



**LEGISLATION AND RULES COMMITTEE
BOARD OF NURSING**

Room 121A, 1400 East Washington Avenue, Madison WI
Contact: Sharon Henes (608) 266-2112
December 12, 2016

Notice: The following agenda describes the issues that the Committee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Committee. A quorum of the Board may be present during the committee meeting.

8:00 a.m.

AGENDA

CALL TO ORDER – ROLL CALL – OPEN SESSION

- A. Approval of Agenda (1)**
- B. Legislation and Administrative Rules Matters – Discussion and Consideration (2-10)**
 - 1) Proposals for Amending N 1 Relating to School Approval **(3-7)**
 - 2) Proposals for Amending N 2 Relating to Licensure **(8-10)**
 - 3) Update on Pending and Possible Rulemaking Projects
- C. Public Comments**

ADJOURNMENT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 2 December 2016 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Board of Nursing Legislative and Rules Committee			
4) Meeting Date: 12 December 2016	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration A. Approval of Agenda B. Legislation and Administration Rules Matters – Discussion and Consideration 1. Proposals for Amending N 1 Relating to School Approval 2. Proposals for Amending N 2 Relating to Licensure 3. Updates on Pending and Possible Rulemaking Projects C. Public Comments	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i>Sharon Henes</i>		<i>2 December 2016</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter N 1

APPROVAL FOR SCHOOLS OF NURSING

N 1.01	Authority and intent.	N 1.07	Accreditation.
N 1.02	Definitions.	N 1.08	Standards.
N 1.03	Authorization to plan a school of nursing.	N 1.09	NCLEX pass rates.
N 1.04	Authorization to admit students.	N 1.10	Continuation of board approval.
N 1.05	Approval of school of nursing.	N 1.11	Closure of a school of nursing.
N 1.06	Approval of out of state school of nursing.	N 1.12	Nursing refresher course approval.

Note: Chapter N 1 as it existed on January 31, 1983 was repealed and a new chapter N 1 was created effective January 1, 1983. **Chapter N 1 as it existed on July 31, 2014 was repealed and a new chapter N 1 was created effective August 1, 2014.**

N 1.01 Authority and intent. (1) The rules in this chapter are adopted pursuant to authority of ss. 15.08 (5) (b) and 441.01 (3), Stats.

(2) The intent of the board of nursing in adopting rules in this chapter is to clarify requirements and develop efficient timelines for the nursing school approval process and to reduce duplication that exists between the board and nursing accreditation processes for nursing schools.

History: Cr. Register, January, 1983, No. 325, eff. 2-1-83; am. (2), Register, August, 1989, No. 404, eff. 9-1-89; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1989, No. 404; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, October, 2000, No. 538; **CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14.**

N 1.02 Definitions. In this chapter:

(1) “Annual NCLEX pass rate” means the NCLEX pass rates for those who took the NCLEX between January 1 and December 31.

(2) “Board” means board of nursing.

(3) “Certificate of completion” means a student has completed the portion of the program equivalent to a diploma in practical nursing or professional nursing.

(4) “Class” means a graduating class for each 12-month period.

(5) “Institution” means the college, university or governing body which has the authority to conduct a school of nursing.

(5g) “Institutional accreditation” means that institution conforms to the standards of education prescribed by a regional or national accrediting commission recognized by the U.S. department of education.

(5r) “NCLEX” means national council licensure examination.

(6) “Nursing accreditation” means the school of nursing conforms to the standards of a board recognized nursing accreditation agency.

(8) “Out-of-state school” means a school operating in Wisconsin with a physical location outside of Wisconsin.

(10) “School of nursing” means a school for professional nurses or practical nurses.

(11) “School of practical nursing” means a school preparing students for practical nurse licensure.

(12) “School of professional nursing” means a school preparing students for registered nurse licensure. This includes schools granting certificate of completion for practical nurse licensure or professional nurse licensure.

History: Cr. Register, January, 1983, No. 325, eff. 2-1-83; r. and recr. (1), r. (5) and (7), renum. (2) to (4), (8), (10) and (11) to be (3) to (5), (7), (13) and (14), cr. (2), (8), (10) to (12) and (15), am. (6) and (9) (intro.), Register, July, 1989, No. 403, eff. 8-1-89; **CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14; renumbering (7) and (9) to (5r) and (5g) under s. 13.92 (4) (b) 1., Stats., Register July 2014 No. 703.**

N 1.03 Authorization to plan a school of nursing.

(1) An institution planning to establish and conduct a school of

nursing for professional or practical nursing shall file with the board an application including all of the following:

(a) Name and address of the controlling institution and evidence of the accreditation status of the controlling institution.

(b) Statement of intent to establish a school of nursing, including the academic and licensure levels of all programs to be offered and the primary method of instruction.

(c) Evidence of the availability of sufficient clinical facilities and resources.

