

HOUSE BILL No. 4938

September 13, 2017, Introduced by Rep. Whiteford and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17201 (MCL 333.17201), as amended by 2016 PA 499, and by adding sections 16190, 17225, and 17225a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 16190. (1) THE NURSE LICENSURE COMPACT IS ENACTED INTO**
2 **LAW AND ENTERED INTO BY THIS STATE AS A PARTY STATE WITH ALL OTHER**
3 **JURISDICTIONS THAT LEGALLY JOIN IN THE COMPACT, IN THE FORM**
4 **SUBSTANTIALLY AS FOLLOWS:**

NURSE LICENSURE COMPACT

ARTICLE I

FINDINGS AND DECLARATION OF PURPOSE

A. THE PARTY STATES FIND THAT:

1. **THE HEALTH AND SAFETY OF THE PUBLIC ARE AFFECTED BY THE DEGREE**

1 OF COMPLIANCE WITH AND THE EFFECTIVENESS OF ENFORCEMENT ACTIVITIES
2 RELATED TO STATE NURSE LICENSURE LAWS;

3 2. VIOLATIONS OF NURSE LICENSURE AND OTHER LAWS REGULATING THE
4 PRACTICE OF NURSING MAY RESULT IN INJURY OR HARM TO THE PUBLIC;

5 3. THE EXPANDED MOBILITY OF NURSES AND THE USE OF ADVANCED
6 COMMUNICATION TECHNOLOGIES AS PART OF OUR NATION'S HEALTH CARE
7 DELIVERY SYSTEM REQUIRE GREATER COORDINATION AND COOPERATION AMONG
8 STATES IN THE AREAS OF NURSE LICENSURE AND REGULATION;

9 4. NEW PRACTICE MODALITIES AND TECHNOLOGY MAKE COMPLIANCE WITH
10 INDIVIDUAL STATE NURSE LICENSURE LAWS DIFFICULT AND COMPLEX;

11 5. THE CURRENT SYSTEM OF DUPLICATIVE LICENSURE FOR NURSES
12 PRACTICING IN MULTIPLE STATES IS CUMBERSOME AND REDUNDANT FOR BOTH
13 NURSES AND STATES; AND

14 6. UNIFORMITY OF NURSE LICENSURE REQUIREMENTS THROUGHOUT THE STATES
15 PROMOTES PUBLIC SAFETY AND PUBLIC HEALTH BENEFITS.

16 B. THE GENERAL PURPOSES OF THIS COMPACT ARE TO:

17 1. FACILITATE THE STATES' RESPONSIBILITY TO PROTECT THE PUBLIC'S
18 HEALTH AND SAFETY;

19 2. ENSURE AND ENCOURAGE THE COOPERATION OF PARTY STATES IN THE
20 AREAS OF NURSE LICENSURE AND REGULATION;

21 3. FACILITATE THE EXCHANGE OF INFORMATION BETWEEN PARTY STATES IN
22 THE AREAS OF NURSE REGULATION, INVESTIGATION AND ADVERSE ACTIONS;

23 4. PROMOTE COMPLIANCE WITH THE LAWS GOVERNING THE PRACTICE OF
24 NURSING IN EACH JURISDICTION;

25 5. INVEST ALL PARTY STATES WITH THE AUTHORITY TO HOLD A NURSE
26 ACCOUNTABLE FOR MEETING ALL STATE PRACTICE LAWS IN THE STATE IN
27 WHICH THE PATIENT IS LOCATED AT THE TIME CARE IS RENDERED THROUGH

1 THE MUTUAL RECOGNITION OF PARTY STATE LICENSES ;
2 6. DECREASE REDUNDANCIES IN THE CONSIDERATION AND ISSUANCE OF NURSE
3 LICENSES; AND
4 7. PROVIDE OPPORTUNITIES FOR INTERSTATE PRACTICE BY NURSES WHO MEET
5 UNIFORM LICENSURE REQUIREMENTS.

6 ARTICLE II

7 DEFINITIONS

8 AS USED IN THIS COMPACT:

9 A. "ADVERSE ACTION" MEANS ANY ADMINISTRATIVE, CIVIL, EQUITABLE OR
10 CRIMINAL ACTION PERMITTED BY A STATE'S LAWS WHICH IS IMPOSED BY A
11 LICENSING BOARD OR OTHER AUTHORITY AGAINST A NURSE, INCLUDING
12 ACTIONS AGAINST AN INDIVIDUAL'S LICENSE OR MULTISTATE LICENSURE
13 PRIVILEGE SUCH AS REVOCATION, SUSPENSION, PROBATION, MONITORING OF
14 THE LICENSEE, LIMITATION ON THE LICENSEE'S PRACTICE, OR ANY OTHER
15 ENCUMBRANCE ON LICENSURE AFFECTING A NURSE'S AUTHORIZATION TO
16 PRACTICE, INCLUDING ISSUANCE OF A CEASE AND DESIST ACTION.

17 B. "ALTERNATIVE PROGRAM" MEANS A NON-DISCIPLINARY MONITORING
18 PROGRAM APPROVED BY A LICENSING BOARD.

19 C. "COORDINATED LICENSURE INFORMATION SYSTEM" MEANS AN INTEGRATED
20 PROCESS FOR COLLECTING, STORING AND SHARING INFORMATION ON NURSE
21 LICENSURE AND ENFORCEMENT ACTIVITIES RELATED TO NURSE LICENSURE
22 LAWS THAT IS ADMINISTERED BY A NONPROFIT ORGANIZATION COMPOSED OF
23 AND CONTROLLED BY LICENSING BOARDS.

24 D. "CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION" MEANS:

25 1. INVESTIGATIVE INFORMATION THAT A LICENSING BOARD, AFTER A
26 PRELIMINARY INQUIRY THAT INCLUDES NOTIFICATION AND AN OPPORTUNITY

1 FOR THE NURSE TO RESPOND, IF REQUIRED BY STATE LAW, HAS REASON TO
2 BELIEVE IS NOT GROUNDLESS AND, IF PROVED TRUE, WOULD INDICATE MORE
3 THAN A MINOR INFRACTION; OR

4 2. INVESTIGATIVE INFORMATION THAT INDICATES THAT THE NURSE
5 REPRESENTS AN IMMEDIATE THREAT TO PUBLIC HEALTH AND SAFETY
6 REGARDLESS OF WHETHER THE NURSE HAS BEEN NOTIFIED AND HAD AN
7 OPPORTUNITY TO RESPOND.

8 E. "ENCUMBRANCE" MEANS A REVOCATION OR SUSPENSION OF, OR ANY
9 LIMITATION ON, THE FULL AND UNRESTRICTED PRACTICE OF NURSING
10 IMPOSED BY A LICENSING BOARD.

11 F. "HOME STATE" MEANS THE PARTY STATE WHICH IS THE NURSE'S PRIMARY
12 STATE OF RESIDENCE.

13 G. "LICENSING BOARD" MEANS A PARTY STATE'S REGULATORY BODY
14 RESPONSIBLE FOR ISSUING NURSE LICENSES.

15 H. "MULTISTATE LICENSE" MEANS A LICENSE TO PRACTICE AS A REGISTERED
16 OR A LICENSED PRACTICAL/VOCATIONAL NURSE (LPN/VN) ISSUED BY A HOME
17 STATE LICENSING BOARD THAT AUTHORIZES THE LICENSED NURSE TO
18 PRACTICE IN ALL PARTY STATES UNDER A MULTISTATE LICENSURE
19 PRIVILEGE.

20 I. "MULTISTATE LICENSURE PRIVILEGE" MEANS A LEGAL AUTHORIZATION
21 ASSOCIATED WITH A MULTISTATE LICENSE PERMITTING THE PRACTICE OF
22 NURSING AS EITHER A REGISTERED NURSE (RN) OR LPN/VN IN A REMOTE
23 STATE.

24 J. "NURSE" MEANS RN OR LPN/VN, AS THOSE TERMS ARE DEFINED BY EACH
25 PARTY STATE'S PRACTICE LAWS.

26 K. "PARTY STATE" MEANS ANY STATE THAT HAS ADOPTED THIS COMPACT.

27 L. "REMOTE STATE" MEANS A PARTY STATE, OTHER THAN THE HOME STATE.

1 M. "SINGLE-STATE LICENSE" MEANS A NURSE LICENSE ISSUED BY A PARTY
2 STATE THAT AUTHORIZES PRACTICE ONLY WITHIN THE ISSUING STATE AND
3 DOES NOT INCLUDE A MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN
4 ANY OTHER PARTY STATE.

5 N. "STATE" MEANS A STATE, TERRITORY OR POSSESSION OF THE UNITED
6 STATES AND THE DISTRICT OF COLUMBIA.

7 O. "STATE PRACTICE LAWS" MEANS A PARTY STATE'S LAWS, RULES AND
8 REGULATIONS THAT GOVERN THE PRACTICE OF NURSING, DEFINE THE SCOPE
9 OF NURSING PRACTICE, AND CREATE THE METHODS AND GROUNDS FOR
10 IMPOSING DISCIPLINE. "STATE PRACTICE LAWS" DO NOT INCLUDE
11 REQUIREMENTS NECESSARY TO OBTAIN AND RETAIN A LICENSE, EXCEPT FOR
12 QUALIFICATIONS OR REQUIREMENTS OF THE HOME STATE.

