

1 Board of Nursing

2

3 Adopted Permanent Rules Relating to Licensing and Registration

4

5 Rules as Adopted

6 PROFESSIONAL AND PRACTICAL PROGRAM APPROVALS

7 6301.1700 CLINICAL SETTINGS.

8 Subpart 1. Use of clinical settings. Whenever a program
9 uses a clinical setting to meet the requirements of parts
10 6301.1500 to 6301.2200 registered professional nurse faculty
11 members must be responsible for determining clinical learning
12 activities and for guiding and evaluating students in that
13 setting.

14 Subps. 2. to 4. [See Repealer.]

15 6301.1800 NURSING ABILITIES TO BE EVALUATED.

16 [For text of subps 1 to 5, see M.R.]

17 Subp. 6. Delegated medical treatment. Students must be
18 evaluated for the ability to:

19 [For text of items A to L, see M.R.]

20 M. observe effects of the administration of a
21 prescribed medication;

22 N. follow procedure for working with controlled
23 substances in the administration of prescribed medication; and

24 O. implement treatment related to cardiopulmonary
25 function.

26 [For text of subps 7 and 8, see M.R.]

27 LICENSURE OF PROFESSIONAL AND PRACTICAL NURSES

28 6305.0100 DEFINITIONS.

29 Subpart 1. Scope. As used in parts 6305.0100 to
30 6305.0700, the following terms have the meanings given them.

31 [For text of subps 2 to 7, see M.R.]

32 Subp. 7a. Disaster. "Disaster" means an occurrence such
33 as a tornado, storm, flood, high water, earthquake, drought,
34 blizzard, pestilence, fire, explosion, building collapse,

1 commercial transportation wreck, or other situation that causes
2 human suffering or create human needs that require substantial
3 assistance and exceed the health care resources of the community.

4 [For text of subps 8 and 9, see M.R.]

5 Subp. 10. **Final term of study.** "Final term of study"
6 means the last academic period (quarter, term, session, or
7 semester) that is necessary for an applicant to complete
8 graduation requirements. The term must have officially begun at
9 least one day before the examination.

10 [For text of subps 11 to 14, see M.R.]

11 Subp. 15. and 16. [See Repealer.]

12 [For text of subps 17 to 21, see M.R.]

13 6305.0200 PURPOSE AND AUTHORITY.

14 Parts 6305.0100 to 6305.0700 are adopted pursuant to
15 Minnesota Statutes, section 148.191. The parts pertain to the
16 authorization to practice, the requirements for licensure by
17 examination, the requirements for licensure without examination,
18 and nullification of applications. Part 6305.0400 applies to
19 applicants who have not passed an examination acceptable to the
20 board. Part 6305.0500 applies to applicants who have passed an
21 examination acceptable to the board.

22 6305.0300 AUTHORIZATION TO PRACTICE NURSING.

23 Subpart 1. **Required authorization.** A Minnesota license
24 and current registration certificate or a permit is required if
25 an individual practices professional nursing as defined in
26 Minnesota Statutes, section 148.171, clause (3), or practical
27 nursing as defined in Minnesota Statutes, section 148.171,
28 clause (5), whether for monetary compensation or as a volunteer,
29 or if an individual is a faculty member for an out-of-state
30 nursing or nursing assistant program and is supervising nursing
31 students or nursing assistant students in Minnesota except as
32 provided in Minnesota Statutes, section 148.271. If the permit
33 is revoked or expires, whichever occurs first, an applicant must
34 not practice nursing until a license has been issued.

35 Exceptions as identified in Minnesota Statutes, section

1 148.271, include the following:

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

5 (1) to patients during transport into, through,
6 or out of Minnesota including during flights and while at
7 airports or depots or during the period of stabilization in
8 preparation for transport;

9 (2) for disaster relief during a period not to
10 exceed seven days; and

11 (3) providing nursing services at the scene of an
12 accident.

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

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

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

31 A. Public health nurse, abbreviated "PHN."

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

36 C. Licensed practical nurse, abbreviated "LPN," may

1 only be used by a licensed practical nurse who is currently
2 registered in Minnesota or an applicant for licensure in
3 Minnesota who holds a permit as authorized in subpart 9.

4 D. Registered nurses and licensed practical nurses
5 who are licensed in Minnesota but who are not currently
6 registered may use the abbreviation "RN" and "LPN" respectively
7 for personal identification provided it is not used for monetary
8 gain.

9 E. Nursing assistants who are on the long-term care
10 registry of the board are nursing assistants/registered,
11 abbreviated "NA/R."

12 [For text of subps 2 and 3, see M.R.]

13 Subp. 4. Eligibility for permit to practice nursing with
14 direct supervision. The board shall grant an applicant who is
15 not the subject of a pending investigation or disciplinary
16 action a permit to practice nursing under the direct supervision
17 of a registered nurse if the applicant:

18 [For text of items A to F, see M.R.]

19 G. has graduated from an approved program as
20 specified in part 6305.0400, subpart 4 or 5; and

21 [For text of item H, see M.R.]

22 [For text of subp 5, see M.R.]

23 Subp. 6. Permit to practice nursing without direct
24 supervision. The board shall grant an applicant who is not the
25 subject of a pending investigation or disciplinary action a
26 permit to practice nursing that does not require direct
27 supervision if the applicant:

28 [For text of items A to D, see M.R.]

29 Subp. 7. Length of permits. The permit authorizing
30 practice under the direct supervision of a registered nurse
31 expires eight weeks after the administration of the examination
32 or upon the applicant's notification by the board of failure on
33 the examination, whichever occurs first. The board may extend
34 this permit an additional eight weeks if the applicant's results
35 are delayed due to a processing delay by another nurse licensing
36 agency or if the applicant has come under investigation by the

1 board after the issuance of the initial permit until the matter
2 is resolved for the applicant who is under investigation by the
3 board.

