination available after the application is complete within the constraints of space, time, expense, and personnel.

Statutory Authority: *MS s 148.191 subd 2; 148.211 subd 2; 214.06*

REGISTRATION OF PROFESSIONAL NURSES

6310.2600 DEFINITIONS.

Subpart 1. **Acceptable continuing education activity.** "Acceptable continuing education activity" means a learning experience in which a registered nurse has participated, evidence of which he/she submits to the board as part of the application for registration renewal, and which meets the requirements stated in these rules.

Subp. 2. **Board.** "Board" means the Minnesota Board of Nursing.

Subp. 3. **Contact hour.** "Contact hour" means 50 consecutive minutes.

Subp. 4. **Continuing education participation period.** "Continuing education participation period" means the 24-month interval of time immediately prior to the renewal deadline during which a licensee must fulfill the requirements for registration renewal.

Subp. 5. **Evidence form.** "Evidence form" means the printed document provided by the board for use in reporting the information required in parts 6310.2800 to 6310.2900.

Subp. 6. **Instructor.** "Instructor" means a presenter, preparer, or guide for a continuing education activity. Written programmed instruction comes within this definition.

Subp. 7. **License.** "License" means the document issued by the board to an individual who meets for the first time the requirements to practice professional nursing in Minnesota.

Subp. 8. **Licensure.** "Licensure" means the process by which the board confers legal authority upon an individual authorizing the person to engage in professional nursing, thereby certifying that those licensed have attained the minimal degree of competency necessary to ensure that the public health, safety, and welfare will be reasonably well protected.

Subp. 9. **Participation.** "Participation" means attendance at or in any other manner taking part in an acceptable continuing education activity, documentation of which is submitted as a part of the application for registration renewal.

Subp. 10. **Registration.** "Registration" means the process by which the names and original license numbers of individuals licensed by the board are recorded on a roster to designate that the individuals are authorized to engage in professional nursing during a renewal period.

Subp. 11. **Registration renewal.** "Registration renewal" means the periodic process whereby an individual who is licensed and registered with the board requests and obtains registration for the next renewal period.

Subp. 12. **Registration renewal deadline.** "Registration renewal deadline" means May 31, immediately preceding the licensee's next renewal period.

Subp. 13. **Renewal certificate.** "Renewal certificate" means the document issued periodically by the board to a registered professional nurse who meets registration renewal requirements.

Subp. 14. **Renewal date.** "Renewal date" means the first calendar day of a renewal period.

Subp. 15. **Renewal period.** "Renewal period" means a 24-month interval of time for which a renewal certificate is issued, beginning August 1 of any given year.

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Subp. 16. **Reregistration.** "Reregistration" means the process whereby a licensee regains the authority to practice professional nursing after a period of lapsed registration.

Statutory Authority: *MS s 148.191 subd 2; 148.231; 214.12*

6310.2700 SCOPE.

Parts 6310.2600 to 6310.3500 are adopted pursuant to Minnesota Statutes 1976, sections 148.231 and 214.12. They pertain to the establishment of requirements and procedures for registration renewal for registered nurses and criteria which continuing education activities must meet in order to be acceptable for registration renewal.

Statutory Authority: *MS s 148.191 subd 2; 214.06; 214.12*

6310.2800 REGISTRATION RENEWAL REQUIREMENTS.

Subpart 1. **Participation periods; contact hours.** On June 1, 1978, each registered nurse currently licensed and registered with the board shall begin his/her first continuing education participation period.

Fifteen contact hours of acceptable continuing education activities shall be required for registration renewal between August 1, 1980, and July 31, 1982. Contact hours shall be accrued during the continuing education participation periods of June 1, 1978, through May 31, 1980, or June 1, 1979, through May 31, 1981.

Thirty contact hours of acceptable continuing education activities shall be required for registration renewal on August 1, 1982, and thereafter. Contact hours shall be accrued during a continuing education participation period beginning June 1, 1980, or any June 1 thereafter.

Subp. 2. **Demonstration of professional nursing skill.** At least one of the acceptable continuing education activities required for registration renewal on or after August 1, 1986, shall require the licensee to show evidence that he/she successfully demonstrated to the instructor skill in performing one or a portion of a professional nursing function as indicated in Minnesota Statutes, section 148.171, clause (3).

