

CHAPTER 6305
BOARD OF NURSING
PROFESSIONAL AND PRACTICAL LICENSURE

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6305.0100 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 6305.0100 to 6305.0800, the following terms have the meanings given them.

Subp. 1a. **Acceptable nursing practice.** "Acceptable nursing practice" means employment or volunteer nursing in any setting. Employment includes those positions for which the individual is required to be a nurse. For professional nursing practice, the practice must have included one or more of the functions defined in Minnesota Statutes, section 148.171, subdivision 15. For practical nursing practice, the practice must have included one or more of the functions defined in Minnesota Statutes, section 148.171, subdivision 14. For advanced practice nursing, the practice must have included one or more of the functions as defined in Minnesota Statutes, section 148.171, subdivisions 5, 10, 11, 13, and 21.

Subp. 1b. **Advanced practice nursing program.** "Advanced practice nursing program" means a graduate program or postgraduate program designed to prepare students for licensure as advanced practice registered nurses.

Subp. 2. [Repealed, 37 SR 403]

Subp. 3. [Repealed, 18 SR 2195]

Subp. 4. [Renumbered subp 6a]

Subp. 4a. **Approved advanced practice nursing program.** "Approved advanced practice nursing program" means the status granted to a graduate-level advanced practice nursing program or postgraduate-level advanced practice nursing program by a nurse licensing agency or other official governmental agency in a state or territory of the United States.

Subp. 5. **Approved practical or professional nursing program.** "Approved practical or professional nursing program" means the status granted to a professional nursing program or a practical nursing program by a nurse licensing agency or other official governmental agency in a state or territory of the United States, a Canadian province, or a foreign country.

Subp. 6. **Board.** "Board" means the Minnesota Board of Nursing.

Subp. 6a. **Confirmation of program completion.** "Confirmation of program completion" means the evidence submitted to the board used to authenticate officially that the applicant has graduated or is eligible for graduation.

Subp. 6b. **Continuing education report.** "Continuing education report" means the evidence submitted to the board to officially authenticate that the applicant has fulfilled all continuing education requirements for licensure.

Subp. 7. [Repealed, 37 SR 403]

Subp. 7a. **Disaster.** "Disaster" means an occurrence such as a tornado, storm, flood, high water, earthquake, drought, blizzard, pestilence, fire, explosion, building collapse, commercial transportation wreck, or other situation that causes human suffering or creates human needs that require substantial assistance and exceed the health care resources of the community.

Subp. 7b. **Eligibility for graduation.** "Eligibility for graduation" means that the applicant has fulfilled all the requirements of an approved nursing program and is awaiting the official conferral of the degree by the school.

Subp. 8. [Repealed, 18 SR 2195]

Subp. 9. [Repealed, 18 SR 2195]

Subp. 10. [Repealed, 18 SR 2195]

Subp. 11. **Jurisdiction.** "Jurisdiction" means a state or territory of the United States.

Subp. 12. **Graduation.** "Graduation" means all requirements of an approved nursing program are met and the degree is conferred.

Subp. 13. **License.** "License" means the authority issued by the board to an individual who meets for the first time the requirements to practice advanced practice, professional, or practical nursing in Minnesota.

Subp. 14. **Licensure application.** "Licensure application" means the method required by the board used in applying for advanced practice, professional, or practical nurse licensure.

Subp. 15. [Repealed, 15 SR 838]

Subp. 16. [Repealed, 15 SR 838]

Subp. 17. **Nursing ability.** "Nursing ability" means the skill and judgment necessary to perform nursing actions safely.

Subp. 18. [Repealed, 37 SR 403]

Subp. 19. **Practical nursing program.** "Practical nursing program" means a program designed to prepare students for licensure as licensed practical nurses.

Subp. 20. **Professional nursing program.** "Professional nursing program" means a program designed to prepare students for licensure as registered nurses.

Subp. 21. **Program.** "Program" means a course of study offered by a controlling body that prepares students to practice advanced practice, practical nursing, or professional nursing.

Subp. 21a. **Program completion.** "Program completion" means graduation or eligibility for graduation from a nursing program approved by a United States jurisdiction or Canadian province.

Subp. 21b. **Qualified practitioner.** "Qualified practitioner" means an advanced practice registered nurse who is in the same role and population as the individual completing the reorientation plan, or a physician who has experience in providing care to a patient with the same or similar health care needs encountered in the reorientation plan.