4 The permit authorizing practice without direct supervision
5 expires six months after the date of issue, but the board shall
6 extend this permit if licensure cannot occur because of a
7 processing delay by another nurse licensing agency.

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

10 A. The board shall revoke a permit if the permit
11 holder:

12 (1) does not write the scheduled examination;

13 (2) has been notified of the results of the
14 examination;

15 (3) is licensed by the board;

16 (4) did not write in another jurisdiction an
17 examination acceptable to the board;

18 (5) did not pass an examination in another
19 jurisdiction with a score acceptable to the board;

20 (6) is not eligible for licensure; or

21 (7) did not graduate.

22 B. The board may act to decide whether to revoke a
23 permit if the board determines that:

24 (1) an applicant for licensure by examination did
25 not meet the graduation requirements in part 6305.0400, subpart
26 4 or 5;

27 (2) an applicant for licensure without
28 examination presented fraudulent evidence of licensure in
29 another jurisdiction or Canadian province; or

30 (3) an applicant has engaged in conduct which
31 constitutes grounds for denial of a license.

32 Subp. 9. **Designated titles.** The permit holder who is an
33 applicant for registered nurse licensure by examination shall
34 use the title "graduate nurse," abbreviated "GN." The permit
35 holder who is an applicant for registered nurse licensure
36 without examination shall use the title registered nurse,

1 abbreviated "RN." The permit holder who is an applicant for
2 licensed practical nurse licensure by examination shall use the
3 title "graduate practical nurse," abbreviated "GPN." The permit
4 holder who is an applicant for licensed practical nurse
5 licensure without examination shall use the title "licensed
6 practical nurse," abbreviated "LPN."

7 6305.0400 REQUIREMENTS FOR LICENSURE BY EXAMINATION.

8 Subpart 1. **Licensure application.** An applicant shall
9 obtain the application forms for licensure and instructions for
10 filing from the board. An applicant shall respond to questions
11 on the application that relate to the grounds for disciplinary
12 action in Minnesota Statutes, section 148.261. An applicant
13 shall submit true information. Falsification or omission of
14 information provides grounds for disciplinary action. The
15 application must be notarized. If an application is received
16 without a fee, it shall be returned to the applicant.

17 [For text of subp 2, see M.R.]

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

22 Subp. 4. **Graduation from approved professional nursing**
23 **program.** An applicant who has graduated from an approved
24 professional nursing program is eligible for licensure as a
25 registered nurse if the applicant's nursing education includes
26 classroom and clinical instruction. The learning activities
27 must have been provided according to either item A or B.

28 [For text of items A and B, see M.R.]

29 [For text of subp 5, see M.R.]

30 Subp. 6. **Transcripts necessary for applicants educated in**
31 **foreign countries.** An applicant who has graduated from a
32 program in another country shall submit a transcript in addition
33 to the affidavit of graduation required in subpart 8. The
34 applicant shall also submit a course description if the entries
35 on the transcript are not self-explanatory as to course

1 content. In lieu of the course description, an official of the
2 program may complete a form provided by the board. On a
3 notarized form, the official must attest to the applicant's
4 participation in classroom and clinical instruction consistent
5 with the required learning activities in part 6315.0400, subpart
6 4, for registered nurse applicants or subpart 5 for licensed
7 practical nurse applicants. If the transcript and course
8 description are not in English, a translation must be done by an
9 agency or individual specified by the board. The cost of this
10 translation must be paid by the applicant.

11 If an official transcript cannot be submitted because of
12 political unrest or alleged governmental reprisal if the school
13 releases the documents or if the original school records were
14 destroyed because of a disaster or record destruction decision,
15 or the school is closed, the board will accept one of the
16 following:

17 A. verification of the applicant's nursing education
18 from the Commission on Graduates of Foreign Nursing Schools;

19 B. verification of the applicant's nursing education
20 from a licensing authority;

21 C. verification of the applicant's nursing education
22 from a credentialing body for refugees which was established by
23 a national or international nursing or governmental
24 organization;

25 D. a copy of a transcript of the applicant's nursing
26 education from a college or university that accepted the
27 applicant for further study, the copy certified as a true and
28 correct copy of the transcript in the files and records of the
29 college or university; or

30 E. a copy of the transcript of the applicant's
31 nursing education from another licensing authority, the copy
32 certified as a true and correct copy of the transcript in the
33 files and records of the licensing authority.

34 If the entries on an official transcript are not
35 self-explanatory as to course content and further educational
36 information cannot be obtained because of political unrest,

1 alleged governmental reprisal if the school releases the
2 information, or if the records have been destroyed, the board
3 shall accept the verifications of item A or C.

4 [For text of subp 7, see M.R.]

5 Subp. 8. **Affidavit of graduation.** An applicant shall have
6 an affidavit of graduation completed and signed by an official
7 of the nursing program. The completed affidavit must bear the
8 seal or stamp of the program. For an applicant who has
9 graduated from a program in another country, if the school does
10 not notarize or does not complete the affidavit, the transcript
11 may be accepted in lieu of the notarization. An applicant must
12 submit the affidavit before the examination unless the applicant
13 will be writing the examination before graduation. An applicant
14 who graduates after writing an examination shall submit the
15 affidavit after graduation but before licensure. An applicant
16 who fails an examination shall submit the affidavit before
17 reexamination.

18 If the board finds after the examination has been written
19 that the affidavit of graduation was completed in error, the
20 applicant's permit shall be considered void. The examination
21 results shall not be released nor action taken on the
22 application until the applicant has graduated. Graduation
23 requirements must be met no later than the next available school
24 term following notification of nongraduation. If there is
25 evidence that the applicant was aware of nongraduation status
26 before the examination and did not inform the board, the matter
27 may be handled through a disciplinary proceeding.