(d) Plans to recruit and employ a qualified educational administrator and qualified faculty.

(f) A proposed timeline for planning and implementing the program and intended date of entry for the first class.

(2) The board shall make a decision on the application within two months of the receipt of the completed application and notify the controlling institution of the action taken.

History: **CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14.**

N 1.04 Authorization to admit students. (1) The school of nursing shall file with the board an application including all of the following:

(a) Verification of employment of an educational administrator.

(b) Evidence of provision of faculty meeting the qualifications in s. N 1.08 (3).

(c) The school of nursing’s philosophy and objectives.

(d) An overview of curriculum including all of the following:

1. Content.
2. Course sequence.
3. Course descriptions.
4. Program evaluation plan.
5. Course syllabi for the first year and plan for subsequent years.

(e) Verification of the establishment of student policies for admission, progression, retention, and graduation.

(f) Verification of the students’ ability to acquire clinical skills by providing all of the following:

1. Letter of intent or contracts from clinical facilities securing clinical opportunities and documentation of the facility, type, size, number of beds, and type of patients.
2. Documentation of simulation equipment and experiences.
- (g) An updated timeline for implementing the program and intended date for entry of the first class.

(2) The board shall make a decision on the application within 2 months of the receipt of the completed application.

(3) Withdrawal of authorization may occur for failure to meet the standards in s. N 1.08.

History: **CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14; correction in (1) (d) (intro.) made under s. 35.17, Stats., Register July 2014 No. 703.**

N 1.05 Approval of school of nursing. (1) A school of nursing may apply for approval of the school of nursing upon graduation of the first class or eligibility to sit for the NCLEX, but

may not apply later than graduation of the third class. The school of nursing shall submit all of the following:

(a) A self-evaluation report setting forth evidence of compliance with the standards in s. N 1.08.

(b) The school of nursing's ongoing systematic evaluation plan, including an evaluation of the NCLEX success rate.

(2) The board may conduct a site survey of the school of nursing. A determination to conduct a site survey shall occur within 2 months of receipt of completed application for approval.

(3) The board shall make a decision on the application within two months of the completed site survey or receipt of the completed application, whichever is later. The board shall approve the school based on verification that the school of nursing is in compliance with nursing education standards in s. N 1.08.

(4) The board may grant conditional approval. The notice of conditional approval shall contain a short statement in plain language of the basis, specifying the standard upon which the conditional approval is based. A school of nursing that receives a conditional approval may not admit new students to the school of nursing until the school of nursing receives full approval. The school of nursing may apply for full approval in three months from the date the school of nursing receives conditional approval.

(5) If the board denies the school of nursing approval, the notice of denial shall contain a short statement in plain language of the basis for denial, specifying the standard upon which the denial is based. The controlling institution shall do all of the following:

(a) Implement the time frame established by the board for transfer of enrolled students to an approved school of nursing and report to the board the date of transfer for each student by name.

(b) Arrange for the secure storage and access to academic records and transcripts for the next 50 years. Provide the board with the name and address of the educational institution or other organization that will be responsible for secure storage and access to academic records and transcripts for 50 years.

(c) Close the school of nursing occur when the last student has transferred.

(d) Submit progress reports during the closure process upon request of the board.

(6) A school of nursing denied approval or given a conditional approval may request a hearing within 30 calendar days after the mailing of a notice. The school of nursing may be granted a stay of the school closure during the appeal process.

History: CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14; correction in (1) (intro.) made under s. 35.17, Stats., Register July 2014 No. 703.

N 1.06 Approval of out of state school of nursing.

(1) APPROVAL. An out-of-state school of nursing shall be approved if all of the following requirements are met:

(a) The school is approved by the board of the state the school is located.

(b) The school is accredited by a nursing accreditation body recognized by the Wisconsin board.

(2) CONTINUED APPROVAL. An out-of-state school shall maintain approval as long as school of nursing meets the requirements in sub. (1).

History: CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14; correction in (2) made under s. 13.92 (4) (b) 1., Stats., Register July 2014 No. 703.

N 1.07 Accreditation. (1) A school of nursing shall

receive nursing accreditation by a board recognized nursing accreditation agency within three years of school approval. Schools of nursing which have received board approval prior to July 1, 2014 shall receive nursing accreditation by a board recognized nursing accreditation agency by July 1, 2017.

(2) Schools of professional nursing that grant a certificate of completion shall hold accreditation at the level of the complete degree at which a diploma is conferred.

(3) Failure to maintain nursing accreditation shall result in withdrawal of school approval.

History: CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14.

N 1.08 Standards. (1) ORGANIZATION AND ADMINISTRATION. The institution shall assume legal responsibility for overall conduct of the school of nursing. The institution shall do all of the following:

(a) Designate an educational administrator, establish administrative policies, and provide fiscal, human, physical, clinical, and technical learning resources adequate to support school processes, security, and outcomes.