Subp. 22. **Refresher course.** "Refresher course" for the applicant for licensure by endorsement under Minnesota Statutes, section 148.211, subdivision 2, or for reregistration under Minnesota Statutes, section 148.231, subdivision 5, means a planned program of study with a clinical component that provides a review and evaluation of basic nursing knowledge and abilities to enhance clinical competency within the professional or practical scope of practice. The criteria for a refresher course is identified in Program Requirements: Appendices to Minnesota Administrative Rules, Chapter 6305, in part 6305.0800, as incorporated by reference in part 6305.0800.

Subp. 23. **Registration.** "Registration" means the process whereby the names and original license numbers of individuals licensed by the board are listed as individuals authorized to engage in advanced practice registered nursing, professional nursing, or practical nursing during a registration period.

Subp. 23a. **Reorientation plan.** "Reorientation plan" means a plan of study designed to enhance competency in the appropriate advanced practice role and population focus, and includes a clinical component supervised by a qualified practitioner.

Subp. 23b. **Review course.** "Review course" for the applicant for licensure by examination under Minnesota Statutes, section 148.211, subdivision 1, means a planned program of study that reviews basic nursing knowledge and the context of care delivery within the professional or practical scope of practice.

Subp. 24. **Temporary permit.** "Temporary permit" means the authority issued by the board that authorizes the practice of professional or practical nursing in Minnesota prior to final board action on the application for licensure or during participation in the clinical portion of a refresher course.

Statutory Authority: *MSs 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: 9 SR 765; 15 SR 838; 18 SR 2195; 22 SR 973; L 1999 c 172 s 18; 37 SR 403; 42 SR 441

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6305.0200 PURPOSE AND AUTHORITY.

This chapter is adopted pursuant to Minnesota Statutes, section 148.191. This chapter pertains to the authorization to practice, the requirements for licensure by examination, the requirements for licensure by endorsement, and nullification of applications. Part 6305.0400 applies to applicants who have not passed an examination acceptable to the board. Part 6305.0405 applies to applicants educated in Canada. Part 6305.0500 applies to applicants who have passed an examination acceptable to the board.

Statutory Authority: *MSs 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: 9 SR 765; 15 SR 838; 37 SR 403; 42 SR 441

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6305.0300 AUTHORIZATION TO PRACTICE NURSING.

Subpart 1. **Required authorization.** A Minnesota license and current registration or a temporary permit is required if an individual practices advanced practice registered nursing as defined in Minnesota Statutes, section 148.171, subdivision 5, 10, 11, 13, or 21, professional nursing as defined in Minnesota Statutes, section 148.171, subdivision 15, or practical nursing as defined in Minnesota Statutes, section 148.171, subdivision 14, whether for monetary compensation or as a volunteer, or if an individual is a faculty member for an out-of-state nursing or nursing assistant program and is supervising nursing students or nursing assistant students in Minnesota except as provided in Minnesota Statutes, section 148.271. If the temporary permit is revoked or expires, whichever occurs first, an applicant must not practice nursing until a license has been issued.

Exceptions as identified in Minnesota Statutes, section 148.271, include:

A. nursing assistance in an emergency as referenced in Minnesota Statutes, section 148.271, clause (1), is interpreted to include nursing service as follows:

- (1) to patients during transport into, through, or out of Minnesota including during flights and while at airports or depots or during the period of stabilization in preparation for transport;
- (2) for disaster relief during a period not to exceed seven days; and
- (3) providing nursing services at the scene of an accident;

B. formal, structured course of study as referenced in Minnesota Statutes, section 148.271, clause (6), is interpreted to mean that the course is sponsored by an educational institution or the educational department of a health care facility; has written, measurable objectives; has an organized plan of study that includes instructors and, when appropriate, clinical supervisors; uses a formalized method of evaluating student performance; and issues a document that verifies completion of the course; and

C. nursing program approved by the board as referenced in Minnesota Statutes, section 148.271, clause (7), is interpreted to include any nursing program in the United States or Canada which is approved by the state or province in which the program is located. However, the supervising instructor must hold a Minnesota registered nurse license and current registration.