13 ARTICLE III

14 GENERAL PROVISIONS AND JURISDICTION

15 A. A MULTISTATE LICENSE TO PRACTICE REGISTERED OR LICENSED
16 PRACTICAL/VOCATIONAL NURSING ISSUED BY A HOME STATE TO A RESIDENT
17 IN THAT STATE WILL BE RECOGNIZED BY EACH PARTY STATE AS AUTHORIZING
18 A NURSE TO PRACTICE AS A REGISTERED NURSE (RN) OR AS A LICENSED
19 PRACTICAL/VOCATIONAL NURSE (LPN/VN), UNDER A MULTISTATE LICENSURE
20 PRIVILEGE, IN EACH PARTY STATE.

21 B. A STATE MUST IMPLEMENT PROCEDURES FOR CONSIDERING THE CRIMINAL
22 HISTORY RECORDS OF APPLICANTS FOR INITIAL MULTISTATE LICENSE OR
23 LICENSURE BY ENDORSEMENT. SUCH PROCEDURES SHALL INCLUDE THE
24 SUBMISSION OF FINGERPRINTS OR OTHER BIOMETRIC-BASED INFORMATION BY
25 APPLICANTS FOR THE PURPOSE OF OBTAINING AN APPLICANT'S CRIMINAL
26 HISTORY RECORD INFORMATION FROM THE FEDERAL BUREAU OF INVESTIGATION

1 AND THE AGENCY RESPONSIBLE FOR RETAINING THAT STATE'S CRIMINAL
2 RECORDS.

3 C. EACH PARTY STATE SHALL REQUIRE THE FOLLOWING FOR AN APPLICANT TO
4 OBTAIN OR RETAIN A MULTISTATE LICENSE IN THE HOME STATE:

5 1. MEETS THE HOME STATE'S QUALIFICATIONS FOR LICENSURE OR RENEWAL
6 OF LICENSURE, AS WELL AS, ALL OTHER APPLICABLE STATE LAWS;

7 2. I. HAS GRADUATED OR IS ELIGIBLE TO GRADUATE FROM A LICENSING
8 BOARD-APPROVED RN OR LPN/VN PRELICENSURE EDUCATION PROGRAM; OR

9 II. HAS GRADUATED FROM A FOREIGN RN OR LPN/VN PRELICENSURE
10 EDUCATION PROGRAM THAT (A) HAS BEEN APPROVED BY THE AUTHORIZED
11 ACCREDITING BODY IN THE APPLICABLE COUNTRY AND (B) HAS BEEN
12 VERIFIED BY AN INDEPENDENT CREDENTIALS REVIEW AGENCY TO BE
13 COMPARABLE TO A LICENSING BOARD-APPROVED PRELICENSURE EDUCATION
14 PROGRAM;

15 3. HAS, IF A GRADUATE OF A FOREIGN PRELICENSURE EDUCATION PROGRAM
16 NOT TAUGHT IN ENGLISH OR IF ENGLISH IS NOT THE INDIVIDUAL'S NATIVE
17 LANGUAGE, SUCCESSFULLY PASSED AN ENGLISH PROFICIENCY EXAMINATION
18 THAT INCLUDES THE COMPONENTS OF READING, SPEAKING, WRITING AND
19 LISTENING;

20 4. HAS SUCCESSFULLY PASSED AN NCLEX-RN® OR NCLEX-PN® EXAMINATION OR
21 RECOGNIZED PREDECESSOR, AS APPLICABLE;

22 5. IS ELIGIBLE FOR OR HOLDS AN ACTIVE, UNENCUMBERED LICENSE;

23 6. HAS SUBMITTED, IN CONNECTION WITH AN APPLICATION FOR INITIAL
24 LICENSURE OR LICENSURE BY ENDORSEMENT, FINGERPRINTS OR OTHER
25 BIOMETRIC DATA FOR THE PURPOSE OF OBTAINING CRIMINAL HISTORY RECORD
26 INFORMATION FROM THE FEDERAL BUREAU OF INVESTIGATION AND THE AGENCY
27 RESPONSIBLE FOR RETAINING THAT STATE'S CRIMINAL RECORDS;

1 7. HAS NOT BEEN CONVICTED OR FOUND GUILTY, OR HAS ENTERED INTO AN
2 AGREED DISPOSITION, OF A FELONY OFFENSE UNDER APPLICABLE STATE OR
3 FEDERAL CRIMINAL LAW;

4 8. HAS NOT BEEN CONVICTED OR FOUND GUILTY, OR HAS ENTERED INTO AN
5 AGREED DISPOSITION, OF A MISDEMEANOR OFFENSE RELATED TO THE
6 PRACTICE OF NURSING AS DETERMINED ON A CASE-BY-CASE BASIS;

7 9. IS NOT CURRENTLY ENROLLED IN AN ALTERNATIVE PROGRAM;

8 10. IS SUBJECT TO SELF-DISCLOSURE REQUIREMENTS REGARDING CURRENT
9 PARTICIPATION IN AN ALTERNATIVE PROGRAM; AND

10 11. HAS A VALID UNITED STATES SOCIAL SECURITY NUMBER.

11 D. ALL PARTY STATES SHALL BE AUTHORIZED, IN ACCORDANCE WITH
12 EXISTING STATE DUE PROCESS LAW, TO TAKE ADVERSE ACTION AGAINST A
13 NURSE'S MULTISTATE LICENSURE PRIVILEGE SUCH AS REVOCATION,
14 SUSPENSION, PROBATION OR ANY OTHER ACTION THAT AFFECTS A NURSE'S
15 AUTHORIZATION TO PRACTICE UNDER A MULTISTATE LICENSURE PRIVILEGE,
16 INCLUDING CEASE AND DESIST ACTIONS. IF A PARTY STATE TAKES SUCH
17 ACTION, IT SHALL PROMPTLY NOTIFY THE ADMINISTRATOR OF THE
18 COORDINATED LICENSURE INFORMATION SYSTEM. THE ADMINISTRATOR OF THE
19 COORDINATED LICENSURE INFORMATION SYSTEM SHALL PROMPTLY NOTIFY THE
20 HOME STATE OF ANY SUCH ACTIONS BY REMOTE STATES.

21 E. A NURSE PRACTICING IN A PARTY STATE MUST COMPLY WITH THE STATE
22 PRACTICE LAWS OF THE STATE IN WHICH THE CLIENT IS LOCATED AT THE
23 TIME SERVICE IS PROVIDED. THE PRACTICE OF NURSING IS NOT LIMITED TO
24 PATIENT CARE, BUT SHALL INCLUDE ALL NURSING PRACTICE AS DEFINED BY
25 THE STATE PRACTICE LAWS OF THE PARTY STATE IN WHICH THE CLIENT IS
26 LOCATED. THE PRACTICE OF NURSING IN A PARTY STATE UNDER A
27 MULTISTATE LICENSURE PRIVILEGE WILL SUBJECT A NURSE TO THE

1 JURISDICTION OF THE LICENSING BOARD, THE COURTS AND THE LAWS OF THE
2 PARTY STATE IN WHICH THE CLIENT IS LOCATED AT THE TIME SERVICE IS
3 PROVIDED.

4 F. INDIVIDUALS NOT RESIDING IN A PARTY STATE SHALL CONTINUE TO BE
5 ABLE TO APPLY FOR A PARTY STATE'S SINGLE-STATE LICENSE AS PROVIDED
6 UNDER THE LAWS OF EACH PARTY STATE. HOWEVER, THE SINGLE-STATE
7 LICENSE GRANTED TO THESE INDIVIDUALS WILL NOT BE RECOGNIZED AS
8 GRANTING THE PRIVILEGE TO PRACTICE NURSING IN ANY OTHER PARTY
9 STATE. NOTHING IN THIS COMPACT SHALL AFFECT THE REQUIREMENTS
10 ESTABLISHED BY A PARTY STATE FOR THE ISSUANCE OF A SINGLE-STATE
11 LICENSE.

12 G. ANY NURSE HOLDING A HOME STATE MULTISTATE LICENSE, ON THE
13 EFFECTIVE DATE OF THIS COMPACT, MAY RETAIN AND RENEW THE MULTISTATE
14 LICENSE ISSUED BY THE NURSE'S THEN-CURRENT HOME STATE, PROVIDED
15 THAT:

16 1. A NURSE, WHO CHANGES PRIMARY STATE OF RESIDENCE AFTER THIS
17 COMPACT'S EFFECTIVE DATE, MUST MEET ALL APPLICABLE ARTICLE III.C.
18 REQUIREMENTS TO OBTAIN A MULTISTATE LICENSE FROM A NEW HOME STATE.

19 2. A NURSE WHO FAILS TO SATISFY THE MULTISTATE LICENSURE
20 REQUIREMENTS IN ARTICLE III.C. DUE TO A DISQUALIFYING EVENT
21 OCCURRING AFTER THIS COMPACT'S EFFECTIVE DATE SHALL BE INELIGIBLE
22 TO RETAIN OR RENEW A MULTISTATE LICENSE, AND THE NURSE'S MULTISTATE
23 LICENSE SHALL BE REVOKED OR DEACTIVATED IN ACCORDANCE WITH
24 APPLICABLE RULES ADOPTED BY THE INTERSTATE COMMISSION OF NURSE
25 LICENSURE COMPACT ADMINISTRATORS ("COMMISSION").