(b) Maintain institutional accreditation.

(c) Develop and maintain written school of nursing administrative policies which are in accord with the institution.

(d) Have written contracts between the school of nursing and institutions which offer associated academic study, clinical facilities, and agencies for related services for students.

(2) EDUCATIONAL ADMINISTRATOR. (a) The qualifications for the educational administrator are all of the following:

1. Current, active registered nurse license or privilege to practice in Wisconsin that is not encumbered.

2. A graduate degree with a major in nursing.

3. Knowledge of learning principles for adult education, including nursing curriculum development, administration and evaluation and either educational preparation or 2 years experience as an instructor in a nursing education program within the last 5 years.

4. Current knowledge of nursing practice.

(b) The institution shall notify the board within 48 hours of the termination, resignation, or retirement of an educational administrator and designate the interim educational administrator within 5 business days. The institution may request board approval of an interim educational administrator who does not meet the qualifications in par. (a). The interim educational administrator may serve no longer than 6 months. The institution may request an extension of time based upon hardship.

(3) FACULTY. (a) *Faculty standards.* The school of nursing shall have evidence of the faculty meeting the standards in this section on file in the school of nursing office and available upon request to the board.

(b) *Qualifications for professional nursing faculty.* The qualifications for the faculty of a school of professional nursing are all of the following:

1. Hold a current, active registered nurse license or privilege to practice in Wisconsin that is not encumbered.

2. A graduate degree with a major in nursing. Interprofessional faculty teaching non-clinical nursing courses shall have advanced preparation appropriate for the content being taught.

(c) *Qualifications for practical nursing faculty.* The qualifications for the faculty of a school of practical nursing are all of the following:

1. Hold a current, active registered nurse license or privilege to practice in Wisconsin that is not encumbered.

2. A baccalaureate degree with a major in nursing.

(d) *Faculty exceptions.* An educational administrator may apply to the board for exceptions to faculty requirements. A school of nursing that is granted a faculty exception for a faculty member shall provide the faculty member with a supervisor who meets the qualifications in par. (b) or (c). A minimum of 50 percent of faculty must meet the faculty qualifications. The board may grant one of the following exceptions:

1. 'Standard exception.' A standard exception may be renewed upon showing proof of progress and continued active enrollment each year. The standard exception is for a person who has a baccalaureate degree in nursing and is actively enrolled in one of the following:

- a. A master's program with a major in nursing.
- b. A bachelor's in nursing to doctorate program in nursing.
- c. A doctorate program in nursing.
2. 'Emergency exception.' A person with a baccalaureate degree in nursing may be employed for a short-term, unanticipated emergency situation including medical leave. The emergency exception is for a term no longer than one semester and may not be renewed.
3. 'Non-nursing masters degree exception.' Each school of professional nursing may apply for one non-nursing masters degree exception provided the person has all of the following:
 - a. A bachelor's degree in nursing.
 - b. A graduate degree related to the topic of the course the person is teaching.
 - c. Nursing experience in the area of teaching assignment.
 - d. A unique combination of knowledge, experience, and skills that will best serve the school of nursing, faculty, and students in a specific content area.

(4) CURRICULUM. The curriculum shall enable the student to develop the nursing knowledge, skills and abilities necessary for the level, scope and standards of competent nursing practice expected at the level of licensure. All curriculum shall be developed by a faculty member with a graduate degree. Curriculum shall be revised as necessary to maintain a program that reflects advances in health care and its delivery. The curriculum shall include all of the following:

- (a) Evidence-based learning experiences and methods of instruction consistent with the written curriculum plan. The methods of instruction may include distance education methods.
- (b) Diverse didactic and clinical learning experiences consistent with program outcomes.
- (c) Coursework shall include all of the following:
 1. Content in the biological, physical, social and behavioral sciences to provide a foundation for safe and effective nursing practice.
 2. Content regarding professional responsibilities, legal and ethical issues, and history and trends in nursing and health care.
 3. Didactic content and supervised clinical experiences in the prevention of illness and the promotion, restoration and maintenance of health in patients across the lifespan and from diverse cultural, ethnic, social and economic backgrounds.

(5) CLINICAL LEARNING EXPERIENCES. (a) Patient experiences shall occur in a variety of clinical or simulated settings and shall include all of the following:

1. Integrating patient safety principles throughout the didactic and clinical coursework.
2. Implementing evidence-based practice to integrate best research with clinical expertise and patient values for optimal care, including skills to identify and apply best practices to nursing care.
3. Providing patient-centered culturally competent care that recognizes that the patient or designee is the source of control and full partner in providing coordinated care by doing the following:
 - a. Respecting patient differences, values, preferences, and expressed needs.
 - b. Involving patients or designees in decision-making and care management.
 - c. Coordinating and managing patient care across settings.
 - d. Explaining appropriate and accessible interventions to patients and populations that may positively affect their ability to achieve healthy lifestyles.
4. Collaborating with interprofessional teams to foster open communication, mutual respect, and shared decision-making in order to achieve quality patient care.