Subp. 1a. **Authorized abbreviations.** The categories of nursing personnel listed below may use abbreviations as follows:

A. Public health nurse, abbreviated "PHN."

B. Registered nurse, abbreviated "RN," may only be used by a registered nurse who is currently registered in Minnesota or an applicant for licensure in Minnesota who holds a temporary permit as authorized in subpart 9.

C. Licensed practical nurse, abbreviated "LPN," may only be used by a licensed practical nurse who is currently registered in Minnesota or an applicant for licensure in Minnesota who holds a temporary permit as authorized in subpart 9.

D. Advanced practice registered nurse, abbreviated "APRN," may only be used by a licensed advanced practice nurse who is currently registered in Minnesota or who has applied for reregistration and who is completing a reorientation plan.

E. Advanced practice registered nurses, registered nurses, and licensed practical nurses who are licensed in Minnesota but who are not currently registered may use the abbreviation "APRN," "RN," and "LPN" respectively for personal identification provided it is not used for monetary gain.

F. Nursing assistants who are on the long-term care registry are nursing assistants/registered, abbreviated "NA/R."

G. Certified registered nurse anesthetist, abbreviated "CRNA," may only be used by an advanced practice registered nurse who is currently registered in Minnesota.

H. Certified nurse-midwife, abbreviated "CNM," may only be used by an advanced practice registered nurse who is currently registered in Minnesota.

I. Certified clinical nurse specialist, abbreviated "CNS," may only be used by an advanced practice registered nurse who is currently registered in Minnesota.

J. Certified nurse practitioner, abbreviated "CNP," may only be used by an advanced practice registered nurse who is currently registered in Minnesota.

Subp. 2. **License.** The board shall license an applicant to practice when the applicant has met all requirements of applicable statutes and rules. The license must bear the seal of the board, date of issue, license number, and type of licensure.

Subp. 3. [Repealed, 37 SR 403]

Subp. 4. [Repealed, 37 SR 403]

Subp. 5. [Repealed, 37 SR 403]

Subp. 6. **Temporary permit to practice nursing without direct supervision.** The board shall grant an applicant who is not the subject of a pending investigation or disciplinary action a temporary permit to practice nursing that does not require direct supervision if the applicant:

- A. submits the licensure application and licensure fee;
- B. is licensed in another jurisdiction or Canadian province by an examination acceptable to the board;
- C. applies for a temporary permit to practice;
- D. submits evidence of licensure and current eligibility to practice in another jurisdiction or Canadian province. Evidence of licensure and eligibility to practice may include, but is not limited to, an official statement from another jurisdiction or Canadian province that the applicant is currently authorized to practice, or an official statement from another jurisdiction or Canadian province that the licensure examination was passed and that the applicant is authorized to practice pending licensure; and
- E. has graduated from a nursing program approved for the type of license for which the application has been submitted.

Subp. 7. **Length of temporary permits.** The temporary permit authorizing practice without direct supervision expires 60 days after the date of issue. The board may extend the temporary permit if the applicant has come under investigation by the board after the issuance of the initial temporary permit until the matter is resolved for the applicant.

Subp. 8. **Revocation of temporary permit.** The board shall revoke a temporary permit in the following situations:

- A. an applicant for licensure by endorsement presented fraudulent evidence of licensure in another jurisdiction or Canadian province; or
- B. an applicant has engaged in conduct which constitutes grounds for denial of a license.

Subp. 9. **Designated titles.** The temporary permit holder who is an applicant for registered nurse licensure by endorsement shall use the title registered nurse, abbreviated "RN." The temporary permit holder who is an applicant for licensed practical nurse licensure by endorsement shall use the title "licensed practical nurse," abbreviated "LPN."

Statutory Authority: *MS s 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: *9 SR 765; 15 SR 838; 18 SR 2195; 22 SR 973; L 1999 c 172 s 18; 37 SR 403; 42 SR 441*

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6305.0400 REQUIREMENTS FOR LICENSURE BY EXAMINATION.

Subpart 1. **Licensure application.** An applicant shall obtain the application for licensure and instructions for filing from the board. An applicant shall respond to questions on the application that relate to the grounds for disciplinary action in Minnesota Statutes, section 148.261. An applicant shall submit true information. Falsification or omission of information provides grounds for disciplinary action. If an application is received without a fee, it shall be returned to the applicant.