Subp. 3. **Renewal fee.** The renewal fee shall be \$16 per renewal period, effective August 1, 1982.

Subp. 4. **Application submission.** An acceptable application for registration renewal consisting of a completed, signed application form; a completed evidence form meeting requirements stated in these rules; and a renewal fee, shall be postmarked on or before May 31, immediately preceding the licensee's next renewal period. Resubmission of a previously incomplete or incorrect application form, evidence form, and renewal fee postmarked on or before May 31, shall constitute timely submission.

Subp. 5. **Penalty fee.** An applicant for registration renewal shall pay a penalty fee of \$5, effective June 1, 1982, as well as the renewal fee for the current renewal period if the application, evidence form, or renewal fee is postmarked after May 31 of the year in which it was due.

Subp. 6. **Acceptable continuing education activity.** In order for a continuing education activity to be acceptable to the board for registration renewal, a licensee shall be able to substantiate that each of the criteria listed below has been met.

A. The content is related to one or more of the following components of professional nursing specified in Minnesota Statutes, section 148.171, clause (3):

(1) independent nursing functions as listed below:

(a) providing a nursing assessment of the actual or potential health needs of individuals, families, or communities;

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(b) providing nursing care supportive to or restorative of life by functions such as: skilled ministrations of nursing care, supervising nursing personnel, teaching nursing personnel, health teaching, health counseling, case finding, referral to other health resources; and

(c) evaluating nursing functions; or

(2) delegated medical functions.

B. The duration of the activity was at least one contact hour.

C. The objectives were written in measurable terms which describe what a licensee can expect to learn.

D. The instructor's qualification in the subject, such as education and experience, shall be stated in written form.

E. The method to be utilized by the learner to determine whether or not learning occurred was in written form. Acceptable methods may include but need not be limited to self-evaluation check lists or tests.

F. The continuing education activity was completed during the continuing education participation period immediately preceding the renewal date for which the licensee is seeking registration renewal.

G. Credit shall not be granted for identical continuing education activities submitted during any single continuing education participation period.

H. A written statement of participation provided by the instructor or a designee following completion of each acceptable continuing education activity was obtained. A fee receipt shall not be acceptable.

I. A grade indicating successful completion was obtained in an acceptable continuing education activity for which grades are granted.

J. A continuing education activity which the licensee taught shall not meet that licensee's registration renewal requirements.

Subp. 7. True information. A licensee shall submit true information. Falsification of any evidence for any registration renewal period and/or failure to comply with these rules for any two registration renewal periods shall constitute unethical conduct and provide grounds for suspension or revocation of a license.

Subp. 8. Records retention. A licensee shall keep records documenting each acceptable continuing education activity submitted to meet registration renewal requirements and obtain data from the acceptable continuing education activity as required in part 6310.2900, subpart 7. The records shall be kept for two years following the end of the renewal period to which the activity is applied.

Statutory Authority: *MS s 148.191 subd 2; 148.231; 214.06; 214.12*

6310.2900 REGISTRATION RENEWAL PROCEDURES.

Subpart 1. Service. The licensee shall maintain with the board his/her correct mailing address for the purpose of receiving board communications and/or notices. Placing the notice in first class United States mail, postage prepaid and addressed to the licensee at his/her last known address shall constitute valid service.

Subp. 2. Notice. The board shall mail a renewal application and evidence form at least 120 calendar days prior to a licensee's renewal date to the last known address of every registered nurse holding a current renewal certificate. Failure to receive such notice shall not relieve a license holder of his/her obligation to comply with these rules.

Subp. 3. Late submission. An application, evidence form, and renewal fee postmarked on June 1, or later, shall not be processed and shall be returned to a licensee for payment of a penalty fee.

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Subp. 4. **Evidence form.** Information to be provided by the licensee on an evidence form shall include:

- A. identification of the licensee;
- B. identification of the continuing education activities;
- C. verification that the continuing education activities met all the criteria specified in part 6310.2800 and that the information contained on the form is true in every respect; and
- D. licensee's signature and date signed.

Subp. 5. **Rejection of application; notice.** If the application form, evidence form, or renewal fee submitted by a licensee is incomplete, incorrect, or in noncompliance with parts 6310.2800 and 6310.2900, the licensee shall be notified as to the reason for the rejection and all documents shall be returned to the licensee within 30 calendar days after the board receives them.