5. Participating in quality improvement processes to monitor patient care outcomes, identify possibility of hazards and errors and collaborate in the development and testing of changes that improve the quality and safety of health care systems.

6. Using information technology to communicate, mitigate errors, and support decision-making.

(b) All cooperating agencies selected for clinical experiences shall have standards which demonstrate concern for the patient and evidence the skillful application of all measures of safe nursing practices.

(c) All faculty teaching clinical or practicum courses shall be experienced in the clinical area of the course and maintain clinical expertise.

(d) Faculty-supervised clinical practice shall include all of the following:

1. Development of skills in direct patient care.
2. Making clinical judgments.
3. Care and management of both individuals and groups of patients across the lifespan.
4. Delegation to and supervision of other health care providers.

(e) Clinical experiences shall be supervised by qualified faculty.

(f) All student clinical experiences, including those with preceptors, shall be directed by nursing faculty.

(6) PRECEPTORS. (a) Preceptors shall be approved by the faculty of the school of nursing.

(b) The school of nursing shall provide each preceptor with an orientation concerning the roles and responsibilities of the students, faculty and preceptors. The preceptor shall have clearly documented roles and responsibilities.

(c) Clinical preceptors shall have an unencumbered license or privilege to practice in Wisconsin as a nurse at or above the licensure level for which the student is being prepared.

(d) Preceptors shall demonstrate competencies related to the area of assigned clinical teaching responsibilities.

(7) EVALUATION. The school of nursing shall implement a comprehensive, systematic plan for ongoing evaluation. Evidence of implementation shall reflect progress toward or achievement of program outcomes.

History: CR 14-004: cr. Register July 2014 No. 703, eff. 8-1-14; corrections in (3) made under s. 13.92 (4) (b) 1., Stats., in (3) (a) made under s. 13.92 (4) (b) 2., Stats., and in (4) (intro.), (c) (intro.), (5) (a) (intro.), (d) (intro.) made under s. 35.17, Stats., Register July 2014 No. 703.

N 1.09 NCLEX pass rates. (1) GENERALLY. The school of nursing NCLEX pass rate includes all programs or tracks in the school of nursing. The board shall consider both the registered nurse NCLEX and practical nurse NCLEX pass rates when evaluating a school of professional nursing that grants a certificate of completion for practical nursing.

(2) NCLEX PASS RATE STANDARD. A school of nursing shall meet the NCLEX pass rate standard by one of the following:

(a) The annual NCLEX pass rate of graduates taking the NCLEX for the first time is a minimum of 80%.

(b) The annual NCLEX pass rate of all graduates taking the NCLEX, including those who repeated the test, is a minimum of 80%. The school shall submit an explanation or analysis documentation and the school's plan to meet the pass rate of those who take the NCLEX for the first time. The plan does not require board approval.

(3) NCLEX PASS RATE STANDARD NOT MET. (a) If the NCLEX pass rate standard is not met, the school of nursing shall receive a warning letter. The school shall identify factors that are potentially affecting the low NCLEX pass rate and submit an institutional plan for assessment and improvement of NCLEX results including outcomes and timeframes which shall be approved by

the board no later than July 1. The plan shall address administration, faculty, students, curriculum, resources, and policies.

(b) The school of nursing shall submit annual progress reports to the board including the outcomes of the institutional approved plan as long as the NCLEX pass rate standard is not met.

History: CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14; correction in (1) (title) made under s. 13.92 (4) (b) 2., Stats., Register July 2014 No. 703.

N 1.10 Continuation of board approval. (1) Schools of nursing shall file with the board all of the following:

(a) Annual self-evaluation reports.

(b) All documents submitted to or received from nursing accreditation agencies.

(c) Notification of withdrawal or change in school nursing accreditation status.

(2) Failure to maintain nursing accreditation shall result in withdrawal of board approval and the procedures in s. N 1.11 (2) will commence.

(3) The board may review the school of nursing to determine whether s. N 1.08 standards are being met in the following situations:

(a) Change in school nursing accreditation status.

(b) Nursing accreditation reports indicate standards are not being met.

(c) Complaints regarding the conduct of the school are received and it is necessary to validate the complaints.

(d) Failure to meet NCLEX pass rate standards in s. N 1.09 (1) for more than 2 consecutive years.

(e) Violation of any of the rules under this chapter.

(4) The review of the school may include any of the following:

(a) A site survey.

(b) A self-study report.

(c) A progress report.

(5) If the board makes a determination that s. N 1.08 standards are not being met, all of the following procedures shall be followed:

(a) The school of nursing shall submit an institutional plan, including timelines, to correct identified deficiencies in the school of nursing.

(b) The board shall review the proposed plan and may make modifications to the plan.

(c) The school of nursing shall make progress reports to the board as requested.