Subp. 2. [Repealed, 18 SR 2195]

Subp. 3. **Further evidence.** The board may require further information of the applicant in order to determine whether the applicant has engaged in conduct warranting disciplinary action as set forth in Minnesota Statutes, section 148.261.

Subp. 4. **Graduation or eligibility for graduation from approved professional nursing program.** An applicant who has graduated from or is eligible for graduation from an approved professional nursing program is eligible for licensure as a registered nurse.

Subp. 5. **Graduation or eligibility for graduation from approved practical nursing program.** An applicant who has graduated from or is eligible for graduation from an approved practical nursing program is eligible for licensure as a licensed practical nurse.

Subp. 6. [Repealed, 37 SR 403]

Subp. 7. **Resolution of educational deficiencies.** Any deficit in nursing education identified through the credentials evaluation must be made up prior to admission to the examination in one of the following ways:

A. The applicant must successfully complete coursework designed for an applicant that provides theoretical and clinical learning activities with patients across the life span and also with patients throughout the whole wellness, acute, and chronic illness continuum. This coursework must be in the area of deficit in an approved nursing program that prepares students for the type of licensure for which the applicant is applying.

B. If the deficit is a clinical coursework deficit and not a theoretical coursework deficit, an applicant for licensure must successfully complete clinical instruction including evaluation of nursing ability in the deficit area. The clinical instruction including evaluation must be supervised by a faculty person who is a registered nurse.

The applicant must submit evidence of having completed the coursework designed to resolve the deficiencies on an affidavit provided by the board and signed by all individuals responsible for the makeup activities.

Subp. 8. **Confirmation of program completion.**

A. Confirmation of graduation or a transcript is required if an applicant graduated from an approved nursing program in a United States jurisdiction or Canadian province. If an applicant submits confirmation of graduation, the confirmation must be completed and signed by an official of the nursing program or controlling institution and must bear the seal or stamp of the program or

controlling institution. If the applicant submits a transcript, it must be an official transcript from the educational institution or nursing program that verifies that the applicant has graduated from the nursing program.

B. Confirmation of eligibility for graduation is required if an applicant is eligible to graduate from an approved nursing program in a United States jurisdiction or Canadian province. If an applicant submits a confirmation of eligibility for graduation, the confirmation must be completed and signed by an official of the nursing program or controlling institution and must bear the seal or stamp of the program or controlling institution.

C. If the board finds after the examination has been taken that the confirmation of program completion was completed in error, the examination results shall not be released nor action taken on the application until the applicant has met all requirements for program completion. If there is evidence that the applicant was aware of not meeting program requirements before the examination and did not inform the board, the matter may be handled through a disciplinary proceeding.

Subp. 9. [Repealed, 18 SR 2195]

Subp. 10. **Fees.** A licensure or retake fee must be paid to the board and must be received before evaluation of an applicant's qualifications for licensure. Personal checks are not accepted. Remittance must be in the form of United States currency. If for any reason a license is not issued, the fee is not refundable.

Subp. 11. [Repealed, 18 SR 2195]

Subp. 12. **Licensure examination.** The licensure examinations are the examinations of the National Council of State Boards of Nursing, Inc. An applicant must receive a pass on the National Council Licensure Examination.

A. An applicant is eligible for an examination when the following have been received:

- (1) application for licensure;
- (2) fee for licensure;
- (3) confirmation of program completion;
- (4) when applicable, request to retake the examination and fee;
- (5) when applicable, verification of comparable education; and
- (6) when applicable, verification of completion of an English proficiency examination that meets a board-established passing standard.

B. To take the examination, the applicant must meet all requirements of the test service of the National Council of State Boards of Nursing, Inc., including the payment of fees, and, after receipt of an authorization to test, schedule the examination at one of the testing centers.

C. Official notification of the results of the examination shall be by using the last contact information provided by the applicant. This constitutes official notification.

D. An applicant who fails an examination and wants to retake the examination must notify the board by a method provided by the board. On the request to retake the examination, an applicant shall respond to questions that relate to the grounds for disciplinary action listed in Minnesota Statutes, section 148.261. The board may require further information of the applicant in order to determine whether the applicant has engaged in conduct warranting disciplinary action. An applicant must submit true information. Falsification or omission of information provides grounds for denial of a license. If the request is received without a fee, it shall be returned to the applicant.