26

ARTICLE IV

1 APPLICATIONS FOR LICENSURE IN A PARTY STATE

2 A. UPON APPLICATION FOR A MULTISTATE LICENSE, THE LICENSING BOARD
3 IN THE ISSUING PARTY STATE SHALL ASCERTAIN, THROUGH THE COORDINATED
4 LICENSURE INFORMATION SYSTEM, WHETHER THE APPLICANT HAS EVER HELD,
5 OR IS THE HOLDER OF, A LICENSE ISSUED BY ANY OTHER STATE, WHETHER
6 THERE ARE ANY ENCUMBRANCES ON ANY LICENSE OR MULTISTATE LICENSURE
7 PRIVILEGE HELD BY THE APPLICANT, WHETHER ANY ADVERSE ACTION HAS
8 BEEN TAKEN AGAINST ANY LICENSE OR MULTISTATE LICENSURE PRIVILEGE
9 HELD BY THE APPLICANT AND WHETHER THE APPLICANT IS CURRENTLY
10 PARTICIPATING IN AN ALTERNATIVE PROGRAM.

11 B. A NURSE MAY HOLD A MULTISTATE LICENSE, ISSUED BY THE HOME STATE,
12 IN ONLY ONE PARTY STATE AT A TIME.

13 C. IF A NURSE CHANGES PRIMARY STATE OF RESIDENCE BY MOVING BETWEEN
14 TWO PARTY STATES, THE NURSE MUST APPLY FOR LICENSURE IN THE NEW
15 HOME STATE, AND THE MULTISTATE LICENSE ISSUED BY THE PRIOR HOME
16 STATE WILL BE DEACTIVATED IN ACCORDANCE WITH APPLICABLE RULES
17 ADOPTED BY THE COMMISSION.

18 1. THE NURSE MAY APPLY FOR LICENSURE IN ADVANCE OF A CHANGE IN
19 PRIMARY STATE OF RESIDENCE.

20 2. A MULTISTATE LICENSE SHALL NOT BE ISSUED BY THE NEW HOME STATE
21 UNTIL THE NURSE PROVIDES SATISFACTORY EVIDENCE OF A CHANGE IN
22 PRIMARY STATE OF RESIDENCE TO THE NEW HOME STATE AND SATISFIES ALL
23 APPLICABLE REQUIREMENTS TO OBTAIN A MULTISTATE LICENSE FROM THE NEW
24 HOME STATE.

25 D. IF A NURSE CHANGES PRIMARY STATE OF RESIDENCE BY MOVING FROM A
26 PARTY STATE TO A NON-PARTY STATE, THE MULTISTATE LICENSE ISSUED BY
27 THE PRIOR HOME STATE WILL CONVERT TO A SINGLE-STATE LICENSE, VALID

1 ONLY IN THE FORMER HOME STATE.

2 ARTICLE V

3 ADDITIONAL AUTHORITIES INVESTED IN PARTY STATE LICENSING BOARDS

4 A. IN ADDITION TO THE OTHER POWERS CONFERRED BY STATE LAW, A
5 LICENSING BOARD SHALL HAVE THE AUTHORITY TO:

6 1. TAKE ADVERSE ACTION AGAINST A NURSE'S MULTISTATE LICENSURE
7 PRIVILEGE TO PRACTICE WITHIN THAT PARTY STATE.

8 I. ONLY THE HOME STATE SHALL HAVE THE POWER TO TAKE ADVERSE ACTION
9 AGAINST A NURSE'S LICENSE ISSUED BY THE HOME STATE.

10 II. FOR PURPOSES OF TAKING ADVERSE ACTION, THE HOME STATE LICENSING
11 BOARD SHALL GIVE THE SAME PRIORITY AND EFFECT TO REPORTED CONDUCT
12 RECEIVED FROM A REMOTE STATE AS IT WOULD IF SUCH
13 CONDUCT HAD OCCURRED WITHIN THE HOME STATE. IN SO DOING, THE HOME
14 STATE SHALL APPLY ITS OWN STATE LAWS TO DETERMINE APPROPRIATE
15 ACTION.

16 2. ISSUE CEASE AND DESIST ORDERS OR IMPOSE AN ENCUMBRANCE ON A
17 NURSE'S AUTHORITY TO PRACTICE WITHIN THAT PARTY STATE.

18 3. COMPLETE ANY PENDING INVESTIGATIONS OF A NURSE WHO CHANGES
19 PRIMARY STATE OF RESIDENCE DURING THE COURSE OF SUCH
20 INVESTIGATIONS. THE LICENSING BOARD SHALL ALSO HAVE THE AUTHORITY
21 TO TAKE APPROPRIATE ACTION(S) AND SHALL PROMPTLY REPORT THE
22 CONCLUSIONS OF SUCH INVESTIGATIONS TO THE ADMINISTRATOR OF THE
23 COORDINATED LICENSURE INFORMATION SYSTEM. THE ADMINISTRATOR OF THE
24 COORDINATED LICENSURE INFORMATION SYSTEM SHALL PROMPTLY NOTIFY THE
25 NEW HOME STATE OF ANY SUCH ACTIONS.

26 4. ISSUE SUBPOENAS FOR BOTH HEARINGS AND INVESTIGATIONS THAT

1 REQUIRE THE ATTENDANCE AND TESTIMONY OF WITNESSES, AS WELL AS, THE
2 PRODUCTION OF EVIDENCE. SUBPOENAS ISSUED BY A LICENSING BOARD IN A
3 PARTY STATE FOR THE ATTENDANCE AND TESTIMONY OF WITNESSES OR THE
4 PRODUCTION OF EVIDENCE FROM ANOTHER PARTY STATE SHALL BE ENFORCED
5 IN THE LATTER STATE BY ANY COURT OF COMPETENT JURISDICTION,
6 ACCORDING TO THE PRACTICE AND PROCEDURE OF THAT COURT APPLICABLE TO
7 SUBPOENAS ISSUED IN PROCEEDINGS PENDING BEFORE IT. THE ISSUING
8 AUTHORITY SHALL PAY ANY WITNESS FEES, TRAVEL EXPENSES, MILEAGE AND
9 OTHER FEES REQUIRED BY THE SERVICE STATUTES OF THE STATE IN WHICH
10 THE WITNESSES OR EVIDENCE ARE LOCATED.

11 5. OBTAIN AND SUBMIT, FOR EACH NURSE LICENSURE APPLICANT,
12 FINGERPRINT OR OTHER BIOMETRIC-BASED INFORMATION TO THE FEDERAL
13 BUREAU OF INVESTIGATION FOR CRIMINAL BACKGROUND CHECKS, RECEIVE THE
14 RESULTS OF THE FEDERAL BUREAU OF INVESTIGATION RECORD SEARCH ON
15 CRIMINAL BACKGROUND CHECKS AND USE THE RESULTS IN MAKING LICENSURE
16 DECISIONS.

17 6. IF OTHERWISE PERMITTED BY STATE LAW, RECOVER FROM THE AFFECTED
18 NURSE THE COSTS OF INVESTIGATIONS AND DISPOSITION OF CASES
19 RESULTING FROM ANY ADVERSE ACTION TAKEN AGAINST THAT NURSE.

20 7. TAKE ADVERSE ACTION BASED ON THE FACTUAL FINDINGS OF THE REMOTE
21 STATE, PROVIDED THAT THE LICENSING BOARD FOLLOWS ITS OWN PROCEDURES
22 FOR TAKING SUCH ADVERSE ACTION.

23 B. IF ADVERSE ACTION IS TAKEN BY THE HOME STATE AGAINST A NURSE'S
24 MULTISTATE LICENSE, THE NURSE'S MULTISTATE LICENSURE PRIVILEGE TO
25 PRACTICE IN ALL OTHER PARTY STATES SHALL BE DEACTIVATED UNTIL ALL
26 ENCUMBRANCES HAVE BEEN REMOVED FROM THE MULTISTATE LICENSE. ALL
27 HOME STATE DISCIPLINARY ORDERS THAT IMPOSE ADVERSE ACTION AGAINST A

1 NURSE'S MULTISTATE LICENSE SHALL INCLUDE A STATEMENT THAT THE
2 NURSE'S MULTISTATE LICENSURE PRIVILEGE IS DEACTIVATED IN ALL PARTY
3 STATES DURING THE PENDENCY OF THE ORDER.

4 C. NOTHING IN THIS COMPACT SHALL OVERRIDE A PARTY STATE'S DECISION
5 THAT PARTICIPATION IN AN ALTERNATIVE PROGRAM MAY BE USED IN LIEU OF
6 ADVERSE ACTION. THE HOME STATE LICENSING BOARD SHALL DEACTIVATE THE
7 MULTISTATE LICENSURE PRIVILEGE UNDER THE MULTISTATE LICENSE OF ANY
8 NURSE FOR THE DURATION OF THE NURSE'S PARTICIPATION IN AN
9 ALTERNATIVE PROGRAM.

10 ARTICLE VI

11 COORDINATED LICENSURE INFORMATION SYSTEM AND EXCHANGE OF
12 INFORMATION

13 A. ALL PARTY STATES SHALL PARTICIPATE IN A COORDINATED LICENSURE
14 INFORMATION SYSTEM OF ALL LICENSED REGISTERED NURSES (RNS) AND
15 LICENSED PRACTICAL/VOCATIONAL NURSES (LPNS/VNS). THIS SYSTEM WILL
16 INCLUDE INFORMATION ON THE LICENSURE AND DISCIPLINARY HISTORY OF
17 EACH NURSE, AS SUBMITTED BY PARTY STATES, TO ASSIST IN THE
18 COORDINATION OF NURSE LICENSURE AND ENFORCEMENT EFFORTS.