28 [For text of subp 9, see M.R.]

29 Subp. 10. **Fees.** The board shall charge the following fees.

30 A. The licensure fee is \$75 for an applicant for
31 registered nurse licensure and \$50 for an applicant for licensed
32 practical nurse licensure. This fee must be paid to the board
33 and must be received before evaluation of an applicant's
34 qualifications for examination and licensure.

35 B. The examination fee is set by the examination
36 vendor and must be submitted to the agency specified by the

1 board each time an applicant wants to be scheduled to write an
2 examination.

3 C. The reexamination fee is \$50 for an applicant for
4 registered nurse licensure and \$40 for an applicant for licensed
5 practical nurse licensure. The fee must be paid to the board.

6 D. A late filing fee of \$50 must be remitted to the
7 board if one or more of the following materials is not properly
8 postmarked or delivered by the deadline:

- 9 (1) licensure application and fee;
10 (2) examination application and fee;
11 (3) reexamination application and fee.

12 E. Personal checks are not accepted. Each remittance
13 must be in the form of United States currency, cashier's check,
14 or money order.

15 F. If for any reason a license is not issued, fees
16 are not refundable.

17 Subp. 11. Deadline for submitting material. The deadline
18 for submitting all required applications and fees is 56 calendar
19 days preceding an examination. The board shall use the postmark
20 and address to determine compliance. If the required
21 applications and fees are not received on time, the applicant
22 must pay a late filing fee.

23 Late applications and fees, and the late filing fee if
24 applicable, must be received no later than 4:30 p.m. two working
25 days before the examination. All other documents must be
26 received no later than 4:30 p.m. the day before an examination.

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

31 [For text of items A to F, see M.R.]

32 G. An applicant who fails an examination may apply
33 for reexamination on a reexamination application supplied by the
34 board and must obey all other applicable rules. An applicant
35 shall respond to questions on the application that relate to the
36 grounds for disciplinary action listed in Minnesota Statutes,

1 section 148.261. The board may require further information of
2 the applicant in order to determine whether the applicant has
3 engaged in conduct warranting disciplinary action. An applicant
4 must submit true information. Falsification or omission of
5 information provides grounds for denial of a license. The
6 application must be notarized. If an application is received
7 without a fee, it shall be returned to the applicant.

8 H. An applicant may write the examination for
9 Minnesota licensure specified in this subpart in another
10 jurisdiction if the board authorizes the applicant to do so and
11 the jurisdiction is willing to administer the examination. The
12 applicant must meet any procedural requirements and pay any fees
13 set by the other jurisdiction.

14 6305.0500 REQUIREMENTS FOR LICENSURE WITHOUT EXAMINATION.

15 Subpart 1. Proof of licensure in another jurisdiction or
16 Canada. To be licensed to practice nursing in Minnesota without
17 writing an examination, an applicant must submit proof, on a
18 form provided by the board, that the applicant is licensed in
19 another jurisdiction or Canadian province and has passed an
20 examination acceptable to the board as listed in subparts 11 and
21 12. Proof of licensure must be obtained from the jurisdiction
22 or Canadian province in which the applicant wrote an acceptable
23 examination as well as the jurisdiction or Canadian province in
24 which the applicant was most recently employed. Proof of
25 licensure must be obtained from the jurisdiction in which the
26 applicant was first licensed, if this is different from the
27 jurisdiction in which the applicant was licensed based on an
28 acceptable examination.

29 Subp. 2. Licensure application. An applicant shall obtain
30 the application forms and instructions for filing from the board.
31 An applicant shall respond to questions on the application that
32 relate to the grounds for disciplinary action listed in
33 Minnesota Statutes, section 148.261. An applicant shall submit
34 true information. Falsification or omission of any information
35 provides grounds for denial of a license. The application must

1 be notarized. If an application is received without a fee, it
2 shall be returned to the applicant. Application for licensure
3 begins on the date when an application and fee are received by
4 the board.

5 Subp. 3. Fee. The fee for licensure is \$55. This fee
6 must be paid to the board and must be received before evaluation
7 of an applicant's qualifications for licensure. Personal checks
8 are not accepted. Remittance must be in the form of United
9 States currency, cashier's check, or money order. If for any
10 reason a license is not issued, the fee is not refundable.

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

15 [For text of subp 5, see M.R.]

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

19 [For text of item A, see M.R.]

20 B. an applicant for licensed practical nurse
21 licensure has been licensed by another jurisdiction and passed
22 an acceptable examination as specified in subpart 12 and has had
23 at least 4,000 clock hours of employment as a licensed practical
24 nurse in the 60 calendar months preceding application for
25 licensure in Minnesota.

26 Subp. 7. Current nursing education or experience. An
27 applicant who has been employed in nursing or who has graduated
28 from an approved nursing program during the two years
29 immediately preceding application for licensure is exempt from
30 the continuing education requirements in subparts 8 and 9.
31 Employment references must be submitted to verify employment
32 dates. An affidavit of graduation or evidence from the nurse
33 licensing agency in another jurisdiction or Canadian province
34 must be submitted to verify the graduation date.

35 Subp. 8. Continuing education for registered nurses. An
36 applicant for registered nurse licensure must participate in

1 continuing education activities as follows:

2 A. If the applicant has not been employed as a
3 registered nurse during the two years immediately preceding
4 receipt by the board of the application, the applicant must
5 participate in continuing education activities which meet the
6 criteria in part 6310.2800 and must submit an affidavit of
7 continuing education. The continuing education participation
8 must have occurred within the 24 months preceding board action
9 on the application for licensure.