(d) The board may withdraw board approval if the school of nursing continues to not meet standards.

History: CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14; correction in (5) (intro.) made under s. 35.17, Stats., Register July 2014 No. 703.

N 1.11 Closure of a school of nursing. (1) VOLUNTARY. When a school of nursing intends to close, the institution shall do all of the following:

(a) Submit a plan of intent to close a school of nursing to the board, including all of the following:

1. The date of intended closure.

2. Reason for the closure.

3. Place for students who have not completed their nursing education.

(b) Ensure that the school of nursing is maintained, including retention of adequate number of faculty and approved curriculum, until the last student is transferred or graduates from the school of nursing.

(c) Notify the board of the name and address of the educational institution or other organization that will be responsible for secure storage and access to academic records and transcripts for 50 years.

(2) WITHDRAWAL OF NURSING APPROVAL. (a) If the board withdraws approval of the school of nursing, the notice of withdrawal of approval shall contain a short statement in plain language of the basis for withdrawal of approval. The school of nursing may request a hearing within 30 calendar days after the mailing date of the notice.

(b) The institution shall do all of the following if approval of the school is withdrawn:

1. Implement the time frame established by the board for transfer of enrolled students to an approved school and report to the board the date of transfer for each student by name.

2. Arrange for the secure storage and access to academic records and transcripts for the next 50 years. Provide the board with the name and address of the educational institution or other organization that will be responsible for secure storage and access to academic records and transcripts for 50 years.

3. Close the school when the last student has transferred.

4. Submit progress reports during the closure process upon request of the board.

(c) The school of nursing may be granted a stay of the closure of the school during the appeal process.

History: CR 14-004; cr. Register July 2014 No. 703, eff. 8-1-14; corrections in (1) (intro.), (2) (b) (intro.) made under s. 35.17, Stats., Register July 2014 No. 703.

N 1.12 Nursing refresher course approval.

(1) INTENT OF NURSE REFRESHER COURSE. A nurse refresher course is designed for nurses who have not been practicing for five years or more.

(2) FACULTY. (a) The instructor shall have all of the following qualifications:

1. Masters degree in nursing.

2. Recent clinical experience or clinical teaching experience.

(b) If preceptors are used, the preceptor is selected by the instructor using criteria developed for the course and the instructor provides supervision of preceptors.

(3) PROFESSIONAL NURSE CONTENT. The nurse refresher course designed for professional nurse shall have all of the following content:

(a) Theory portion including all of the following:

1. Nursing process review.

2. Infection control.

3. Medication and pharmacology update.

4. Recent trends in nursing techniques and responsibilities.

5. Communication.

6. Documentation and reporting.

7. Supervision and delegation.

(b) Skills lab of at least 25 hours including basic nursing skills review and technology and equipment update.

(c) Directly supervised or precepted clinical experience of 100 hours or more performed in a hospital, clinic, long-term, or sub-acute facility.

(4) PRACTICAL NURSE CONTENT. The nurse refresher course designed for practical nurses shall have all of the following content:

(a) Theory portion including all of the following:

1. Nursing process review.

2. Infection control.

3. Medication and pharmacology update.

4. Recent trends in nursing techniques and responsibilities.

5. Communication.

6. Documentation and reporting.

7. Supervision and delegation.

8. Aging population.

(b) Skills lab of at least 15 hours including basic nursing skills review and technology and equipment update.

(c) Directly supervised or precepted clinical experience of 70 hours or more performed in a hospital, clinic, long-term, or sub-acute facility.

(5) APPROVAL PROCESS. The board will review curriculum of nurse refresher courses submitted for inclusion on a listing of approved courses. Individual course participants shall be required to submit curriculum only if the course is not on the approved list.

History: CR 14-004: cr. Register July 2014 No. 703, eff. 8-1-14; correction in (4) (intro.) made under s. 35.17, Stats., Register July 2014 No. 703.

Chapter N 2

LICENSURE

Subchapter I — Authority; Definitions

- N 2.01 Authority.
N 2.02 Definitions.

Subchapter II — Licensure By Examination

- N 2.10 Qualifications for licensure.
N 2.11 Application procedure for applicants from board-approved schools.
N 2.12 Application procedure for applicants from comparable schools.

Subchapter III — Licensure by Endorsement

- N 2.20 Endorsement of an applicant from a nurse licensure compact state.
N 2.21 Endorsement of an applicant from another U.S. state, territory or Canada.

Subchapter IV — Temporary Permits

- N 2.30 Definitions.
N 2.31 Application.
N 2.32 Title.
N 2.33 Supervision.
N 2.34 Duration.
N 2.35 Renewal.
N 2.36 Denial or revocation.

Subchapter V — Renewal

- N 2.40 Renewal.
N 2.41 Reinstatement.