Subp. 6. **First registration renewal.** An individual who is issued a license by the board shall also be registered by the board. The initial registration period is for less than two years. For registered nurses licensed August 1 through January 31 the registration period ends the next July 31. For those licensed February 1 through July 31 the registration period ends July 31 of the following year. If an individual is granted a Minnesota license within six calendar months prior to the first day of licensee's renewal period, the license fee shall serve as payment for the first renewal period. Fifteen contact hours of acceptable continuing education activities shall be required for the first registration renewal.

Subp. 7. **Substantiation of continuing education activities.** Following each renewal date the board may select a sample of licensees applying for registration renewal and require substantiation of participation in acceptable continuing education activities. Selected licensees shall submit in writing the following data obtained from each continuing education activity which verifies the information on the evidence form:

- A. Objective or objectives of each continuing education activity;
- B. Verification received by the licensee of the number of contact hours and, for activities lasting four or more hours, a schedule listing time periods;
- C. Documentation of each instructor's qualifications, such as education and experience;
- D. Evidence that the licensee used the mechanism which was provided to determine if learning occurred. Acceptable methods may include but need not be limited to self-evaluation checklists or tests;
- E. Written verification received by the licensee of participation in each continuing education activity provided by an instructor involved with the continuing education activity or a designee;
- F. The specific professional nursing content area to which each continuing education activity is related;
- G. In 1986 and thereafter, proof of compliance with part 6310.2800, subpart 2; and
- H. Any additional documentation the board deems necessary.

Subp. 8. **Insufficient hours.** If a licensee cannot demonstrate that he or she has sufficient hours of acceptable continuing education activities, the number of hours lacking to comply for that continuing education participation period shall be added to the contact hours required in the immediately succeeding period. This rule may be applied once for any one licensee.

Subp. 9. **Substantiation after deferment.** A licensee who defers a number of hours of continuing education to the immediately succeeding period pursuant to subpart 8 shall be required to submit with the next renewal application substantiation of participation in continuing education activities that provided the number of contact hours required for that participation period as well as the

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number of contact hours which were deferred from the previous participation period.

Subp. 10. **Noncompliance; audit.** A licensee in noncompliance with part 6310.2800, subparts 1, 2, and 6, shall be subject to the conditions in subpart 7. By this rule an audit shall be automatic for a nurse who has been found in an audit of the immediately preceding continuing education participation period to be in noncompliance with the rules.

Statutory Authority: *MS s 148.191 subd 2; 148.211; 148.231; 148.291; 148.296; 214.06; 214.12*

History: *9 SR 765*

6310.3100 REREGISTRATION.

Subpart 1. **Removal of name from roster.** The names of all nurses who do not return the renewal application, evidence form, renewal, and penalty fees by November 1 of each renewal year shall be removed from the roster of individuals authorized to practice professional nursing during the current renewal period.

Subp. 2. **Reregistration requirements.** A nurse who applies for reregistration shall:

- A. submit a signed reregistration application;
- B. pay the renewal fee for the current period; and

C. submit evidence of meeting all requirements specified in parts 6310.2800 and 6310.2900. Participation in continuing education activities must have occurred during the 24 months prior to the submission of the application for reregistration.

Subp. 3. **Substitute for continuing education.** A nurse who has been employed as a registered nurse in another state or country or in a federal facility located in Minnesota for a period of two years or more immediately preceding application for reregistration may substitute satisfactory employment references which encompass the entire employment period in lieu of the continuing education report.

Statutory Authority: *MS s 148.191 subd 2; 148.231; 214.06; 214.12*

6310.3300 CHANGE OF NAME ON RECORDS.

Subpart 1. **Name change.** The licensee who has changed names shall notify the board in writing as soon as possible and request a revised renewal certificate. When requesting a revised renewal certificate, the licensee shall return the current certificate to the board. If the current certificate has been lost, stolen, or destroyed, the licensee shall provide written evidence of the situation. The board may require substantiation of the name change by requiring official documentation.

Subp. 2. **Address change.** The licensee who has changed addresses shall notify the board in writing as soon as possible. The board shall notify the licensee of address changes made in the licensee's records. However, a revised renewal certificate will not be issued.