10 B. If an applicant for registered nurse licensure has
11 not been employed as a registered nurse at least 320 hours
12 within the four years preceding receipt by the board of the
13 application for licensure, the applicant shall successfully
14 complete a refresher course and submit an affidavit of
15 completion. The refresher course must be completed within the
16 24 months immediately preceding board action on the application
17 for licensure.

18 Subp. 9. **Continuing education for practical nurses.** An
19 applicant for licensed practical nurse licensure must
20 participate in continuing education as follows:

21 A. If the applicant has not been employed as a
22 licensed practical nurse during the two years immediately
23 preceding receipt by the board of the application, the applicant
24 must participate in at least 15 clock hours of nursing-related
25 continuing education courses. The continuing education may be
26 part of an orientation program provided by an employer or
27 potential employer. The continuing education must have occurred
28 within the 24 months preceding board action on the application
29 for licensure. The applicant must submit an affidavit of
30 continuing education.

31 B. If an applicant for licensed practical nurse
32 licensure has not been employed as a licensed practical nurse at
33 least 320 hours within the four years preceding receipt by the
34 board of the application for licensure, the applicant shall
35 successfully complete a refresher course and submit an affidavit
36 of completion. The refresher course must be completed within

1 the 24 months immediately preceding board action on the
2 application for licensure.

3 Subp. 10. **Affidavit of graduation.** An applicant must
4 submit an affidavit of graduation, signed by an official of the
5 nursing program and bearing the seal or stamp of the program.
6 If an official school transcript is submitted, it shall be
7 accepted in lieu of an affidavit of graduation. An affidavit is
8 not required if the licensing authority in another jurisdiction
9 or Canadian province verifies graduation from an approved
10 program. If a licensed practical nurse applicant has not
11 graduated from an approved program, the applicant shall send his
12 or her employer a form supplied by the board for documentation
13 of 4,000 clock hours of employment. The form must be completed
14 by the employer and returned to the board. The board shall
15 determine if the employment fulfills the requirement of
16 Minnesota Statutes, section 148.211, subdivision 4.

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

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

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

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

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

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

35 A. passed a state-constructed examination or the
36 State Board Test Pool Examination for Practical Nurses

1 (SBTPE-PN) before 1960;

2 B. passed the SBTPE-PN after December 31, 1959, and
3 before January 1, 1970, with a scaled score of at least 370;

4 C. passed the SBTPE-PN after December 31, 1969, and
5 before October 1, 1982, with a scaled score of at least 400;

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

8 E. passed NCLEX-PN after September 30, 1988, with a
9 designation of pass.

10 Subp. 13. **Insufficient score.** An applicant for licensure
11 whose examination score does not meet the Minnesota score
12 requirement in subpart 11 or 12 must write the examination
13 currently used in Minnesota, achieve the passing score
14 established for the current examination, and meet the
15 requirements in part 6305.0400, subparts 2, 10, 11, and 12.

16 **REGISTRATION OF PROFESSIONAL AND PRACTICAL NURSES**

17 6310.2600 DEFINITIONS.

18 [For text of subps 1 to 4, see M.R.]

19 Subp. 5. **Continuing education report form.** "Continuing
20 education report form" means the printed document provided by
21 the board for use in reporting the information required in parts
22 6310.2800 to 6310.2900.

23 Subp. 5a. **Deferment.** "Deferment" means postponement of
24 participation in and reporting of all or part of the continuing
25 education activities for renewal.

26 [For text of subp 6, see M.R.]

27 Subp. 6a. **Late application fee.** "Late application fee"
28 means the penalty fee authorized in Minnesota Statutes, section
29 148.231, subdivision 1.

30 [For text of subps 7 to 8, see M.R.]

31 Subp. 8a. and 8b. [See Repealer.]

32 [For text of subps 8c and 9, see M.R.]

33 Subp. 9a. **Permit.** "Permit" means the document issued by
34 the board to an applicant for reregistration that authorizes
35 practice of professional or practical nursing in Minnesota

1 during participation in a formal, structured refresher course
2 for nurses that includes clinical practice.

3 Subp. 9b. Practical nurse. "Practical nurse" means a
4 person authorized by the board to engage in the practice of
5 practical nursing as defined in Minnesota Statutes, section
6 148.171, clause (5).

7 Subp. 9c. Professional nurse. "Professional nurse" means
8 a person authorized by the board to engage in the practice of
9 professional nursing as defined in Minnesota Statutes, section
10 148.171, clause (3).

11 [For text of subps 10 to 14, see M.R.]

12 Subp. 15. Registration period. "Registration period"
13 means a 24-month interval of time for which a registration
14 certificate is issued. The period ends the last day of the
15 licensee's month of birth in an even- or odd-numbered year
16 according to the licensee's year of birth. The length may vary
17 for a nurse's first registration period or reregistration
18 period. For registration renewal, the period starts on the
19 first day of the month following expiration of the previous
20 registration period.

21 [For text of subp 16, see M.R.]

22 6310.2800 REGISTRATION RENEWAL REQUIREMENTS.

23 Subpart 1. Requirement. Each licensee is responsible for
24 applying for renewal of registration if the person wishes to be
25 authorized to practice as a professional or practical nurse in
26 Minnesota.

27 Licensees are required to complete a registration renewal
28 application and pay a renewal fee. In addition, professional
29 nurses are required to accrue 30 contact hours of acceptable
30 continuing education activities for registration renewal.
31 Contact hours shall be accrued during a 24-month continuing
32 education participation period ending one month before the
33 professional nurse's registration expiration date. The number
34 of contact hours and length of participation period may vary for
35 a professional nurse's first registration renewal following

1 licensure or reregistration according to part 6310.2900, subpart
2 6.