Note: Chapter N 4 as it existed on July 31, 1981 was repealed and a new chapter N 4 was created effective August 1, 1981. Chapter N 4 as it existed on March 31, 1984 was repealed and a new chapter N 2 was created effective April 1, 1984. Chapter N 2 as it existed on July 31, 2014 was repealed and a new chapter N 2 was created effective August 1, 2014.

Subchapter I — Authority; Definitions

N 2.01 Authority. (1) This chapter is adopted pursuant to authority of ss. 15.08, 227.11, and 441.01 (3), Stats.

History: Cr. Register, March, 1984, No. 339, eff. 4-1-84; am. (2), Register, May, 1990, No. 413, eff. 5-1-90; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1990, No. 413, eff. 6-1-90; CR 14-002: r. and recr. Register July 2014 No. 703, eff. 8-1-14.

N 2.02 Definitions. As used in this chapter:

- (1) “Board” means board of nursing.
(2) “Board-approved school” means any of the following:
(a) A school in Wisconsin which has been approved by the board or the board has granted authorization to admit students under ch. N 1.
(b) A school which participates in the electronic application process.
(3) “Certificate of approval” means the verification from a school of nursing that the applicant has been approved to take the NCLEX prior to receiving a diploma in practical nursing or professional nursing.
(4) “Certificate of completion” means the verification from a school of nursing that the applicant has completed the portion of the program equivalent to a diploma in practical nursing or professional nursing.
(5) “Comparable school” means any of the following:
(a) A school holding nursing accreditation by a board-recognized nursing accreditation organization.
(b) A school located in the United States approved by the board of nursing for that jurisdiction.
(c) A school located in a U.S. territory or a province of Canada which is approved by the board of nursing for that jurisdiction and meets the standards of the Wisconsin board of nursing.
(6) “Department” means the department of safety and professional services.
(7) “Direct supervision” means immediate availability to coordinate, direct and inspect the practice of another.
(8) “LPN” means licensed practical nurse.
(9) “NCLEX” means national council licensure examination
(10) “RN” means registered nurse.

History: Cr. Register, March, 1984, No. 339, eff. 4-1-84; renum. (1), (2), (4) to (6) to be (2), (1), (5), (6) and (4) and am. (2), (4) and (5) am. (3), Register, May, 1990, No. 413, eff. 6-1-90; CR 01-049: am. (2), cr. (5m), Register October 2001 No. 550, eff. 11-1-01; correction in (3) made under s. 13.92 (4) (b) 6., Stats., Register November 2011 No. 671; CR 14-002: r. and recr. Register July 2014 No. 703, eff. 8-1-14.

Subchapter II — Licensure By Examination

N 2.10 Qualifications for licensure. (1) REGISTERED NURSE APPLICANTS. An applicant is eligible for licensure as a registered nurse if the applicant complies with all of the following requirements:

- (a) Graduates from a high school or its equivalent.
(b) Does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, Stats.
(c) Graduates from any of the following:
1. A board-approved school of professional nursing.
2. A comparable school of professional nursing.
(d) In lieu of meeting the requirement in par. (c), evidence of general and professional educational qualifications comparable to those required in this state at the time of graduation.
(e) Passes the NCLEX.

(2) LICENSED PRACTICAL NURSE APPLICANTS. An applicant is eligible for licensure if the applicant meets all of the following requirements:

- (a) Completed two years of high school or its equivalent.
(b) Is 18 years or older.
(c) Does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335.
(d) Graduates from any of the following:
1. A board-approved school of practical nursing.
2. A comparable school of practical nursing.
(e) In lieu of meeting the requirement in par. (d), evidence of general and professional educational qualifications comparable to those required in this state at the time of graduation.
(f) Passes the NCLEX.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14; correction in (2) (intro.) made under s. 35.17, Stats., Register July 2014 No. 703.

N 2.11 Application procedure for applicants from board-approved schools. (1) Each applicant from a board-approved school shall complete and submit an application by the electronic application process or on forms provided by the department and shall pay the fee.

(2) The educational administrator or designee for a school of professional nursing or practical nursing shall submit any of the following:

- (a) Via the electronic application process a verification that the applicant has graduated or received a certificate of completion.
(b) A certification of graduation or completion to the department.

(3) (a) The examination accepted by the board is the NCLEX.

(b) The board shall notify the applicant of eligibility for admission to the NCLEX once it receives verification of any of the following:

1. Certificate of approval.
2. Graduation.
3. Certificate of completion.

(c) The applicant shall contact the examination provider to schedule the NCLEX date and time within one year from the time the notice of eligibility is received by the applicant.

(d) The board shall send notification of results to applicants who fail to earn a passing score on the NCLEX. An applicant may apply to the board for authorization to schedule reexamination. The reexamination may not occur earlier than 45 days after the most recent sitting for the NCLEX.

(4) An applicant who has a pending criminal charge or has been convicted of any crime or ordinance violation shall provide the board all related information necessary for the board to determine whether the circumstances of the arrest or conviction or other offense substantially relate to the practice of nursing.