19 B. THE COMMISSION, IN CONSULTATION WITH THE ADMINISTRATOR OF THE
20 COORDINATED LICENSURE INFORMATION SYSTEM, SHALL FORMULATE NECESSARY
21 AND PROPER PROCEDURES FOR THE IDENTIFICATION, COLLECTION AND
22 EXCHANGE OF INFORMATION UNDER THIS COMPACT.

23 C. ALL LICENSING BOARDS SHALL PROMPTLY REPORT TO THE COORDINATED
24 LICENSURE INFORMATION SYSTEM ANY ADVERSE ACTION, ANY CURRENT
25 SIGNIFICANT INVESTIGATIVE INFORMATION, DENIALS OF APPLICATIONS
26 (WITH THE REASONS FOR SUCH DENIALS) AND NURSE PARTICIPATION IN

1 ALTERNATIVE PROGRAMS KNOWN TO THE LICENSING BOARD REGARDLESS OF
2 WHETHER SUCH PARTICIPATION IS DEEMED NONPUBLIC OR CONFIDENTIAL
3 UNDER STATE LAW.

4 D. CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION AND PARTICIPATION
5 IN NONPUBLIC OR CONFIDENTIAL ALTERNATIVE PROGRAMS SHALL BE
6 TRANSMITTED THROUGH THE COORDINATED LICENSURE INFORMATION SYSTEM
7 ONLY TO PARTY STATE LICENSING BOARDS.

8 E. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL PARTY STATE
9 LICENSING BOARDS CONTRIBUTING INFORMATION TO THE COORDINATED
10 LICENSURE INFORMATION SYSTEM MAY DESIGNATE INFORMATION THAT MAY NOT
11 BE SHARED WITH NON-PARTY STATES OR DISCLOSED TO OTHER ENTITIES OR
12 INDIVIDUALS WITHOUT THE EXPRESS PERMISSION OF THE CONTRIBUTING
13 STATE.

14 F. ANY PERSONALLY IDENTIFIABLE INFORMATION OBTAINED FROM THE
15 COORDINATED LICENSURE INFORMATION SYSTEM BY A PARTY STATE LICENSING
16 BOARD SHALL NOT BE SHARED WITH NON-PARTY STATES OR DISCLOSED TO
17 OTHER ENTITIES OR INDIVIDUALS EXCEPT TO THE EXTENT PERMITTED BY THE
18 LAWS OF THE PARTY STATE CONTRIBUTING THE INFORMATION.

19 G. ANY INFORMATION CONTRIBUTED TO THE COORDINATED LICENSURE
20 INFORMATION SYSTEM THAT IS SUBSEQUENTLY REQUIRED TO BE EXPUNGED BY
21 THE LAWS OF THE PARTY STATE CONTRIBUTING THAT INFORMATION SHALL
22 ALSO BE EXPUNGED FROM THE COORDINATED LICENSURE INFORMATION SYSTEM.

23 H. THE COMPACT ADMINISTRATOR OF EACH PARTY STATE SHALL FURNISH A
24 UNIFORM DATA SET TO THE COMPACT ADMINISTRATOR OF EACH OTHER PARTY
25 STATE, WHICH SHALL INCLUDE, AT A MINIMUM:

- 26 1. IDENTIFYING INFORMATION;
- 27 2. LICENSURE DATA;

1 3. INFORMATION RELATED TO ALTERNATIVE PROGRAM PARTICIPATION; AND
2 4. OTHER INFORMATION THAT MAY FACILITATE THE ADMINISTRATION OF THIS
3 COMPACT, AS DETERMINED BY COMMISSION RULES.

4 I. THE COMPACT ADMINISTRATOR OF A PARTY STATE SHALL PROVIDE ALL
5 INVESTIGATIVE DOCUMENTS AND INFORMATION REQUESTED BY ANOTHER PARTY
6 STATE.

7 ARTICLE VII

8 ESTABLISHMENT OF THE INTERSTATE COMMISSION OF NURSE LICENSURE
9 COMPACT ADMINISTRATORS

10 A. THE PARTY STATES HEREBY CREATE AND ESTABLISH A JOINT PUBLIC
11 ENTITY KNOWN AS THE INTERSTATE COMMISSION OF NURSE LICENSURE
12 COMPACT ADMINISTRATORS.

13 1. THE COMMISSION IS AN INSTRUMENTALITY OF THE PARTY STATES.

14 2. VENUE IS PROPER, AND JUDICIAL PROCEEDINGS BY OR AGAINST THE
15 COMMISSION SHALL BE BROUGHT SOLELY AND EXCLUSIVELY, IN A COURT OF
16 COMPETENT JURISDICTION WHERE THE PRINCIPAL OFFICE OF THE COMMISSION
17 IS LOCATED. THE COMMISSION MAY WAIVE VENUE AND JURISDICTIONAL
18 DEFENSES TO THE EXTENT IT ADOPTS OR CONSENTS TO PARTICIPATE IN
19 ALTERNATIVE DISPUTE RESOLUTION PROCEEDINGS.

20 3. NOTHING IN THIS COMPACT SHALL BE CONSTRUED TO BE A WAIVER OF
21 SOVEREIGN IMMUNITY.

22 B. MEMBERSHIP, VOTING AND MEETINGS

23 1. EACH PARTY STATE SHALL HAVE AND BE LIMITED TO ONE ADMINISTRATOR.
24 THE HEAD OF THE STATE LICENSING BOARD OR DESIGNEE SHALL BE THE
25 ADMINISTRATOR OF THIS COMPACT FOR EACH PARTY STATE. ANY
26 ADMINISTRATOR MAY BE REMOVED OR SUSPENDED FROM OFFICE AS PROVIDED

1 BY THE LAW OF THE STATE FROM WHICH THE ADMINISTRATOR IS APPOINTED.
2 ANY VACANCY OCCURRING IN THE COMMISSION SHALL BE FILLED IN
3 ACCORDANCE WITH THE LAWS OF THE PARTY STATE IN WHICH THE VACANCY
4 EXISTS.

5 2. EACH ADMINISTRATOR SHALL BE ENTITLED TO ONE (1) VOTE WITH REGARD
6 TO THE PROMULGATION OF RULES AND CREATION OF BYLAWS AND SHALL
7 OTHERWISE HAVE AN OPPORTUNITY TO PARTICIPATE IN THE BUSINESS AND
8 AFFAIRS OF THE COMMISSION. AN ADMINISTRATOR SHALL VOTE IN PERSON OR
9 BY SUCH OTHER MEANS AS PROVIDED IN THE BYLAWS. THE BYLAWS MAY
10 PROVIDE FOR AN ADMINISTRATOR'S PARTICIPATION IN MEETINGS BY
11 TELEPHONE OR OTHER MEANS OF COMMUNICATION.

12 3. THE COMMISSION SHALL MEET AT LEAST ONCE DURING EACH CALENDAR
13 YEAR. ADDITIONAL MEETINGS SHALL BE HELD AS SET FORTH IN THE BYLAWS
14 OR RULES OF THE COMMISSION.

15 4. ALL MEETINGS SHALL BE OPEN TO THE PUBLIC, AND PUBLIC NOTICE OF
16 MEETINGS SHALL BE GIVEN IN THE SAME MANNER AS REQUIRED UNDER THE
17 RULEMAKING PROVISIONS IN ARTICLE VIII.

18 5. THE COMMISSION MAY CONVENE IN A CLOSED, NONPUBLIC MEETING IF THE
19 COMMISSION MUST DISCUSS:

20 I. NONCOMPLIANCE OF A PARTY STATE WITH ITS OBLIGATIONS UNDER THIS
21 COMPACT;

22 II. THE EMPLOYMENT, COMPENSATION, DISCIPLINE OR OTHER PERSONNEL
23 MATTERS, PRACTICES OR PROCEDURES RELATED TO SPECIFIC EMPLOYEES OR
24 OTHER MATTERS RELATED TO THE COMMISSION'S INTERNAL PERSONNEL
25 PRACTICES AND PROCEDURES;