3 Subp. 2. **Demonstration of professional nursing skill.** At
4 least one of the acceptable continuing education activities
5 required for registration renewal shall require the professional
6 nurse to show evidence of having successfully demonstrated to
7 the instructor skill in performing one or a portion of a
8 professional nursing function as indicated in Minnesota
9 Statutes, section 148.171, clause (3).

10 Subp. 4. **Application submission.** Licensees shall submit a
11 completed, signed application for registration renewal and a
12 renewal fee to the board office. Renewal applications from
13 professional nurses must be accompanied by a completed
14 continuing education report form meeting the requirements of
15 parts 6310.2800 and 6310.2900. Renewal applications, fees, and
16 continuing education report forms must be received in the board
17 office in the month preceding the month in which the applicant's
18 registration expires. Resubmission of a previously incomplete
19 or incorrect application form and renewal fee received before
20 the month in which the licensee's registration expires, shall
21 constitute timely submission if received in the board office on
22 or before the licensee's registration expiration date.

23 Subp. 5. **Late application fee.** A licensee filing for
24 registration renewal shall pay a late application fee, as well
25 as the renewal fee for the current renewal period if the
26 application or renewal fee is received in the board office
27 during the month in which the licensee's registration expires.

28 [For text of subp 6, see M.R.]

29 Subp. 7. **True information.** A licensee shall submit true
30 information. Falsification of any evidence for any registration
31 period or failure to comply with parts 6310.2800 and 6310.2900
32 for any two registration periods shall provide grounds for
33 disciplinary action.

34 [For text of subp 8, see M.R.]

35 6310.2900 REGISTRATION RENEWAL PROCEDURES.

1 [For text of subpart 1, see M.R.]

2 Subp. 2. **Application mailing date.** The board shall mail a
3 registration renewal application at least three full calendar
4 months before a licensee's registration expiration date. The
5 renewal application shall be mailed to the licensee's last known
6 address. Failure to receive the registration renewal
7 application shall not relieve a licensee of the obligation to
8 comply with parts 6310.2800 and 6310.2900.

9 Subp. 3. **Late submission.** An application and renewal fee
10 received in the board office during the month in which the
11 licensee's registration expires, shall not be processed and
12 shall be returned to a licensee for payment of a late
13 application fee.

14 A renewal application and fee received one or more days
15 after the licensee's registration expiration date shall be
16 returned with an application for reregistration. The board will
17 nullify incomplete registration renewal applications that are
18 not completed within 30 days following notification of the
19 deficiency or the licensees' registration expiration dates,
20 whichever is later. For a nullified application, the fee shall
21 be forfeited and the application and other documents may be
22 destroyed according to the process provided in Minnesota
23 Statutes, section 138.17, subdivision 7.

24 Subp. 4. **Continuing education evidence report form.** For
25 professional nurses, the registration renewal application shall
26 include a continuing education report form. Information to be
27 provided by the professional nurse on a report form shall
28 include:

29 [For text of items A to D, see M.R.]

30 [For text of subp 5, see M.R.]

31 Subp. 6. **Initial registration and first registration**
32 **renewal.** An individual who is issued a license by the board
33 shall also be registered by the board. The licensure fee shall
34 serve as payment for the initial registration period.

35 The initial registration period following licensure or
36 reregistration is from six to 29 full calendar months ending the

1 last day of the licensee's month of birth in an even-numbered
2 year if the year of birth was an even-numbered year or in an
3 odd-numbered year if the year of birth was an odd-numbered year.

4 Professional nurses shall accrue for the first registration
5 renewal following licensure and reregistration the number of
6 contact hours of acceptable continuing education activities
7 equivalent to the number of full months in their initial
8 registration period. The contact hours shall include at least
9 one successful demonstration of skill in performing a portion of
10 a component of professional nursing. The continuing education
11 participation period begins on the date the license was issued
12 or reregistration was completed and extends through the month
13 immediately preceding the month in which initial registration
14 expires.

15 [For text of subp 6a, see M.R.]

16 Subp. 7. **Substantiation of continuing education activities.**
17 Following each renewal date the board may select a sample of
18 professional nurses applying for registration renewal and
19 require substantiation of participation in acceptable continuing
20 education activities. Selected professional nurses shall submit
21 in writing the following data obtained from the provider of each
22 continuing education activity which verifies the information on
23 the continuing education report form:

24 [For text of items A to F, see M.R.]

25 G. Proof of compliance with part 6310.2800, subpart 2.

26 H. For continuing education activities meeting part
27 6310.2800, subpart 6, item L, a copy of the certificate may be
28 required and considered sufficient.

29 I. Any additional documentation the board deems
30 necessary.

31 Subp. 8. **Insufficient hours.** If a professional nurse
32 cannot demonstrate sufficient hours of acceptable continuing
33 education activities for a continuing education participation
34 period, the number of hours lacking may be deferred. If the
35 licensee has the required number of contact hours but the
36 contact hours do not include a demonstration of skill, the

1 licensee must defer one contact hour. The deferred hours shall
2 be added to the contact hours required in the immediately
3 succeeding continuing education participation period. If the
4 licensee does not renew for the continuing education
5 participation period that included the deferred hours, the
6 deferred hours will be required for reregistration. This part
7 may be applied once for any one professional nurse.

8 [For text of subps 9 and 10, see M.R.]

9 6310.3100 REREGISTRATION.

10 Subpart 1. Removal of name from list. The names of
11 licensees who do not return the complete renewal application,
12 renewal fees, and late application fees by the registration
13 expiration date shall be removed from the list of individuals
14 authorized to practice professional or practical nursing during
15 the current renewal period.