Statutory Authority: *MS s 148.191 subd 2; 148.231; 214.06*

6310.3400 DUPLICATE AND REPLACEMENT DOCUMENTS.

Subpart 1. **License.** A duplicate license shall not be issued. A replacement license may be issued when the licensee notifies the board, by certified statement, that the original license was lost, stolen, or destroyed. The replacement license shall be marked "Replacement" and the date of issuance indicated. The fee for a replacement license is \$5.

Subp. 2. **Renewal certificate.** A duplicate renewal certificate shall not be issued. If a renewal certificate is lost, stolen, or destroyed, the licensee shall submit written evidence of the situation. Upon written request of the licensee, a

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verification of current registration shall be issued for a fee of \$5, effective January 1, 1982.

If a licensee does not receive a renewal certificate which has been issued and notifies the board office within 90 days of date of issuance, a verification of current registration may be issued without a fee.

Statutory Authority: *MS s 148.191 subd 2; 148.231; 214.06*

6310.3500 VERIFICATION OF MINNESOTA LICENSE.

Subpart 1. **Verification.** A registered nurse wishing to be licensed in another United States jurisdiction or foreign country may, upon written request, have a certified statement of Minnesota licensure issued to the Board of Nursing or other official agency empowered to issue nursing licenses in the other jurisdiction or country.

The fee for verification of a license shall be \$10 effective July 1, 1982, for each verification.

Subp. 2. **Transcript.** If a transcript is provided from the board files for a nursing program which is no longer currently in operation, an additional fee of \$5 effective January 1, 1982, may be charged.

Statutory Authority: *MS s 148.191 subd 2; 148.231 subd 6; 214.06*

LICENSED PRACTICAL NURSES: LICENSURE BY EXAMINATION

6310.5100 QUALIFICATIONS FOR LICENSED PRACTICAL NURSES EXAMINATION.

Subpart 1. **Forms.** The application forms and instructions for filing are provided by the Minnesota Board of Nursing.

Subp. 2. **Minnesota students.** A student from a practical nursing program approved by the Minnesota Board of Nursing as provided in Minnesota Statutes, section 148.292 may be admitted to the licensure examination providing all the following criteria are met:

A. the student is in good standing and there is reasonable expectation graduation requirements will be completed;

B. requirements for graduation will be completed no later than two weeks after the date of the examination for which the student is applying; and

C. remaining course work will not include any basic content in the areas covered by the examination: nursing care of infants, children, mothers and adults, and nursing care of patients with mental and emotional problems.

Subp. 3. **Out-of-state students.** An applicant from a practical nursing program approved by a Board of Nursing by another U.S. jurisdiction shall have had substantially the same course of study as stated in the minimum curriculum requirements for Minnesota approved nursing programs at the time of his/her application. The applicant who cannot demonstrate having had the same course of study shall remove deficiencies before the examination as directed by the Minnesota Board of Nursing. The applicant from a program approved in another jurisdiction must hold a diploma from an approved nursing program before he/she can be admitted to the licensure examination.

Statutory Authority: *MS s 148.191 subd 2; 148.291 subd 1; 148.296*

6310.5200 APPLICATION FOR LICENSURE BY EXAMINATION.

Subpart 1. **Form; submission.** The application forms and instructions for filing are provided by the board. The application shall be submitted to the board in advance of the published deadline for the desired examination date.

Subp. 2. **Application from graduate of Minnesota program.** An application for licensure by examination from a student or graduate of a Minnesota program shall consist of:

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- A. the notarized application form;
- B. the recommendation from the nursing program director; and
- C. the fee of \$35, effective January 1, 1983.

Following graduation, whether this occurs before or after the examination, the applicant must also submit an affidavit of graduation (notarized) and an official transcript.

Subp. 3. Application from out-of-state graduate. A completed application from an out-of-state graduate shall consist of:

- A. the notarized application;
- B. the recommendation from the nursing program director;
- C. the fee of \$35, effective January 1, 1983;
- D. the affidavit of graduation; and
- E. the official school transcript.

Subp. 4. Examination schedule. The board will schedule the applicant to write the first examination available after application is completed within the constraints of space, expense, personnel, and time.

Statutory Authority: *MS s 148.191 subd 2; 148.291 subd 1; 148.296; 214.06*

6310.5300 PERMIT TO PRACTICE.

A permit to practice practical nursing may be issued to an applicant accepted to write the first licensure examination following graduation. The permit shall remain valid until the applicant is notified of the results of the examination or recalled by the board. The holder of a permit may use the title "graduate practical nurse" and may use the letters "GPN". The holder of a permit who does not take the examination as scheduled must return the permit.