26 III. CURRENT, THREATENED OR REASONABLY ANTICIPATED LITIGATION;

27 IV. NEGOTIATION OF CONTRACTS FOR THE PURCHASE OR SALE OF GOODS,

1 SERVICES OR REAL ESTATE;
2 V. ACCUSING ANY PERSON OF A CRIME OR FORMALLY CENSURING ANY PERSON;
3 VI. DISCLOSURE OF TRADE SECRETS OR COMMERCIAL OR FINANCIAL
4 INFORMATION THAT IS PRIVILEGED OR CONFIDENTIAL;
5 VII. DISCLOSURE OF INFORMATION OF A PERSONAL NATURE WHERE
6 DISCLOSURE WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF
7 PERSONAL PRIVACY;
8 VIII. DISCLOSURE OF INVESTIGATORY RECORDS COMPILED FOR LAW
9 ENFORCEMENT PURPOSES;
10 IX. DISCLOSURE OF INFORMATION RELATED TO ANY REPORTS PREPARED BY OR
11 ON BEHALF OF THE COMMISSION FOR THE PURPOSE OF INVESTIGATION OF
12 COMPLIANCE WITH THIS COMPACT; OR
13 X. MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY FEDERAL OR
14 STATE STATUTE.
15 6. IF A MEETING, OR PORTION OF A MEETING, IS CLOSED PURSUANT TO
16 THIS PROVISION, THE COMMISSION'S LEGAL COUNSEL OR DESIGNEE SHALL
17 CERTIFY THAT THE MEETING MAY BE CLOSED AND SHALL REFERENCE EACH
18 RELEVANT EXEMPTING PROVISION. THE COMMISSION SHALL KEEP MINUTES
19 THAT FULLY AND CLEARLY DESCRIBE ALL MATTERS DISCUSSED IN A MEETING
20 AND SHALL PROVIDE A FULL AND ACCURATE SUMMARY OF ACTIONS TAKEN, AND
21 THE REASONS THEREFOR, INCLUDING A DESCRIPTION OF THE VIEWS
22 EXPRESSED. ALL DOCUMENTS CONSIDERED IN CONNECTION WITH AN ACTION
23 SHALL BE IDENTIFIED IN SUCH MINUTES. ALL MINUTES AND DOCUMENTS OF A
24 CLOSED MEETING SHALL REMAIN UNDER SEAL, SUBJECT TO RELEASE BY A
25 MAJORITY VOTE OF THE COMMISSION OR ORDER OF A COURT OF COMPETENT
26 JURISDICTION.
27 C. THE COMMISSION SHALL, BY A MAJORITY VOTE OF THE ADMINISTRATORS,

1 PRESCRIBE BYLAWS OR RULES TO GOVERN ITS CONDUCT AS MAY BE NECESSARY
2 OR APPROPRIATE TO CARRY OUT THE PURPOSES AND EXERCISE THE POWERS OF
3 THIS COMPACT, INCLUDING BUT NOT LIMITED TO:

4 1. ESTABLISHING THE FISCAL YEAR OF THE COMMISSION;

5 2. PROVIDING REASONABLE STANDARDS AND PROCEDURES:

6 I. FOR THE ESTABLISHMENT AND MEETINGS OF OTHER COMMITTEES; AND

7 II. GOVERNING ANY GENERAL OR SPECIFIC DELEGATION OF ANY AUTHORITY

8 OR FUNCTION OF THE COMMISSION;

9 3. PROVIDING REASONABLE PROCEDURES FOR CALLING AND CONDUCTING

10 MEETINGS OF THE COMMISSION, ENSURING REASONABLE ADVANCE NOTICE OF

11 ALL MEETINGS AND PROVIDING AN OPPORTUNITY FOR ATTENDANCE OF SUCH

12 MEETINGS BY INTERESTED PARTIES, WITH ENUMERATED EXCEPTIONS DESIGNED

13 TO PROTECT THE PUBLIC'S INTEREST, THE PRIVACY OF INDIVIDUALS, AND

14 PROPRIETARY INFORMATION, INCLUDING TRADE SECRETS. THE COMMISSION

15 MAY MEET IN CLOSED SESSION ONLY AFTER A MAJORITY OF THE

16 ADMINISTRATORS VOTE TO CLOSE A MEETING IN WHOLE OR IN PART. AS SOON

17 AS PRACTICABLE, THE COMMISSION MUST MAKE PUBLIC A COPY OF THE VOTE

18 TO CLOSE THE MEETING REVEALING THE VOTE OF EACH ADMINISTRATOR, WITH

19 NO PROXY VOTES ALLOWED;

20 4. ESTABLISHING THE TITLES, DUTIES AND AUTHORITY AND REASONABLE

21 PROCEDURES FOR THE ELECTION OF THE OFFICERS OF THE COMMISSION;

22 5. PROVIDING REASONABLE STANDARDS AND PROCEDURES FOR THE

23 ESTABLISHMENT OF THE PERSONNEL POLICIES AND PROGRAMS OF THE

24 COMMISSION. NOTWITHSTANDING ANY CIVIL SERVICE OR OTHER SIMILAR LAWS

25 OF ANY PARTY STATE, THE BYLAWS SHALL EXCLUSIVELY GOVERN THE

26 PERSONNEL POLICIES AND PROGRAMS OF THE COMMISSION; AND

27 6. PROVIDING A MECHANISM FOR WINDING UP THE OPERATIONS OF THE

1 COMMISSION AND THE EQUITABLE DISPOSITION OF ANY SURPLUS FUNDS THAT
2 MAY EXIST AFTER THE TERMINATION OF THIS COMPACT AFTER THE PAYMENT
3 OR RESERVING OF ALL OF ITS DEBTS AND OBLIGATIONS;

4 D. THE COMMISSION SHALL PUBLISH ITS BYLAWS AND RULES, AND ANY
5 AMENDMENTS THERETO, IN A CONVENIENT FORM ON THE WEBSITE OF THE
6 COMMISSION.

7 E. THE COMMISSION SHALL MAINTAIN ITS FINANCIAL RECORDS IN
8 ACCORDANCE WITH THE BYLAWS.

9 F. THE COMMISSION SHALL MEET AND TAKE SUCH ACTIONS AS ARE
10 CONSISTENT WITH THE PROVISIONS OF THIS COMPACT AND THE BYLAWS.

11 G. THE COMMISSION SHALL HAVE THE FOLLOWING POWERS:

12 1. TO PROMULGATE UNIFORM RULES TO FACILITATE AND COORDINATE
13 IMPLEMENTATION AND ADMINISTRATION OF THIS COMPACT. THE RULES SHALL
14 HAVE THE FORCE AND EFFECT OF LAW AND SHALL BE BINDING IN ALL PARTY
15 STATES;

16 2. TO BRING AND PROSECUTE LEGAL PROCEEDINGS OR ACTIONS IN THE NAME
17 OF THE COMMISSION, PROVIDED THAT THE STANDING OF ANY LICENSING
18 BOARD TO SUE OR BE SUED UNDER APPLICABLE LAW SHALL NOT BE AFFECTED;

19 3. TO PURCHASE AND MAINTAIN INSURANCE AND BONDS;

20 4. TO BORROW, ACCEPT OR CONTRACT FOR SERVICES OF PERSONNEL,
21 INCLUDING, BUT NOT LIMITED TO, EMPLOYEES OF A PARTY STATE OR
22 NONPROFIT ORGANIZATIONS;

23 5. TO COOPERATE WITH OTHER ORGANIZATIONS THAT ADMINISTER STATE
24 COMPACTS RELATED TO THE REGULATION OF NURSING, INCLUDING BUT NOT
25 LIMITED TO SHARING ADMINISTRATIVE OR STAFF EXPENSES, OFFICE SPACE
26 OR OTHER RESOURCES;

27 6. TO HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX COMPENSATION,

1 DEFINE DUTIES, GRANT SUCH INDIVIDUALS APPROPRIATE AUTHORITY TO
2 CARRY OUT THE PURPOSES OF THIS COMPACT, AND TO ESTABLISH THE
3 COMMISSION'S PERSONNEL POLICIES AND PROGRAMS RELATING TO CONFLICTS
4 OF INTEREST, QUALIFICATIONS OF PERSONNEL AND OTHER RELATED
5 PERSONNEL MATTERS;

6 7. TO ACCEPT ANY AND ALL APPROPRIATE DONATIONS, GRANTS AND GIFTS OF
7 MONEY, EQUIPMENT, SUPPLIES, MATERIALS AND SERVICES, AND TO RECEIVE,
8 UTILIZE AND DISPOSE OF THE SAME; PROVIDED THAT AT ALL TIMES THE
9 COMMISSION SHALL AVOID ANY APPEARANCE OF IMPROPRIETY OR CONFLICT OF
10 INTEREST;

11 8. TO LEASE, PURCHASE, ACCEPT APPROPRIATE GIFTS OR DONATIONS OF, OR
12 OTHERWISE TO OWN, HOLD, IMPROVE OR USE, ANY PROPERTY, WHETHER REAL,
13 PERSONAL OR MIXED; PROVIDED THAT AT ALL TIMES THE COMMISSION SHALL
14 AVOID ANY APPEARANCE OF IMPROPRIETY;

15 9. TO SELL, CONVEY, MORTGAGE, PLEDGE, LEASE, EXCHANGE, ABANDON OR
16 OTHERWISE DISPOSE OF ANY PROPERTY, WHETHER REAL, PERSONAL OR MIXED;

17 10. TO ESTABLISH A BUDGET AND MAKE EXPENDITURES;

18 11. TO BORROW MONEY;

19 12. TO APPOINT COMMITTEES, INCLUDING ADVISORY COMMITTEES COMPRISED
20 OF ADMINISTRATORS, STATE NURSING REGULATORS, STATE LEGISLATORS OR
21 THEIR REPRESENTATIVES, AND CONSUMER REPRESENTATIVES, AND OTHER SUCH
22 INTERESTED PERSONS;

23 13. TO PROVIDE AND RECEIVE INFORMATION FROM, AND TO COOPERATE WITH,
24 LAW ENFORCEMENT AGENCIES;

25 14. TO ADOPT AND USE AN OFFICIAL SEAL; AND

26 15. TO PERFORM SUCH OTHER FUNCTIONS AS MAY BE NECESSARY OR
27 APPROPRIATE TO ACHIEVE THE PURPOSES OF THIS COMPACT CONSISTENT WITH

1 THE STATE REGULATION OF NURSE LICENSURE AND PRACTICE.

2 H. FINANCING OF THE COMMISSION

3 1. THE COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT OF, THE
4 REASONABLE EXPENSES OF ITS ESTABLISHMENT, ORGANIZATION AND ONGOING
5 ACTIVITIES.