16 Subp. 2. Reregistration requirements. Reregistration
17 shall be granted when the licensee has met all reregistration
18 requirements. A licensee who applies for reregistration shall:

19 A. Submit a completed and signed reregistration
20 application;

21 B. Respond to questions on the application that
22 relate to the grounds for disciplinary action listed in
23 Minnesota Statutes, section 148.261. The licensee shall submit
24 true information. Falsification or omission of information
25 provides grounds for disciplinary action. The board may require
26 further information of the licensee in order to determine
27 whether the licensee has engaged in conduct warranting
28 disciplinary action as set forth in Minnesota Statutes, section
29 148.261;

30 C. Pay the registration renewal fee for the current
31 period;

32 D. Pay the late application fee if registration
33 expired within the last two years unless the licensee submitted
34 evidence of an incomplete or incorrect renewal application
35 before the registration renewal deadline; and

1 E. Submit evidence of meeting all relevant
2 requirements specified in subparts 2a to 8.

3 Subp. 2a. Continuing education. A professional nurse must
4 submit evidence of meeting all requirements specified in parts
5 6310.2800 and 6310.2900. Participation in continuing education
6 activities must have occurred during the 24 months immediately
7 before board action on the application for reregistration. This
8 requirement applies only to professional nurses whose
9 registration expired within the two years immediately preceding
10 application for reregistration.

11 Subp. 2b. Deferred contact hours. A professional nurse
12 who has deferred continuing education contact hours on record
13 shall make up all the deferred contact hours before board action
14 on the application for reregistration. The nurse shall submit a
15 report of participation in the required number of contact hours
16 and submit the substantiating documents required in part
17 6310.2900, subpart 7. The board shall audit the substantiating
18 documents to be certain that the requirements in part 6310.2900,
19 subpart 7, are met.

20 Subp. 5. [See Repealer.]

21 Subp. 6. Acceptable practice requirement. A licensee
22 without current registration who is applying for reregistration
23 must submit proof of at least 320 hours of acceptable nursing
24 practice in the four years immediately preceding receipt by the
25 board of the application for reregistration or meet the
26 requirement in subpart 7. To be acceptable the practice must
27 have:

28 A. consisted of employment or volunteer nursing in
29 any setting, or participation in clinical nursing courses or any
30 combination of these activities;

31 B. occurred only while the licensee was authorized to
32 practice nursing unless legal authorization for the practice was
33 not required in the jurisdiction where it occurred; or

34 C. included one or more of the functions defined in
35 Minnesota Statutes, section 148.171, clause (3), for
36 professional nurses or Minnesota Statutes, section 148.171,

1 clause (5), for practical nurses, or be determined by the
2 patient, employer, volunteer supervisor, patient's family or
3 physician, instructor, or peer as requiring the appropriate
4 nursing license.

5 Subp. 7. Refresher course requirement. Licensees without
6 current registration who do not demonstrate compliance with the
7 acceptable practice requirement in subpart 6, shall successfully
8 complete a refresher course and must submit an affidavit of
9 successful completion of a refresher course which occurred
10 within the 24 months immediately preceding board action on the
11 application for reregistration. The affidavit must be signed by
12 the person responsible for the course, hereinafter,
13 coordinator. For a professional nurse, the refresher course may
14 be used to fulfill the continuing education activities required
15 in subpart 2a, provided the refresher course meets the criteria
16 in part 6310.2800.

17 The refresher course must have been designed to meet the
18 following criteria:

19 [For text of items A to C, see M.R.]

20 Subp. 8. Permit to practice. To participate in the
21 clinical component of a refresher course, a licensee must have a
22 permit. To receive a permit, the licensee must submit the
23 completed reregistration application, fee, and an affidavit of
24 enrollment in the refresher course that includes the request for
25 a permit. When issued, the permit is valid only for
26 participation in the clinical component of the refresher course
27 and for no longer than 90 days. While the permit is in effect,
28 a registered nurse may use the title registered nurse,
29 abbreviated "RN," and a licensed practical nurse licensee may
30 use the title licensed practical nurse, abbreviated "LPN." The
31 affidavit must be signed by the refresher course coordinator.

32 [For text of subps 9 and 10, see M.R.]

33 Subp. 11. Nullification and reapplication. The board will
34 nullify incomplete reregistration applications that are not
35 completed within the six month period following receipt of fees
36 or within the six month period following issuance of a permit

1 for practice in a clinical component of a refresher course.

2 For a nullified application, the fee shall be forfeited and
3 the application and other documents may be destroyed according
4 to the process in Minnesota Statutes, section 138.17,
5 subdivision 7. If a licensee fails to submit an application and
6 fee within six months after the board received any other
7 documents relating to the application, the board may destroy the
8 documents.

9 If a licensee whose application has been nullified wants to
10 be reregistered, a new reregistration application must be
11 submitted and all applicable reregistration requirements must be
12 met.

13 [For text of subp 12, see M.R.]

14 6310.3300 CHANGE OF NAME AND ADDRESS ON RECORDS.

15 Subpart 1. **Name change.** The licensee who has changed
16 names shall notify the board in writing as soon as possible and
17 request a revised registration certificate. When requesting a
18 revised registration certificate, the licensee shall return the
19 current certificate to the board. The board may require
20 substantiation of the name change by requiring official
21 documentation.

22 [For text of subp 2, see M.R.]

23 6310.3400 DUPLICATE AND REPLACEMENT DOCUMENTS.

24 [For text of subpart 1, see M.R.]

25 Subp. 2. **Registration certificate.** A duplicate
26 registration certificate shall not be issued. If a registration
27 certificate is lost, stolen, or destroyed, the licensee shall
28 submit a written explanation of the situation. On written
29 request of the licensee, a replacement registration certificate
30 may be issued for a fee. The replacement registration
31 certificate shall be marked "Replacement."