Statutory Authority: *MS s 148.191 subd 2; 148.295 cl (2); 148.296*

6310.5400 EXAMINATION AND REEXAMINATION.

Subpart 1. Preparation. The licensure examination may be prepared by the Minnesota Board of Nursing or by others delegated to do so by the Minnesota Board of Nursing.

Subp. 2. Passing score. The passing score on the Minnesota licensure examination, the National Council Licensure Examination (NCLEX-PN), shall be a scaled score of at least 350.

Subp. 3. Time limit. An applicant must pass the examination in not more than three writings within a 24-month period that begins on the date of the first examination of the cycle.

Subp. 4. Remedial assistance. An applicant who does not pass the examination within the 24-month period must present evidence of remedial assistance to the board prior to admission to each subsequent examination. The remedial assistance must occur during the period following the applicant's last examination and prior to the applicant's next examination. The remedial assistance must relate to the subject matter of the examination, test-taking skills, or English proficiency.

Subp. 5. Reexamination fee. The fee for reexamination shall be \$10, effective January 1, 1983, and is required for each reexamination.

Subp. 6. Admission card. Prior to the examination date each accepted applicant will be sent an admission card, which shall be presented by the applicant for admission to the examination center.

Statutory Authority: *MS s 148.191 subd 2; 148.291 subd 1; 148.296; 214.03; 214.06*

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6310.5500 DUPLICATE ORIGINAL LICENSE.

Duplicate original licenses are not issued for any reason.

Statutory Authority: *MS s 148.191 subd 2; 148.291 subd 1; 148.296*

LICENSURE BY INTERSTATE ENDORSEMENT

6310.6100 QUALIFICATIONS FOR LICENSURE BY INTERSTATE ENDORSEMENT.

Subpart 1. **Previous licensing.** An applicant for Minnesota licensure by interstate endorsement shall have been granted licensure in another jurisdiction of the United States. Minnesota LPN licensure shall not be required for a nurse licensed in another jurisdiction who is in Minnesota as a student enrolled in a program of formal education which involves nursing practice, such as a program leading to licensure at another level of nursing or a program to enhance skills in a specific area of nursing. However, such a person may not be employed in practical nursing in Minnesota without first securing a license from the board.

Subp. 2. **Education.** The applicant shall have graduated from a program preparing for practical nurse licensure which is approved by the Minnesota Board of Nursing or similar board in another U.S. jurisdiction. Such applicant must have had substantially the same general and nursing education as required by the Minnesota Board of Nursing for Minnesota program graduates at the time such applicant was accepted for licensure in the original jurisdiction.

Subp. 3. **Additional study.** An applicant who does not present evidence of satisfactory general or nursing education may be required to take an additional course of study to ensure that his/her background is comparable to that of Minnesota program graduates.

Subp. 4. **Nongraduate licensees.** A person who is not a graduate of an approved program but has been licensed as a practical nurse in another U.S. jurisdiction shall be accepted for Minnesota licensure only if he/she would have been eligible for Minnesota licensure at the time of original licensure in another jurisdiction.

Subp. 5. **Licensure examination.** An applicant must have written the same licensure examination as that administered in Minnesota and achieved a score established as passing for that examination by the Minnesota Board of Nursing unless he/she graduated from a U.S. practical nursing program and was licensed by examination in a U.S. jurisdiction prior to 1955.

Subp. 6. **Low score.** An applicant whose licensure examination score does not meet the Minnesota requirements for 1955 or thereafter shall be required to rewrite the current Minnesota examination and achieve a passing score before a Minnesota license is issued.

Subp. 7. **Insufficient employment.** The licensed practical nurse applying for licensure by interstate endorsement who has not been employed in nursing for five years or more preceding application shall be required to submit evidence of competency in nursing before receiving a license in Minnesota. Such evidence may include completion of a refresher course, continuing education courses, an apprenticeship, an orientation program, or such other evidence as the board may reasonably require.

Statutory Authority: *MS s 148.191 subd 2; 148.291 subd 3; 148.296*

6310.6200 APPLICATION FOR LICENSURE BY INTERSTATE ENDORSEMENT.

The application forms and instructions for filing are provided by the board. The applicant may not be employed as a practical nurse in Minnesota until the Minnesota license has been issued.