6 2. THE COMMISSION MAY ALSO LEVY ON AND COLLECT AN ANNUAL ASSESSMENT
7 FROM EACH PARTY STATE TO COVER THE COST OF ITS OPERATIONS,
8 ACTIVITIES AND STAFF IN ITS ANNUAL BUDGET AS APPROVED EACH YEAR.
9 THE AGGREGATE ANNUAL ASSESSMENT AMOUNT, IF ANY, SHALL BE ALLOCATED
10 BASED UPON A FORMULA TO BE DETERMINED BY THE COMMISSION, WHICH
11 SHALL PROMULGATE A RULE THAT IS BINDING UPON ALL PARTY STATES.

12 3. THE COMMISSION SHALL NOT INCUR OBLIGATIONS OF ANY KIND PRIOR TO
13 SECURING THE FUNDS ADEQUATE TO MEET THE SAME; NOR SHALL THE
14 COMMISSION PLEDGE THE CREDIT OF ANY OF THE PARTY STATES, EXCEPT BY,
15 AND WITH THE AUTHORITY OF, SUCH PARTY STATE.

16 4. THE COMMISSION SHALL KEEP ACCURATE ACCOUNTS OF ALL RECEIPTS AND
17 DISBURSEMENTS. THE RECEIPTS AND DISBURSEMENTS OF THE COMMISSION
18 SHALL BE SUBJECT TO THE AUDIT AND ACCOUNTING PROCEDURES ESTABLISHED
19 UNDER ITS BYLAWS. HOWEVER, ALL RECEIPTS AND DISBURSEMENTS OF FUNDS
20 HANDLED BY THE COMMISSION SHALL BE AUDITED YEARLY BY A CERTIFIED OR
21 LICENSED PUBLIC ACCOUNTANT, AND THE REPORT OF THE AUDIT SHALL BE
22 INCLUDED IN AND BECOME PART OF THE ANNUAL REPORT OF THE COMMISSION.

23 I. QUALIFIED IMMUNITY, DEFENSE AND INDEMNIFICATION

24 1. THE ADMINISTRATORS, OFFICERS, EXECUTIVE DIRECTOR, EMPLOYEES AND
25 REPRESENTATIVES OF THE COMMISSION SHALL BE IMMUNE FROM SUIT AND
26 LIABILITY, EITHER PERSONALLY OR IN THEIR OFFICIAL CAPACITY, FOR ANY
27 CLAIM FOR DAMAGE TO OR LOSS OF PROPERTY OR PERSONAL INJURY OR OTHER

1 CIVIL LIABILITY CAUSED BY OR ARISING OUT OF ANY ACTUAL OR ALLEGED
2 ACT, ERROR OR OMISSION THAT OCCURRED, OR THAT THE PERSON AGAINST
3 WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS FOR BELIEVING
4 OCCURRED, WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES OR
5 RESPONSIBILITIES; PROVIDED THAT NOTHING IN THIS PARAGRAPH SHALL BE
6 CONSTRUED TO PROTECT ANY SUCH PERSON FROM SUIT OR LIABILITY FOR ANY
7 DAMAGE, LOSS, INJURY OR LIABILITY CAUSED BY THE INTENTIONAL,
8 WILLFUL OR WANTON MISCONDUCT OF THAT PERSON.

9 2. THE COMMISSION SHALL DEFEND ANY ADMINISTRATOR, OFFICER,
10 EXECUTIVE DIRECTOR, EMPLOYEE OR REPRESENTATIVE OF THE COMMISSION IN
11 ANY CIVIL ACTION SEEKING TO IMPOSE LIABILITY ARISING OUT OF ANY
12 ACTUAL OR ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED WITHIN THE
13 SCOPE OF COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES, OR THAT
14 THE PERSON AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS
15 FOR BELIEVING OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT,
16 DUTIES OR RESPONSIBILITIES; PROVIDED THAT NOTHING HEREIN SHALL BE
17 CONSTRUED TO PROHIBIT THAT PERSON FROM RETAINING HIS OR HER OWN
18 COUNSEL; AND PROVIDED FURTHER THAT THE ACTUAL OR ALLEGED ACT, ERROR
19 OR OMISSION DID NOT RESULT FROM THAT PERSON'S INTENTIONAL, WILLFUL
20 OR WANTON MISCONDUCT.

21 3. THE COMMISSION SHALL INDEMNIFY AND HOLD HARMLESS ANY
22 ADMINISTRATOR, OFFICER, EXECUTIVE DIRECTOR, EMPLOYEE OR
23 REPRESENTATIVE OF THE COMMISSION FOR THE AMOUNT OF ANY SETTLEMENT
24 OR JUDGMENT OBTAINED AGAINST THAT PERSON ARISING OUT OF ANY ACTUAL
25 OR ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED WITHIN THE SCOPE OF
26 COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES, OR THAT SUCH
27 PERSON HAD A REASONABLE BASIS FOR BELIEVING OCCURRED WITHIN THE

1 SCOPE OF COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES,
2 PROVIDED THAT THE ACTUAL OR ALLEGED ACT, ERROR OR OMISSION DID NOT
3 RESULT FROM THE INTENTIONAL, WILLFUL OR WANTON MISCONDUCT OF THAT
4 PERSON.

5 ARTICLE VIII

6 RULEMAKING

7 A. THE COMMISSION SHALL EXERCISE ITS RULEMAKING POWERS PURSUANT TO
8 THE CRITERIA SET FORTH IN THIS ARTICLE AND THE RULES ADOPTED
9 THEREUNDER. RULES AND AMENDMENTS SHALL BECOME BINDING AS OF THE
10 DATE SPECIFIED IN EACH RULE OR AMENDMENT AND SHALL HAVE THE SAME
11 FORCE AND EFFECT AS PROVISIONS OF THIS COMPACT.

12 B. RULES OR AMENDMENTS TO THE RULES SHALL BE ADOPTED AT A REGULAR
13 OR SPECIAL MEETING OF THE COMMISSION.

14 C. PRIOR TO PROMULGATION AND ADOPTION OF A FINAL RULE OR RULES BY
15 THE COMMISSION, AND AT LEAST SIXTY (60) DAYS IN ADVANCE OF THE
16 MEETING AT WHICH THE RULE WILL BE CONSIDERED AND VOTED UPON, THE
17 COMMISSION SHALL FILE A NOTICE OF PROPOSED RULEMAKING:

- 18 1. ON THE WEBSITE OF THE COMMISSION; AND
19 2. ON THE WEBSITE OF EACH LICENSING BOARD OR THE PUBLICATION IN
20 WHICH EACH STATE WOULD OTHERWISE PUBLISH PROPOSED RULES.

21 D. THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE:

- 22 1. THE PROPOSED TIME, DATE AND LOCATION OF THE MEETING IN WHICH THE
23 RULE WILL BE CONSIDERED AND VOTED UPON;
24 2. THE TEXT OF THE PROPOSED RULE OR AMENDMENT, AND THE REASON FOR
25 THE PROPOSED RULE;
26 3. A REQUEST FOR COMMENTS ON THE PROPOSED RULE FROM ANY INTERESTED

1 PERSON; AND

2 4. THE MANNER IN WHICH INTERESTED PERSONS MAY SUBMIT NOTICE TO THE
3 COMMISSION OF THEIR INTENTION TO ATTEND THE PUBLIC HEARING AND ANY
4 WRITTEN COMMENTS.

5 E. PRIOR TO ADOPTION OF A PROPOSED RULE, THE COMMISSION SHALL ALLOW
6 PERSONS TO SUBMIT WRITTEN DATA, FACTS, OPINIONS AND ARGUMENTS,
7 WHICH SHALL BE MADE AVAILABLE TO THE PUBLIC.

8 F. THE COMMISSION SHALL GRANT AN OPPORTUNITY FOR A PUBLIC HEARING
9 BEFORE IT ADOPTS A RULE OR AMENDMENT.

10 G. THE COMMISSION SHALL PUBLISH THE PLACE, TIME AND DATE OF THE
11 SCHEDULED PUBLIC HEARING.

12 1. HEARINGS SHALL BE CONDUCTED IN A MANNER PROVIDING EACH PERSON
13 WHO WISHES TO COMMENT A FAIR AND REASONABLE OPPORTUNITY TO COMMENT
14 ORALLY OR IN WRITING. ALL HEARINGS WILL BE RECORDED, AND A COPY
15 WILL BE MADE AVAILABLE UPON REQUEST.

16 2. NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REQUIRING A
17 SEPARATE HEARING ON EACH RULE. RULES MAY BE GROUPED FOR THE
18 CONVENIENCE OF THE COMMISSION AT HEARINGS REQUIRED BY THIS SECTION.

19 H. IF NO ONE APPEARS AT THE PUBLIC HEARING, THE COMMISSION MAY
20 PROCEED WITH PROMULGATION OF THE PROPOSED RULE.

21 I. FOLLOWING THE SCHEDULED HEARING DATE, OR BY THE CLOSE OF
22 BUSINESS ON THE SCHEDULED HEARING DATE IF THE HEARING WAS NOT HELD,
23 THE COMMISSION SHALL CONSIDER ALL WRITTEN AND ORAL COMMENTS
24 RECEIVED.