(5) An applicant who has committed any act, which would be subject to discipline under ch. N 7, shall provide the board with all related information regarding the act necessary for the board to make a determination on the application for licensure.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14; correction to (3) (title) and renumbering (3) made under s. 13.92 (4) (b) 1. and 2., Stats., Register July 2014 No. 703.

N 2.12 Application procedure for applicants from comparable schools. (1) Each applicant from a comparable school shall complete and submit an application on forms provided by the department.

(2) The school of professional nursing or practical nursing shall forward directly to the department, official transcripts of nursing education for applicants who graduated from the school. If the applicant graduated from a school of professional nursing or practical nursing from a U.S. territory or outside the United States, the applicant shall submit any of the following:

(a) For a professional nursing applicant, a valid certificate issued by the commission on graduates of foreign nursing schools or another board-approved entity which evaluates education.

(b) For a practical nursing applicant, a credential evaluation service academic report and demonstration of passing a board accepted language proficiency exam.

(3) (a) The examination accepted by the board is the NCLEX.

(b) The board shall notify the applicant of eligibility for admission to the NCLEX once it receives verification of any of the following:

1. Certificate of approval.
2. Graduation.

(c) The applicant shall contact the examination provider to schedule the NCLEX date and time within one year from the time the notice of eligibility is received by the applicant.

(d) The board shall send notification of results to applicants who fail to earn a passing score on the NCLEX. An applicant may apply to the board for authorization to schedule reexamination. The reexamination may not occur earlier than 45 days after the most recent sitting for the NCLEX.

(4) An applicant who has a pending criminal charge or has been convicted of any crime or ordinance violation shall provide the board all related information necessary for the board to determine whether the circumstances of the arrest or conviction or other offense substantially relate to the practice of nursing.

(5) An applicant who has committed any act, which would be subject to discipline under ch. N 7, shall provide the board with

all related information regarding the act necessary for the board to make a determination on the application for licensure.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14; correction to (3) (title) and renumbering (3) made under s. 13.92 (4) (b) 1. and 2., Stats., Register July 2014 No. 703.

Subchapter III — Licensure by Endorsement

N 2.20 Endorsement of an applicant from a nurse licensure compact state. (1) A current license from a state which has adopted the nurse licensure compact under s. 441.50, Stats., is considered to have met educational and other qualifications comparable to those required in this state.

(2) An applicant from a nurse licensure compact state shall file a completed application, declare Wisconsin as the primary state of residence, and pay the applicable fee.

(3) An applicant who has a pending criminal charge or has been convicted of any crime or ordinance violation shall provide the board with all related information necessary for the board to determine whether the circumstances of the arrest or conviction or other offense substantially relates to the practice of nursing.

(4) An applicant who has committed any act, which would be subject to discipline under ch. N 7, shall provide the board with all related information regarding the act necessary for the board to make a determination on the application for licensure.

(5) An applicant who has a nursing license encumbered by adverse action shall provide the board with all related information necessary to determine whether the board deems the action taken to warrant a denial in Wisconsin. Any license issued to an applicant with an encumbered nursing license elsewhere shall be a single state license to practice in the state of Wisconsin.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

N 2.21 Endorsement of an applicant from another U.S. state, territory or Canada. (1) (a) A license from a U.S. state that has not adopted the nurse licensure compact under s. 441.50, Stats., a U.S. territory or Canada is considered to have met educational and other qualifications comparable to those required in this state provided the requirements of the initial license included all of the following:

1. Graduation from a school approved by the board in the jurisdiction of initial licensure or had education the board in the jurisdiction of initial licensure deemed to be comparable to a school that board approves.

2. Passage of the NCLEX.

(b) An applicant, whose initial license from another U.S. state, territory or Canada does not meet the requirements in par. (a), shall submit all of the following to the board to assist the board in determining whether the qualifications are comparable:

1. Evidence of educational qualifications.

2. Evidence of passing the NCLEX or other nursing licensure examination.

(2) An applicant shall submit a completed application and pay the applicable fee. The application shall include the following:

(a) Verification of licensure from the state, territory or province in which the original license by examination was issued and the state, territory or province in which the current, active license was issued.

(b) Documentation of employment history.

(c) An applicant who has a pending criminal charge or has been convicted of any crime or ordinance violation shall provide the board with all related information necessary for the board to determine whether the circumstances of the arrest or conviction or other offense substantially relate to the practice of nursing.

(d) An applicant who has a license encumbered by adverse action shall provide the board will all related information neces-

sary to determine whether the board deems the action taken to warrant a denial in Wisconsin.

(e) An applicant who has been terminated from any employment related to nursing shall provide the board with all related information necessary to determine current competency.

(f) An applicant who has committed any act, which would be subject to discipline under ch. N 7, shall provide the board with all related information regarding the act necessary for the board to make a determination on the application for licensure.