32 If a licensee does not receive a registration certificate
33 which has been issued and notifies the board office in writing
34 within 60 days of the effective date, a replacement registration
35 certificate may be issued without a fee.

1 Subp. 3. **Lost, stolen, or destroyed documents.** If a
2 licensee's license or registration certificate or permit is
3 lost, stolen, or destroyed, the licensee must report the loss to
4 the board.

5 6310.3600 REGISTRATION FEES.

6 Subpart 1. **Amount.** The amount of fees shall be as follows:

- 7 A. registration renewal, \$32 per registration period;
8 B. late application, \$20;
9 C. replacement license, \$20;
10 D. replacement registration certificate, \$5;
11 E. verification of licensure status, \$20;
12 F. verification of examination scores, \$20;
13 G. a copy of licensure application materials, \$20;
14 and
15 H. service charge for a dishonored check, \$15.

16 Subp. 2. **Nonrefundable.** All fees are nonrefundable.

17 PUBLIC HEALTH NURSE REGISTRATION

18 6316.0100 REQUIREMENTS FOR REGISTRATION AS A PUBLIC HEALTH NURSE.

19 Subpart 1. **Licensure and current registration.** An
20 applicant for registration as a public health nurse must be
21 licensed and currently registered to practice professional
22 nursing in Minnesota.

23 Subp. 2. **Application.** An applicant shall obtain the
24 application forms and instructions for filing from the board.
25 An applicant shall submit true information. The application
26 must be notarized.

27 Subp. 3. **Fee.** An applicant must submit a fee of \$25 with
28 the application. This fee must be paid to the board in United
29 States currency, cashier's check, or money order. Personal
30 checks are not accepted. If for any reason a public health
31 nurse registration certificate is not issued, the fee is not
32 refundable.

33 Subp. 4. **Education.** An applicant must have a
34 baccalaureate or higher degree with a major in nursing. The
35 applicant's course work must have included theory and clinical

1 practice in public health nursing. The theory portion of the
2 public health nursing education must have been at least 30 hours
3 in length. The public health nursing content in a hospital
4 diploma or associate degree program does not qualify. At a
5 minimum, the public health nursing education must have prepared
6 the nurse to:

7 A. identify the incidence, distribution, and control
8 of disease in a population, as well as the risk factors and
9 environmental factors related to communities;

10 B. identify populations at high risk of illness,
11 disability, premature death, or poor recovery;

12 C. intervene with high-risk populations;

13 D. evaluate the effect of interventions on the health
14 status of a population; and

15 E. use community services, institutional resources,
16 and other health care providers.

17 Subp. 5. **Affidavit of graduation.** An applicant must
18 submit an affidavit of graduation from the institution that
19 awarded the baccalaureate or higher degree. The affidavit must
20 be completed by an official of the institution and bear the seal
21 or stamp of the institution. An applicant may submit an
22 official transcript in lieu of the affidavit.

23 Subp. 6. **Affidavit of completion of public health nursing**
24 **education.** An applicant must submit an affidavit of completion
25 of public health nursing education. Included with the affidavit
26 must be evidence that the applicant successfully completed
27 public health nursing education which meets the requirements in
28 subpart 4. The affidavit must be completed by an official of
29 the institution that provided public health nursing education
30 which meets the requirements in subpart 4.

31 6316.0200 ISSUANCE OF PUBLIC HEALTH NURSE REGISTRATION
32 CERTIFICATE.

33 Subpart 1. **Public health nurse registration certificate.**
34 The board shall issue a public health nurse registration
35 certificate to an applicant when the requirements have been

1 met. The public health nurse registration certificate is valid
2 only in conjunction with a current registration certificate for
3 professional nursing.

4 Subp. 2. Length of public health nurse registration
5 certificate. The public health nurse registration certificate
6 is in effect when the nurse has a license and is currently
7 registered to practice professional nursing in Minnesota. If a
8 license is revoked or the nurse allows the registration to
9 expire, the public health nurse registration certificate becomes
10 invalid.

11 Subp. 3. Replacement document. If a nurse requests the
12 replacement of a public health nurse registration certificate,
13 the nurse shall explain in writing the reason for requesting a
14 replacement. On written request of the nurse and the payment of
15 a \$5 fee, a replacement public health nurse registration
16 certificate may be issued. The replacement certificate shall be
17 marked "Replacement." The board may require substantiation of a
18 name change by requiring official documentation. A replacement
19 certificate shall not be issued for a change of address.

20 6316.0300 APPLICATION NULLIFICATION.

21 Subpart 1. Time frame for nullification. The board will
22 nullify an application for public health nurse registration if
23 the applicant fails to complete the application process within
24 one year after submission of the application.

25 Subp. 2. Destruction of application materials and
26 forfeiture of fee. For a nullified application, the fee shall
27 be forfeited and the application and other documents may be
28 destroyed according to the process specified in Minnesota
29 Statutes, section 138.17, subdivision 7. If the applicant
30 failed to submit the application and fee within one year after
31 the board received any other documents relating to the
32 application, the board may destroy the documents.

33 NURSING PRACTICE AND DISCIPLINE

34 6321.0100 DEFINITIONS.

35 Subpart 1. Scope. The definitions in this part apply to

1 ~~this chapter~~ Minnesota Statutes, sections 148.171 to 148.285.

2 Subp. 2. **Monitoring.** "Monitoring" means the periodic
3 inspection by a registered nurse or licensed practical nurse of
4 a directed function or activity and includes watching during
5 performance, checking, and tracking progress, updating a
6 supervisor of progress or accomplishment by the person
7 monitored, and contacting a supervisor as needed for direction
8 and consultation.