25 J. THE COMMISSION SHALL, BY MAJORITY VOTE OF ALL ADMINISTRATORS,
26 TAKE FINAL ACTION ON THE PROPOSED RULE AND SHALL DETERMINE THE
27 EFFECTIVE DATE OF THE RULE, IF ANY, BASED ON THE RULEMAKING RECORD

1 AND THE FULL TEXT OF THE RULE.

2 K. UPON DETERMINATION THAT AN EMERGENCY EXISTS, THE COMMISSION MAY
3 CONSIDER AND ADOPT AN EMERGENCY RULE WITHOUT PRIOR NOTICE,
4 OPPORTUNITY FOR COMMENT OR HEARING, PROVIDED THAT THE USUAL
5 RULEMAKING PROCEDURES PROVIDED IN THIS COMPACT AND IN THIS SECTION
6 SHALL BE RETROACTIVELY APPLIED TO THE RULE AS SOON AS REASONABLY
7 POSSIBLE, IN NO EVENT LATER THAN NINETY (90) DAYS AFTER THE
8 EFFECTIVE DATE OF THE RULE. FOR THE PURPOSES OF THIS PROVISION, AN
9 EMERGENCY RULE IS ONE THAT MUST BE ADOPTED IMMEDIATELY IN ORDER TO:
10 1. MEET AN IMMINENT THREAT TO PUBLIC HEALTH, SAFETY OR WELFARE;
11 2. PREVENT A LOSS OF COMMISSION OR PARTY STATE FUNDS; OR
12 3. MEET A DEADLINE FOR THE PROMULGATION OF AN ADMINISTRATIVE RULE
13 THAT IS REQUIRED BY FEDERAL LAW OR RULE.

14 L. THE COMMISSION MAY DIRECT REVISIONS TO A PREVIOUSLY ADOPTED RULE
15 OR AMENDMENT FOR PURPOSES OF CORRECTING TYPOGRAPHICAL ERRORS,
16 ERRORS IN FORMAT, ERRORS IN CONSISTENCY OR GRAMMATICAL ERRORS.
17 PUBLIC NOTICE OF ANY REVISIONS SHALL BE POSTED ON THE WEBSITE OF
18 THE COMMISSION. THE REVISION SHALL BE SUBJECT TO CHALLENGE BY ANY
19 PERSON FOR A PERIOD OF THIRTY (30) DAYS AFTER POSTING. THE REVISION
20 MAY BE CHALLENGED ONLY ON GROUNDS THAT THE REVISION RESULTS IN A
21 MATERIAL CHANGE TO A RULE. A CHALLENGE SHALL
22 BE MADE IN WRITING, AND DELIVERED TO THE COMMISSION, PRIOR TO THE
23 END OF THE NOTICE PERIOD. IF NO CHALLENGE IS MADE, THE REVISION
24 WILL TAKE EFFECT WITHOUT FURTHER ACTION. IF THE REVISION IS
25 CHALLENGED, THE REVISION MAY NOT TAKE EFFECT WITHOUT THE APPROVAL
26 OF THE COMMISSION.

ARTICLE IX

OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

A. OVERSIGHT

1. EACH PARTY STATE SHALL ENFORCE THIS COMPACT AND TAKE ALL ACTIONS NECESSARY AND APPROPRIATE TO EFFECTUATE THIS COMPACT'S PURPOSES AND INTENT.

2. THE COMMISSION SHALL BE ENTITLED TO RECEIVE SERVICE OF PROCESS IN ANY PROCEEDING THAT MAY AFFECT THE POWERS, RESPONSIBILITIES OR ACTIONS OF THE COMMISSION, AND SHALL HAVE STANDING TO INTERVENE IN SUCH A PROCEEDING FOR ALL PURPOSES. FAILURE TO PROVIDE SERVICE OF PROCESS IN SUCH PROCEEDING TO THE COMMISSION SHALL RENDER A JUDGMENT OR ORDER VOID AS TO THE COMMISSION, THIS COMPACT OR PROMULGATED RULES.

B. DEFAULT, TECHNICAL ASSISTANCE AND TERMINATION

1. IF THE COMMISSION DETERMINES THAT A PARTY STATE HAS DEFAULTED IN THE PERFORMANCE OF ITS OBLIGATIONS OR RESPONSIBILITIES UNDER THIS COMPACT OR THE PROMULGATED RULES, THE COMMISSION SHALL:

I. PROVIDE WRITTEN NOTICE TO THE DEFAULTING STATE AND OTHER PARTY STATES OF THE NATURE OF THE DEFAULT, THE PROPOSED MEANS OF CURING THE DEFAULT OR ANY OTHER ACTION TO BE TAKEN BY THE COMMISSION; AND

II. PROVIDE REMEDIAL TRAINING AND SPECIFIC TECHNICAL ASSISTANCE REGARDING THE DEFAULT.

2. IF A STATE IN DEFAULT FAILS TO CURE THE DEFAULT, THE DEFAULTING STATE'S MEMBERSHIP IN THIS COMPACT MAY BE TERMINATED UPON AN AFFIRMATIVE VOTE OF A MAJORITY OF THE ADMINISTRATORS, AND ALL RIGHTS, PRIVILEGES AND BENEFITS CONFERRED BY THIS COMPACT MAY BE TERMINATED ON THE EFFECTIVE DATE OF TERMINATION. A CURE OF THE

1 DEFAULT DOES NOT RELIEVE THE OFFENDING STATE OF OBLIGATIONS OR
2 LIABILITIES INCURRED DURING THE PERIOD OF DEFAULT.

3 3. TERMINATION OF MEMBERSHIP IN THIS COMPACT SHALL BE IMPOSED ONLY
4 AFTER ALL OTHER MEANS OF SECURING COMPLIANCE HAVE BEEN EXHAUSTED.
5 NOTICE OF INTENT TO SUSPEND OR TERMINATE SHALL BE
6 GIVEN BY THE COMMISSION TO THE GOVERNOR OF THE DEFAULTING STATE AND
7 TO THE EXECUTIVE OFFICER OF THE DEFAULTING STATE'S LICENSING BOARD
8 AND EACH OF THE PARTY STATES.

9 4. A STATE WHOSE MEMBERSHIP IN THIS COMPACT HAS BEEN TERMINATED IS
10 RESPONSIBLE FOR ALL ASSESSMENTS, OBLIGATIONS AND LIABILITIES
11 INCURRED THROUGH THE EFFECTIVE DATE OF TERMINATION, INCLUDING
12 OBLIGATIONS THAT EXTEND BEYOND THE EFFECTIVE DATE OF TERMINATION.

13 5. THE COMMISSION SHALL NOT BEAR ANY COSTS RELATED TO A STATE THAT
14 IS FOUND TO BE IN DEFAULT OR WHOSE MEMBERSHIP IN THIS COMPACT HAS
15 BEEN TERMINATED UNLESS AGREED UPON IN WRITING BETWEEN THE
16 COMMISSION AND THE DEFAULTING STATE.

17 6. THE DEFAULTING STATE MAY APPEAL THE ACTION OF THE COMMISSION BY
18 PETITIONING THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA OR
19 THE FEDERAL DISTRICT IN WHICH THE COMMISSION HAS ITS PRINCIPAL
20 OFFICES. THE PREVAILING PARTY SHALL BE AWARDED ALL COSTS OF SUCH
21 LITIGATION, INCLUDING REASONABLE ATTORNEYS' FEES.

22 C. DISPUTE RESOLUTION

23 1. UPON REQUEST BY A PARTY STATE, THE COMMISSION SHALL ATTEMPT TO
24 RESOLVE DISPUTES RELATED TO THE COMPACT THAT ARISE AMONG PARTY
25 STATES AND BETWEEN PARTY AND NON-PARTY STATES.

26 2. THE COMMISSION SHALL PROMULGATE A RULE PROVIDING FOR BOTH
27 MEDIATION AND BINDING DISPUTE RESOLUTION FOR DISPUTES, AS

1 APPROPRIATE.

2 3. IN THE EVENT THE COMMISSION CANNOT RESOLVE DISPUTES AMONG PARTY
3 STATES ARISING UNDER THIS COMPACT:

4 I. THE PARTY STATES MAY SUBMIT THE ISSUES IN DISPUTE TO AN
5 ARBITRATION PANEL, WHICH WILL BE COMPRISED OF INDIVIDUALS APPOINTED
6 BY THE COMPACT ADMINISTRATOR IN EACH OF THE AFFECTED PARTY STATES
7 AND AN INDIVIDUAL MUTUALLY AGREED UPON BY THE COMPACT
8 ADMINISTRATORS OF ALL THE PARTY STATES INVOLVED IN THE DISPUTE.

9 II. THE DECISION OF A MAJORITY OF THE ARBITRATORS SHALL BE FINAL
10 AND BINDING.

11 D. ENFORCEMENT

12 1. THE COMMISSION, IN THE REASONABLE EXERCISE OF ITS DISCRETION,
13 SHALL ENFORCE THE PROVISIONS AND RULES OF THIS COMPACT.