A completed application shall include all of the following:

- A. the completed and notarized application form;

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B. a verification of licensure from the state in which the licensure examination was written;

C. a verification of licensure from the state in which most recently employed if this is different than the state of examination;

D. a satisfactory employment reference from the last five years. If the applicant has not been employed for five years or more, a character reference is required in lieu of the employment reference; and

E. the fee of \$30 effective January 1, 1982.

Statutory Authority: *MS s 148.191 subd 2; 148.291 subd 3; 148.296; 214.06*
LICENSURE OF FOREIGN-EDUCATED PRACTICAL NURSES

6310.7100 QUALIFICATIONS FOR LICENSURE OF FOREIGN-EDUCATED PRACTICAL NURSES.

Subpart 1. **Licensure examination.** A foreign-educated practical nurse will be required to write the same licensure examination as administered in Minnesota and achieve scores established as passing for that examination by the Minnesota Board of Nursing.

The foreign-educated practical nurse who has passed the same examination as administered in Minnesota and has been licensed on that basis in another U.S. jurisdiction, shall be licensed by interstate endorsement.

Subp. 2. **English competency.** An applicant whose nursing education was in any language but English shall be required to prove competency in English before he/she can be admitted to the licensure examination. Achieving an acceptable score on a standardized test of English as a foreign language would be considered proof of competency. Other acceptable proofs of competency in English would be affidavits stating that nursing education had been acquired in the English language.

Subp. 3. **Education.** An applicant shall have graduated with substantially the same general and nursing education as required by the board for Minnesota nursing graduates at the time such applicant was accepted for licensure by examination in the original foreign jurisdiction.

An applicant who does not have evidence of satisfactory general or nursing education may be required to take an additional course of study as directed by the board in order to ensure that his/her background is comparable to that of Minnesota program graduates.

Subp. 4. **Immigration law.** The applicant shall be required to demonstrate compliance with the U.S. Immigration and Naturalization Act.

Statutory Authority: *MS s 148.191 subd 2; 148.291 subd 3; 148.296*

6310.7200 APPLICATION FOR LICENSURE OF FOREIGN-EDUCATED PRACTICAL NURSES.

Subpart 1. **Licensure by interstate endorsement.** The foreign-educated practical nurse who has been licensed in another U.S. jurisdiction after passing the same examination as administered in Minnesota shall be licensed by interstate endorsement. He or she shall submit the same application as outlined in part 6310.6200, with the addition of a form indicating compliance with the U.S. Immigration and Naturalization Act.

Subp. 2. **Licensure by examination.** The foreign-educated practical nurse who has not passed the same licensure examination as administered in Minnesota shall be required to write and pass the examination. The completed application for such applicant shall include the notarized application form; certification of licensure from the foreign licensure authority, if the applicant has been licensed; certification of graduation from a nursing program; official transcript from the nursing program; reference from a United States employer, if employed in the United States; the immigration form; and the fee of \$35, effective January 1, 1983. The board will schedule the applicant to write the first examination,

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available after the application is complete within the constraints of space, time, expense, and personnel.

Statutory Authority: *MS s 148.191 subd 2; 148.291 subd 3; 148.296; 214.06*

REGISTRATION OF LICENSED PRACTICAL NURSES

6310.7600 RENEWAL OF REGISTRATION.

Subpart 1. **Requirement.** Each licensee is responsible for applying for renewal of registration if he or she wishes to be employed as a licensed practical nurse in Minnesota. The board issues renewal application forms to all current licensees and will renew registration upon receiving a signed application and the renewal fee.

Subp. 2. **Renewal periods.** Effective January 1, 1982, approximately one-half of all licensees shall be issued registration renewal certificates which expire on December 31, 1982, and one-half of all licensees shall be issued registration renewal certificates which expire on December 31, 1983. Thereafter, the renewal period for all licensees shall be 24 months in length, beginning January 1 and ending December 31. There shall be even-year renewal periods and odd-year renewal periods.

Subp. 3. **Renewal fee.** The renewal fee shall be \$15 per 24-month renewal period, effective January 1, 1982. The fee shall be \$16 effective January 1, 1983. Licensees whose registrations expire December 31, 1982, shall pay \$7.50.

Subp. 4. **First registration renewal.** If a person is granted a Minnesota license within six calendar months prior to the first day of licensee's renewal period, the license fee shall serve as payment for the first renewal period.