E. An applicant must complete a review course if:

- (1) it has been five or more years since the applicant completed a program; or
- (2) the applicant did not successfully pass the examination within five years of completing the program.

Subp. 13. **Initial registration.** An individual who is issued a license by the board shall also be registered by the board. The licensure fee shall serve as payment for the initial registration period.

Statutory Authority: *MS s 16A.128; 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296; 214.12*

History: *9 SR 765; 11 SR 1331; 15 SR 838; 18 SR 2195; 24 SR 1884; 28 SR 218; 37 SR 403; 42 SR 441*

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6305.0405 APPLICANTS EDUCATED IN CANADA; LICENSURE.

Subpart 1. **Acceptable examination.** An applicant for licensure who passed an examination acceptable to the board as listed in part 6305.0500, subparts 11 and 12, shall submit an application for licensure by endorsement as listed in part 6305.0500.

Subp. 2. **Insufficient score.** An applicant for licensure whose examination score does not meet the Minnesota score requirement in part 6305.0500, subpart 11 or 12, must successfully take the current examination for licensure. The applicant must meet the requirements in subpart 3.

Subp. 3. **Unacceptable examination.** An applicant for licensure who did not take an examination acceptable to the board must successfully take the current examination for licensure.

A. The applicant must submit:

- (1) the application for licensure by examination;
- (2) the licensure fee;
- (3) confirmation of program completion; and
- (4) if applicable, a verification of licensure from the Canadian province of original licensure and a verification of licensure from the Canadian province in which the applicant was most recently employed if this is different from the Canadian province in which the applicant was licensed by examination.

B. To take the examination, the applicant must meet all requirements of the test service of the National Council of State Boards of Nursing, Inc., including the payment of fees, and, after receipt of an authorization to test, schedule the examination at one of the testing centers. Passing the examination will be accepted in lieu of the requirements set out in part 6305.0500, subparts 7 and 8.

Statutory Authority: *MS s 148.191*

History: *37 SR 403*

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6305.0410 REQUIREMENTS FOR ADVANCED PRACTICE REGISTERED NURSE INITIAL LICENSURE.

Subpart 1. **Licensure application.** An applicant for advanced practice registered nurse initial licensure shall obtain from the board the application for licensure and instructions for filing. An application must be submitted for each role as defined by Minnesota Statutes, section 148.171, subdivision 22a. An applicant shall respond to questions on the application that relate to the grounds for disciplinary action in Minnesota Statutes, section 148.261. An applicant shall submit true information. Falsification or omission of information provides grounds for disciplinary action. If an application is received without a fee, it shall be returned to the applicant.

Subp. 2. **Further evidence.** The board may require further information of the applicant in order to determine whether the applicant has engaged in conduct warranting disciplinary action under Minnesota Statutes, section 148.261.

Subp. 3. **Graduation from an approved advanced practice nursing program.** An applicant who has graduated from an approved advanced practice nursing program is eligible for licensure as an advanced practice registered nurse.

Subp. 4. **Resolution of application deficiencies related to education.** If an applicant cannot demonstrate graduation from an approved advanced practice program, the applicant will be considered for licensure if the applicant:

A. met the advanced practice nursing educational requirements that were in effect on July 1, 2014;

B. graduated from an advanced practice nursing program in a state or territory in the United States that does not approve advanced practice nursing programs; or

C. provides evidence through a credentials evaluation that the applicant has graduated from a graduate- or postgraduate-level advanced practice nursing program equivalent to an advanced practice nursing program in a state or territory in the United States.

Subp. 5. **Confirmation of graduation.**

A. The applicant must demonstrate confirmation of graduation that meets Minnesota Statutes, section 148.211, subdivision 1a, paragraph (c), clause (3). The confirmation must:

- (1) be completed and signed by an official of the advanced practice program;
- (2) bear the seal or stamp of the controlling institution;
- (3) reflect each role and each population focus consistent with Minnesota Statutes, section 148.171, subdivision 12b, for which the applicant is applying; and
- (4) include verification of completion of three separate graduate-level courses in advanced physiology and pathophysiology, advanced health assessment, and advanced pharmacology, which includes pharmacodynamics, pharmacokinetics, and pharmacotherapeutics of all broad categories of agents, if the program was completed after January 1, 2016.