9 Subp. 3. **Supervision.** "Supervision" means the guidance by
10 a registered nurse for the accomplishment of a function or
11 activity. The guidance consists of the activities included in
12 monitoring as well as establishing the initial direction,
13 delegating, setting expectations, directing activities and
14 courses of action, critical watching, overseeing, evaluating,
15 and changing a course of action.

16 6321.0200 POLICY.

17 Nothing in this chapter is intended to limit the ability of
18 licensed practical nurses to function according to the
19 provisions of the Nurse Practice Act, Minnesota Statutes,
20 sections 148.171 to 148.285.

21 6321.0500 REPORTING OBLIGATIONS.

22 Subpart 1. **Institutions.** The reporting required of
23 institutions in Minnesota Statutes, section 148.263, subdivision
24 2, is interpreted to include resignation in lieu of discharge,
25 discharge, suspension, or other forms of discipline of a nurse
26 for failure to carry out the responsibilities of a nurse.
27 Examples of actions to be reported include but are not limited
28 to dismissal of probationary employees, suspensions other than
29 investigatory suspensions, restrictions or limitations of a
30 nurses's practice, demotion, and discharge from employment.

31 Subp. 2. **Licensed professionals.** The reporting required
32 of licensed professionals in Minnesota Statutes, section
33 148.263, subdivision 3, is interpreted to exclude the
34 professional knowledge obtained in the course of a health
35 professional-client relationship when the client is a nurse and

1 the health professional successfully counsels the nurse to limit
2 or withdraw from practice to the extent required by the
3 impairment.

4 6330.0100 DEFINITIONS.

5 Subpart 1. **Advanced nursing practice.** "Advanced nursing
6 practice" means the performance of health services by certified
7 registered nurse anesthetists, abbreviated, "CRNA," and
8 certified nurse midwives, abbreviated "CNM," certified nurse
9 practitioners, abbreviated "RN,C," and certified clinical
10 specialists in psychiatric or mental health nursing, abbreviated
11 "RN,CS," as defined in Minnesota Statutes, section 62A.15,
12 subdivision 3a.

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

15 Subp. 3. to 5. [See Repealer.]

16 6330.0200 PURPOSE.

17 Parts 6330.0100 to 6330.0300 establish criteria
18 ~~certification-of~~ for organizations which certify professional
19 nurses to engage in advanced nursing practice. Part 6330.0350
20 lists professional nursing organizations that fulfill the
21 criteria. The criteria and list are established under Minnesota
22 Statutes, section 62A.15, subdivision 3a, in order to qualify
23 advanced nursing services for reimbursement by third parties.

24 6330.0300 CRITERIA TO BE A PROFESSIONAL NURSING ORGANIZATION
25 WHICH CERTIFIES NURSES IN ADVANCED NURSING PRACTICE.

26 In order to have the authority to certify professional
27 nurses in advanced nursing practice as referenced in Minnesota
28 Statutes, section 62A.15, subdivision 3a, the organization must
29 have met the following criteria:

- 30 A. be national in the scope of its credentialing;
31 B. have an education requirement of at least one
32 academic year or nine calendar months or its equivalent of
33 full-time study beyond that required for registered nurse
34 licensure;

1 C. have practice requirements beyond those required
2 for registered nurse licensure;

3 D. have testing requirements beyond those required
4 for registered nurse licensure;

5 E. issue certificates to qualified professional
6 nurses; and

7 F. periodically review the qualifications of
8 certified individuals.

9 6330.0350 PROFESSIONAL NURSING ORGANIZATIONS WITH AUTHORITY TO
10 CERTIFY.

11 The following organizations meet the criteria in part
12 6330.0300 and have the authority to certify registered nurses in
13 the advanced nursing practice categories listed:

14 A. American Association of Nurse Anesthetists Council
15 on Certification and Council on Recertification: nurse
16 anesthetist.

17 B. American College of Nurse-Midwives: nurse midwife.

18 C. American Nurses Association:

19 (1) nurse practitioner:

20 (a) gerontological nurse practitioner;

21 (b) adult nurse practitioner;

22 (c) family nurse practitioner;

23 (d) school nurse practitioner;

24 (e) pediatric nurse practitioner.

25 (2) clinical specialist in psychiatric or mental
26 health nursing:

27 (a) clinical specialist in adult psychiatric
28 and mental health nursing;

29 (b) clinical specialist in child and
30 adolescent psychiatric and mental health nursing.

31 D. National Certification Board of Pediatric Nurse
32 Practitioners and Nurses: pediatric nurse practitioner.

33 E. Nurses Association of American College of
34 Obstetrics and Gynecology Certification Corporation:

35 (1) obstetric-gynecological nurse practitioner;

1 (2) neonatal nurse clinician/practitioner.

2 6330.0500 MAINTENANCE OF LISTS.

3 Subpart 1. List updating. Each January the board shall
4 add to the list professional nursing organizations which have
5 met the criteria within the previous year and which certify
6 nurses for advanced nursing practice, and remove from the list
7 organizations which no longer meet the criteria.

8 Subp. 2. [See Repealer.]

9

10 RENUMBER. Minnesota Rules, parts 6315.0600 and 6315.0700
11 are renumbered as 6305.0600 and 6305.0700.

12

13 REPEALER. Minnesota Rules, parts 6301.0100, subpart 3;
14 6301.1200, subpart 6; 6301.1700, subparts 2, 3, and 4;
15 6310.2600, subparts 8a and 8b; 6310.3100, subpart 5; 6315.0100,
16 subparts 15 and 16; 6330.0100, subparts 3, 4, and 5; 6330.0400;
17 6330.0500, subpart 2; 6330.0600; and 6330.0700, are repealed.