14 2. BY MAJORITY VOTE, THE COMMISSION MAY INITIATE LEGAL ACTION IN
15 THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA OR THE FEDERAL
16 DISTRICT IN WHICH THE COMMISSION HAS ITS PRINCIPAL OFFICES AGAINST
17 A PARTY STATE THAT IS IN DEFAULT TO ENFORCE COMPLIANCE WITH THE
18 PROVISIONS OF THIS COMPACT AND ITS PROMULGATED RULES AND BYLAWS.
19 THE RELIEF SOUGHT MAY INCLUDE BOTH INJUNCTIVE RELIEF AND DAMAGES.
20 IN THE EVENT JUDICIAL ENFORCEMENT IS NECESSARY, THE PREVAILING
21 PARTY SHALL BE AWARDED ALL COSTS OF SUCH LITIGATION, INCLUDING
22 REASONABLE ATTORNEYS' FEES.

23 3. THE REMEDIES HEREIN SHALL NOT BE THE EXCLUSIVE REMEDIES OF THE
24 COMMISSION. THE COMMISSION MAY PURSUE ANY OTHER REMEDIES AVAILABLE
25 UNDER FEDERAL OR STATE LAW.

26

ARTICLE X

1 EFFECTIVE DATE, WITHDRAWAL AND AMENDMENT

2 A. THIS COMPACT SHALL BECOME EFFECTIVE AND BINDING ON THE EARLIER
3 OF THE DATE OF LEGISLATIVE ENACTMENT OF THIS COMPACT INTO LAW BY NO
4 LESS THAN TWENTY-SIX (26) STATES OR DECEMBER 31, 2018. ALL PARTY
5 STATES TO THIS COMPACT, THAT ALSO WERE PARTIES TO THE PRIOR NURSE
6 LICENSURE COMPACT, SUPERSEDED BY THIS COMPACT, ("PRIOR COMPACT"),
7 SHALL BE DEEMED TO HAVE WITHDRAWN FROM SAID PRIOR COMPACT WITHIN
8 SIX (6) MONTHS AFTER THE EFFECTIVE DATE OF THIS COMPACT.

9 B. EACH PARTY STATE TO THIS COMPACT SHALL CONTINUE TO RECOGNIZE A
10 NURSE'S MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN THAT PARTY
11 STATE ISSUED UNDER THE PRIOR COMPACT UNTIL SUCH PARTY STATE HAS
12 WITHDRAWN FROM THE PRIOR COMPACT.

13 C. ANY PARTY STATE MAY WITHDRAW FROM THIS COMPACT BY ENACTING A
14 STATUTE REPEALING THE SAME. A PARTY STATE'S WITHDRAWAL SHALL NOT
15 TAKE EFFECT UNTIL SIX (6) MONTHS AFTER ENACTMENT OF THE REPEALING
16 STATUTE.

17 D. A PARTY STATE'S WITHDRAWAL OR TERMINATION SHALL NOT AFFECT THE
18 CONTINUING REQUIREMENT OF THE WITHDRAWING OR TERMINATED STATE'S
19 LICENSING BOARD TO REPORT ADVERSE ACTIONS AND SIGNIFICANT
20 INVESTIGATIONS OCCURRING PRIOR TO THE EFFECTIVE DATE OF SUCH
21 WITHDRAWAL OR TERMINATION.

22 E. NOTHING CONTAINED IN THIS COMPACT SHALL BE CONSTRUED TO
23 INVALIDATE OR PREVENT ANY NURSE LICENSURE AGREEMENT OR OTHER
24 COOPERATIVE ARRANGEMENT BETWEEN A PARTY STATE AND A NON-PARTY STATE
25 THAT IS MADE IN ACCORDANCE WITH THE OTHER PROVISIONS OF THIS
26 COMPACT.

27 F. THIS COMPACT MAY BE AMENDED BY THE PARTY STATES. NO AMENDMENT TO

1 THIS COMPACT SHALL BECOME EFFECTIVE AND BINDING UPON THE PARTY
2 STATES UNLESS AND UNTIL IT IS ENACTED INTO THE LAWS OF ALL PARTY
3 STATES.

4 G. REPRESENTATIVES OF NON-PARTY STATES TO THIS COMPACT SHALL BE
5 INVITED TO PARTICIPATE IN THE ACTIVITIES OF THE COMMISSION, ON A
6 NONVOTING BASIS, PRIOR TO THE ADOPTION OF THIS COMPACT BY ALL
7 STATES.

8 ARTICLE XI

9 CONSTRUCTION AND SEVERABILITY

10 THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE
11 PURPOSES THEREOF. THE PROVISIONS OF THIS COMPACT SHALL BE
12 SEVERABLE, AND IF ANY PHRASE, CLAUSE, SENTENCE OR PROVISION OF THIS
13 COMPACT IS DECLARED TO BE CONTRARY TO THE CONSTITUTION OF ANY PARTY
14 STATE OR OF THE UNITED STATES, OR IF THE APPLICABILITY THEREOF TO
15 ANY GOVERNMENT, AGENCY, PERSON OR CIRCUMSTANCE IS HELD INVALID, THE
16 VALIDITY OF THE REMAINDER OF THIS COMPACT AND THE APPLICABILITY
17 THEREOF TO ANY GOVERNMENT, AGENCY, PERSON OR CIRCUMSTANCE SHALL NOT
18 BE AFFECTED THEREBY. IF THIS COMPACT SHALL BE HELD TO BE CONTRARY
19 TO THE CONSTITUTION OF ANY PARTY STATE, THIS COMPACT SHALL REMAIN
20 IN FULL FORCE AND EFFECT AS TO THE REMAINING PARTY STATES AND IN
21 FULL FORCE AND EFFECT AS TO THE PARTY STATE AFFECTED AS TO ALL
22 SEVERABLE MATTERS.

23 (2) SUBSECTION (1) SHALL BE KNOWN AS THE "NURSE LICENSURE
24 COMPACT".

25 Sec. 17201. (1) As used in this part:

26 (a) "Advanced practice registered nurse" or "a.p.r.n." means a

1 registered professional nurse who has been granted a specialty
2 certification under section 17210 in 1 of the following health
3 profession specialty fields:

- 4 (i) Nurse midwifery.
- 5 (ii) Nurse practitioner.
- 6 (iii) Clinical nurse specialist.

7 **(B) "NURSE LICENSURE COMPACT" MEANS THE NURSE LICENSURE**
8 **COMPACT AS ENACTED IN SECTION 16190.**

9 **(C)** ~~(b)~~—"Physician" means a physician who is licensed under
10 part 170 or part 175.

11 **(D)** ~~(e)~~—"Practice of nursing" means the systematic application
12 of substantial specialized knowledge and skill, derived from the
13 biological, physical, and behavioral sciences, to the care,
14 treatment, counsel, and health teaching of individuals who are
15 experiencing changes in the normal health processes or who require
16 assistance in the maintenance of health and the prevention or
17 management of illness, injury, or disability.

18 **(E)** ~~(d)~~—"Practice of nursing as a licensed practical nurse" or
19 "l.p.n." means the practice of nursing based on less comprehensive
20 knowledge and skill than that required of a registered professional
21 nurse and performed under the supervision of a registered
22 professional nurse, physician, or dentist.

23 **(F)** ~~(e)~~—"Registered professional nurse" or "r.n." means an
24 individual who is licensed under this ~~part~~ **ARTICLE OR AUTHORIZED**
25 **UNDER SECTION 17225** to engage in the practice of nursing ~~which~~ **AND**
26 **WHOSE** scope of practice includes the teaching, direction, and
27 supervision of less skilled personnel in the performance of

1 delegated nursing activities.

2 (2) In addition to the definitions in this part, article 1
3 contains general definitions and principles of construction
4 applicable to all articles in the code and part 161 contains
5 definitions applicable to this part.

6 **SEC. 17225. (1) AN INDIVIDUAL WHO HOLDS A MULTISTATE LICENSE**
7 **TO PRACTICE REGISTERED NURSING UNDER THE NURSE LICENSURE COMPACT IS**
8 **AUTHORIZED TO ENGAGE IN THE PRACTICE OF NURSING UNDER THIS ARTICLE.**

9 (2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF
10 AN INDIVIDUAL WHO IS LICENSED AS A REGISTERED PROFESSIONAL NURSE,
11 AN INDIVIDUAL WHO HOLDS A MULTISTATE LICENSE TO PRACTICE REGISTERED
12 NURSING UNDER THE NURSE LICENSURE COMPACT IS CONSIDERED A
13 REGISTERED PROFESSIONAL NURSE WHO IS LICENSED UNDER THIS PART.

14 **SEC. 17225A. (1) AN INDIVIDUAL WHO HOLDS A MULTISTATE LICENSE**
15 **TO PRACTICE LICENSED PRACTICAL/VOCATIONAL NURSING UNDER THE NURSE**
16 **LICENSURE COMPACT IS AUTHORIZED TO ENGAGE IN THE PRACTICE OF**
17 **NURSING AS A LICENSED PRACTICAL NURSE UNDER THIS ARTICLE.**

18 (2) FOR PURPOSES OF THIS ARTICLE, INCLUDING THE OBLIGATIONS OF
19 AN INDIVIDUAL WHO IS LICENSED AS A LICENSED PRACTICAL NURSE, AN
20 INDIVIDUAL WHO HOLDS A MULTISTATE LICENSE TO PRACTICE LICENSED
21 PRACTICAL/VOCATIONAL NURSING UNDER THE NURSE LICENSURE COMPACT IS
22 CONSIDERED A LICENSED PRACTICAL NURSE WHO IS LICENSED UNDER THIS
23 PART.

24 Enacting section 1. This amendatory act takes effect 90 days
25 after the date it is enacted into law.