B. If the board finds that the confirmation of graduation was completed in error, no action shall be taken on the application until the applicant has met all requirements for graduation. If there is evidence that the applicant was aware that the applicant did not meet the graduation requirement and the applicant did not inform the board, the applicant is subject to a disciplinary proceeding pursuant to Minnesota Statutes, section 148.261.

Subp. 6. **Verification of certification.** The applicant must demonstrate current certification by a national nurse certifying organization that has been approved by the board. If the board finds that the certification was issued in error, no action shall be taken on the application until all requirements are met for licensure. If there is evidence that the applicant was aware that the applicant did not meet the certification requirement and the applicant did not inform the board, the applicant may be subject to a disciplinary proceeding.

Certification must be in one of the six populations. Certification in the adult- or gerontology-only population will not be accepted for purposes of initial licensure after November 1, 2017.

Subp. 7. **Fees.** The applicant must pay a licensure fee to the board and the board must receive the fee before the board evaluates an applicant's qualifications for licensure. Personal checks are not accepted. Remittance must be in the form of United States currency. If, for any reason, a license is not issued, the fee is not refundable.

Subp. 8. **Initial registration.** An individual who is issued a license by the board shall also be registered by the board. The licensure fee shall serve as payment for the initial registration period.

Subp. 9. **Postgraduate practice.** At the time of application, a certified nurse practitioner or clinical nurse specialist applicant must submit documentation of initiation or completion of postgraduate practice hours as defined in Minnesota Statutes, section 148.211, subdivision 1c.

Subp. 10. **Clinical practice component.** If more than five years have elapsed since the applicant has practiced in the advanced practice registered nurse role, the applicant shall complete a reorientation plan in the same advanced practice registered nurse role and population focus. The plan must include supervision during the clinical component by a qualified practitioner. The applicant shall submit the plan and the name of the qualified practitioner to the board. The plan must include a minimum of 500 hours of clinical practicum required by the certifying body for recertification and be submitted with the initial application for licensure.

Statutory Authority: *MS s 148.191*

History: *42 SR 441*

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**6305.0500 REQUIREMENTS FOR PROFESSIONAL AND PRACTICAL NURSE
LICENSURE BY ENDORSEMENT.**

Subpart 1. **Proof of licensure in another jurisdiction.** To be licensed to practice nursing in Minnesota by endorsement, an applicant must submit proof that the applicant is licensed in another jurisdiction and has passed an examination acceptable to the board as listed in subparts 11 and 12. Proof of licensure must be obtained from the jurisdiction in which the applicant wrote an acceptable examination as well as the jurisdiction in which the applicant was most recently employed. Proof of licensure must be obtained from the jurisdiction in which the applicant was first licensed, if this is different from the jurisdiction in which the applicant was licensed based on an acceptable examination.

Subp. 2. **Licensure application.** An applicant shall obtain the application and instructions for filing from the board. An applicant shall respond to questions on the application that relate to the grounds for disciplinary action listed in Minnesota Statutes, section 148.261. An applicant shall submit true information. Falsification or omission of any information provides grounds for denial of a license. If an application is received without a fee, it shall be returned to the applicant. Application for licensure begins on the date when an application and fee are received by the board.

Subp. 3. **Fee.** A licensure fee must be paid to the board and must be received before evaluation of an applicant's qualifications for licensure. Personal checks are not accepted. Remittance must be in the form of United States currency. If for any reason a license is not issued, the fee is not refundable.

Subp. 4. **Further evidence.** The board may require further information of the applicant in order to determine whether the applicant has engaged in conduct warranting disciplinary action as set forth in Minnesota Statutes, section 148.261.

Subp. 5. **Graduation from approved nursing program.** An applicant who has graduated from an approved nursing program is eligible for licensure provided that the applicant can present evidence of graduation.

Subp. 6. **Waiver of graduation requirement.** The board shall waive the requirement of graduation from an approved nursing program if:

A. an applicant has been licensed by another jurisdiction based on requirements equivalent to the qualifications required in Minnesota at the time of the applicant's original licensure; or

B. an applicant for licensed practical nurse licensure has been licensed by another jurisdiction and passed an acceptable examination as specified in subpart 12 and has had at least 4,000 clock hours of employment as a licensed practical nurse in the five years prior to application for licensure in Minnesota.