(3) An applicant who does not have current nursing education or been employed in a position that requires a nursing license within the last 5 years may apply to the board for a limited license to enable the applicant to complete a nursing refresher course approved by the board. Upon successful completion of an approved nursing refresher course, the license holder may petition the board for full licensure.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

Subchapter IV — Temporary Permits

N 2.30 Definitions. In this subchapter:

(1) “G.N.” means graduate nurse.

(2) “G.P.N.” means graduate practical nurse.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

N 2.31 Application. A nurse who has graduated from a board-approved school or comparable school or granted a certificate of completion by a board-approved school may be granted a temporary permit. An applicant shall submit a completed application and pay the applicable fee. The application shall include any of the following:

(1) Verification from a board-approved school via the electronic application process that the applicant has graduated or received a certificate of completion.

(2) A certification of graduation or completion from a board-approved school.

(3) An official transcript of nursing education submitted by the school of professional nursing or practical nursing directly to the department.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

N 2.32 Title. (1) A registered nurse applicant for licensure by exam who is granted a temporary permit may use the title “graduate nurse” or the letters “G.N.”

(2) A practical nurse applicant for licensure by exam who is granted a temporary permit may use the title “graduate practical nurse” or the letters “G.P.N.”

(3) A registered nurse or practical nurse for licensure by endorsement who is granted a temporary permit may use the title “registered nurse” or “licensed practical nurse.”

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

N 2.33 Supervision. (1) Except as provided in sub. (2), the holder of a temporary permit shall practice only under the direct supervision of a registered nurse.

(2) A holder of a temporary permit who is currently licensed as a registered nurse or practical nurse in another jurisdiction may practice without the direct supervision of a registered nurse.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

N 2.34 Duration. The temporary permit is valid for a period of 3 months or until the holder receives notification of failing the NCLEX, whichever occurs first. Practice under temporary permits, including renewals under s. N 2.35, may not exceed 6 months total duration.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

N 2.35 Renewal. (1) A temporary permit for a registered nurse or practical nurse may be renewed once by completing an

application, completing a nursing workforce survey and payment of applicable fees.

(2) Subsequent renewals may be granted in hardship cases including illness, family illness or death, accident, natural disaster or delay of verification from another state. The board shall consider each application for renewal under this subsection individually on its merits, and the board may grant a renewal as deemed appropriate.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

N 2.36 Denial or revocation. A temporary permit may be denied or revoked for the following:

(1) Providing fraudulent information on an application for licensure.

(2) Misrepresentation of being an R.N., G.N., L.P.N. or G.P.N. without holding a valid temporary permit.

(3) Violation of any of the rules of conduct set forth in ch. N 7.

History: CR 14-002: cr. Register July 2014 No. 703, eff. 8-1-14.

Subchapter V — Renewal

N 2.40 Renewal. (1) GENERAL. A person with an expired credential may not reapply for a credential using the initial application process.

(2) **RENEWAL WITHIN 5 YEARS.** A person renewing the credential within 5 years shall do all of the following:

(a) Pay the renewal fee as determined by the department under s. 440.03 (9) (a), Stats., and any applicable late renewal fee.

(b) Pay a nursing workforce survey fee.

(c) Complete the nursing workforce survey to the satisfaction of the board.

(3) **RENEWAL AFTER 5 YEARS.** This subsection does not apply to credential holders who have unmet disciplinary requirements or whose credential has been surrendered or revoked. A person renewing the credential after 5 years shall do all of the following:

(a) Pay the renewal fee as determined by the department under s. 440.03 (9) (a), Stats., and the late renewal fee.

(b) Pay a nursing workforce survey fee.

(c) Complete the nursing workforce survey to the satisfaction of the board.

(d) Meet one of the following requirements:

1. Documentation of employment requiring a nursing license within the last five years.

2. Completion of a board approved nursing refresher course or education equivalent to a nursing refresher course. A nursing refresher course requires a limited license for the purpose of completing the clinical component of the course.

Note: The licensee may request the Board grant a limited license for the sole purpose of completing a nurse refresher course.

History: CR 15-099: cr. Register August 2016 No. 728, eff. 9-1-16.

N 2.41 Reinstatement. A credential holder who has unmet disciplinary requirements and failed to renew the credential within 5 years or whose credential has been surrendered or revoked may apply to have the credential reinstated in accordance with all of the following:

(1) Evidence of completion of the requirements in s. N 2.40 (3) if the license has not been active within 5 years.

(2) Evidence of completion of the disciplinary requirements, if applicable.

(3) Evidence of rehabilitation or change in circumstances warranting reinstatement.

(4) A revoked license may not be reinstated earlier than one year following revocation. This subsection does not apply to a license that is revoked under s. 440.12, Stats.

History: CR 15-099: cr. Register August 2016 No. 728, eff. 9-1-16.