Subp. 5. **Initial registration period.** A person who is issued a license by the board shall also be registered by the board. The initial registration period is for less than two years. For licensed practical nurses licensed January 1 through June 30 the registration period ends December 31 of the same year. For those licensed July 1 through December 31, the registration period ends December 31 of the next year.

Statutory Authority: *MS s 148.191 subd 2; 148.211; 148.231; 148.291; 148.294; 148.296; 214.06*

History: 9 SR 765

6310.7700 PENALTY FEE.

An applicant for renewal of registration shall pay a late penalty fee of \$5 effective April 1, 1982, as well as the renewal fee if the request for renewal is postmarked after the end of the renewal period.

Statutory Authority: *MS s 148.191 subd 2; 148.294; 148.296; 214.06*

6310.7800 REREGISTRATION.

Subpart 1. **Removal of name from roster.** The names of all nurses who do not return the renewal application, renewal fees, and penalty fees by April 1 of each renewal year shall be removed from the roster of persons authorized to practice practical nursing during the current renewal period.

Subp. 2. **Requirements if not registered for five years or more.** The licensed practical nurse whose name has not been on the registration roster for five years or more must present evidence of competency in nursing before becoming reregistered. Such evidence may include any of the following which occurred within the five year period prior to the application for a current renewal certificate:

A. employment as a licensed practical nurse in another United States jurisdiction or foreign country;

B. completion of no less than one week of a refresher course;

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C. attendance at no less than 15 clock hours of nursing-related educational offerings;

D. participation in an orientation program at least one week in length conducted by an employer or potential employer; or

E. such other similar evidence; and

F. such other evidence as the board may reasonably require.

Subp. 3. **Requirements if not registered for less than five years.** The licensee whose name has not been on the registration roster for less than five years will be granted reregistration upon submission of a signed reregistration application and payment of the renewal fee for the current period.

Statutory Authority: *MS s 148.191 subd 2; 148.294; 148.296; 214.06; 214.12*

6310.7900 CHANGE OF NAME ON RECORDS.

Subpart 1. **Name change.** The licensee who has changed names shall notify the board in writing as soon as possible and request a revised renewal certificate.

When requesting a revised renewal certificate, the licensee shall return the current certificate to the board. If the current certificate has been lost, stolen, or destroyed, the licensee shall provide written evidence of the situation.

The board may require substantiation of the name change by requiring official documentation.

Subp. 2. **Address change.** The licensee who has changed addresses shall notify the board in writing as soon as possible.

The board shall notify the licensee of address changes made in the licensee's records. However, a revised renewal certificate will not be issued.

Statutory Authority: *MS s 148.191 subd 2; 148.294; 148.296; 214.06*

6310.8000 DUPLICATE AND REPLACEMENT DOCUMENTS.

Subpart 1. **License.** A duplicate license shall not be issued.

A replacement license may be issued when the licensee notifies the board, by certified statement, that the original license was lost, stolen, or destroyed. The replacement license shall be marked "Replacement" and the date of issuance indicated. The fee for a replacement license is \$5.

Subp. 2. **Renewal certificate.** A duplicate renewal certificate shall not be issued.

If a renewal certificate is lost, stolen, or destroyed, the licensee shall submit written evidence of the situation.

Upon written request of the licensee, a verification of current registration shall be issued for a fee of \$5, effective January 1, 1982.

If a licensee does not receive a renewal certificate which has been issued and notifies the board office within 90 days of date of issuance, a verification of current registration may be issued without a fee.

Statutory Authority: *MS s 148.191 subd 2; 148.294; 148.296; 214.06*

6310.8100 VERIFICATION OF MINNESOTA LICENSE.

Subpart 1. **Verification.** A licensed practical nurse wishing to be licensed in another United States jurisdiction or foreign country may, upon written request, have a certified statement of Minnesota licensure issued to the Board of Nursing or another official agency empowered to issue nursing licenses in the other jurisdiction or country.

The fee for verification of a license shall be \$10 effective July 1, 1982, for each verification.

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Subp. 2. **Transcript.** If a transcript is provided from the board files for a nursing program which is no longer currently in operation, an additional fee of \$5 effective January 1, 1982, may be charged.

Statutory Authority: *MS s 148.191 subd 2; 148.294; 148.296; 214.06*