Subp. 7. **Current nursing education or acceptable nursing practice.** An applicant who has engaged in acceptable nursing practice as defined in part 6305.0100, subpart 1a, who has graduated from an approved nursing program, or who has completed a degree program with a major in nursing during the two years immediately preceding application for licensure is exempt from the continuing education requirements in subpart 8. Verification of acceptable nursing practice must be submitted to verify practice dates. Verification of acceptable nursing practice must be reported on a form provided by the board. If the applicant was employed or contracted by an institution or agency, an employer or contractor shall complete the form. If the applicant was employed by a patient, a patient's family member or significant other shall complete the form. If the applicant volunteered, the volunteer supervisor shall complete the form. If the employer is no longer in business, the party responsible for providing employment verifications for that employer shall complete the form. Confirmation of graduation or evidence from the nurse licensing agency in another jurisdiction must be submitted to verify the graduation date.

Subp. 8. **Continuing education.** An applicant who has not engaged in acceptable nursing practice within the two years preceding receipt by the board of the application for licensure must comply with items A to D.

A. The applicant must report the number of months since the last date of acceptable nursing practice.

B. The applicant must submit a verification of acceptable nursing practice consistent with subpart 7.

C. The applicant must participate in and report participation in acceptable continuing education as specified in part 6310.2800, subparts 3, items A, B, D, E, and F, and 5. The applicant must complete the required number of contact hours of continuing education. The registered nurse must complete one contact hour of acceptable continuing education for each month that the applicant was not engaged in acceptable practice. The licensed practical nurse must complete one contact hour for every two months that the applicant was not engaged in acceptable practice. The maximum hours required are 60 hours for a registered nurse applicant and 30 hours for a licensed practical nurse applicant. The continuing education must be reported on the form provided by the board.

D. If the applicant has not engaged in acceptable nursing practice for more than five years, the applicant must successfully complete a refresher course that meets board criteria. The applicant shall complete the refresher course within the 24 months immediately preceding board action on the application for licensure.

The applicant shall report the successful completion of the refresher course on an affidavit provided by the board. The affidavit must be signed by the person responsible for the refresher course. Successful completion of a refresher course will meet continuing education requirements.

Subp. 9. **Clinical component temporary permit to practice.** The applicant shall have a temporary permit to practice prior to participating in the clinical component of a refresher course. A temporary permit may be issued if a degree granting program requires it. For the applicant who is not eligible for a temporary permit based on current licensure in another United States jurisdiction, a temporary permit shall be issued for use only in the refresher course. To obtain this temporary

permit, the applicant must submit the completed licensure application, fee, and a statement of intent to participate in a refresher course. The statement of intent must be signed by the person responsible for the refresher course. The statement of intent must contain the request for a temporary permit. The board shall issue a temporary permit after the application, fee, and statement of intent have been received and evaluated for compliance with this chapter. The board shall issue the temporary permit for no more than 90 days. This temporary permit is valid only for practice as a part of the refresher course. While the temporary permit is in effect, the registered nurse may use the title registered nurse, abbreviated "RN," and a licensed practical nurse may use the title licensed practical nurse, abbreviated "LPN." If there is a delay in the completion of the clinical portion of the refresher course, the applicant shall complete another statement of intent. The board shall issue another temporary permit for no more than 90 days.

Subp. 10. **Evidence of graduation.** An applicant must submit confirmation of program completion, signed by an official of the nursing program and bearing the seal or stamp of the program. If an official school transcript is submitted, it shall be accepted in lieu of confirmation of program completion. Confirmation of program completion is not required if the licensing authority in another jurisdiction verifies graduation from an approved program. If a licensed practical nurse applicant has not graduated from an approved program, the applicant shall send the employer a form supplied by the board for documentation of 4,000 clock hours of employment. The form must be completed by the employer and returned to the board. The board shall determine if the employment fulfills the requirement of Minnesota Statutes, section 148.211, subdivision 4.

Subp. 11. **Acceptable examinations for registered nurses.** The requirement of having passed a written examination acceptable to the board for registered nurse licensure is fulfilled if an applicant has:

A. passed a state-constructed examination or the State Board Test Pool Examination for Registered Nurses (SBTPE-RN) before 1957;

B. passed the SBTPE-RN after December 31, 1956, and before July 1, 1982, with a scaled score of at least 350 on each of the five parts;

C. passed NCLEX-RN after June 30, 1982, and before February 1, 1989, with a scaled score of 1,600; or

D. passed NCLEX-RN after January 31, 1989, with a designation of pass.

Subp. 12. **Acceptable examinations for practical nurses.** The requirement of having passed a written examination acceptable to the board for licensed practical nurse licensure is fulfilled if an applicant has:

A. passed a state-constructed examination or the State Board Test Pool Examination for Practical Nurses (SBTPE-PN) before 1960;

B. passed the SBTPE-PN after December 31, 1959, and before October 1, 1982;

C. passed NCLEX-PN after September 30, 1982, and before October 1, 1988, with a scaled score of at least 350; or

D. passed NCLEX-PN after September 30, 1988, with a designation of pass.

Subp. 13. **Insufficient score.** An applicant for licensure whose examination score does not meet the Minnesota score requirement in subpart 11 or 12 must successfully take the current examination for licensure. The applicant must meet the requirements in subpart 14.

Subp. 14. **Unacceptable examination.** An applicant for licensure who did not take an examination acceptable to the board must successfully take the current examination for licensure. The applicant must submit the application for licensure by endorsement, the licensure fee, a verification of licensure from the jurisdiction of original licensure, and a verification of licensure from the jurisdiction in which the applicant was most recently employed if this is different from the jurisdiction in which the applicant was licensed by examination. To take the examination, the applicant must meet all requirements of the test service of the National Council of State Boards of Nursing, Inc., including the payment of fees, and, after receipt of an authorization to test, schedule the examination at one of the testing centers. Passing the examination will be accepted in lieu of the requirements set out in subparts 7 and 8.

Subp. 15. **Registration following licensure by endorsement.** The board shall authorize an individual to engage in the practice of practical or professional nursing in Minnesota once the registration requirements have been met. The initial registration period is defined in part 6310.2600, subpart 15. Licensees shall participate in the number of contact hours of acceptable continuing education according to the number of full months in their initial registration period. For licensed practical nurses, the number of contact hours is one contact hour for every two months of registration. For registered nurses, the number of contact hours is one contact hour for every month of registration.

Statutory Authority: *MS s 16A.128; 62A.15; 147.235; 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296; 214.06; 214.12; 332.50*

History: *9 SR 765; 11 SR 1331; 15 SR 838; 18 SR 468; 19 SR 2223; 20 SR 2429; 22 SR 973; 24 SR 1884; 28 SR 218; 37 SR 403; 42 SR 441*

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6305.0600 APPLICATION NULLIFICATION.

Subpart 1. **Licensure by examination.** The board shall nullify an application for licensure by examination if the applicant:

A. did not take the examination within one year following submission of a licensure application and fee; or

B. did not apply to retake the examination within eight months after the last examination failed and did not retake the examination within 12 months after the last examination failed.

The board shall not nullify an application if it agrees on a different action during a disciplinary proceeding.

Subp. 2. **Licensure by endorsement.** The board shall nullify an application for licensure by endorsement if the applicant fails to complete the application process within one year after submission of the application.

Subp. 2a. **Licensure as an advanced practice nurse.** The board shall nullify an advanced practice application for licensure if the applicant fails to complete the application process within one year after submission of the application.

Subp. 3. **Destruction of application materials and forfeiture of fees.** For a nullified application, the fees shall be forfeited and the application and other documents may be destroyed according to the process specified in Minnesota Statutes, section 138.17, subdivision 7. If the applicant failed to submit the application and fees within one year after the board received any other documents relating to the application, the board may destroy the documents.

Subp. 4. **Reapplication.** If an individual whose application has been nullified wants to be licensed, a new licensure application must be submitted and all applicable licensure requirements must be met.

Statutory Authority: *MS s 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: *9 SR 765; 15 SR 838; 18 SR 2195; 22 SR 973; 37 SR 403; 42 SR 441*

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6305.0700 [Repealed, 18 SR 2195]

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6305.0800 INCORPORATION BY REFERENCE.

Program Requirements: Appendices to Minnesota Administrative Rules, Chapter 6305, issued by the Minnesota Board of Nursing, February 2012, are incorporated by reference. They are available through the Minnesota Board of Nursing website at <http://www.nursingboard.state.mn.us> under the education topic tab. They are not subject to frequent change.

Statutory Authority: *MS s 148.191*

History: *37 SR 403*

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