

Arizona Telemedicine Policy Symposium



Nurse Licensure Compact Two Decades: What Has Been the Regulatory Impact?

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Arizona

Policy Goal:



Enhancing Access to Nursing Care Across the Nation



What is the NLC?

- One state based license issued locally & recognized nationally
- Authorizes an RN or LPN/VN holding one multistate license in the primary state of residence to practice (physically or via telehealth) in any compact state



Regulatory Impact:

#1. Decreases Licensure Redundancies

- Ability to practice in multiple states with one MSN license
- Reduces regulatory requirements by removing necessity for obtaining a license in each state
- Clarifies a nurse's authority to practice in multiple states via telehealth



Regulatory Impact:

#2. Cost Effective for Nurses & Employers

- **Nurses** do not have to obtain additional nursing licenses, making practicing across state borders affordable & convenient
- **Employers** do not have burdensome expense for nurses who need multiple licenses



22+ Positions Typically Pay for Multiple Licenses

- Nurse Case Managers
- Occupational Health Nurses
- Transport Nurses
- Ambulatory Care Nurses
- Distance Educators
- Travel Nurses
- Triage Nurses
- Home Health Nurses
- Emergency Room Nurses
- Hospice Nurses
- Acute Care Nurses
- CNOs
- Nurses near borders & work in the adjacent state
- Telephonic Nurses
- Wellness Nurses
- Military Spouses
- Military, V.A. or Federal Nurses Practicing in Civilian Facilities
- Dialysis Nurses
- Camp Nurses
- Utilization Review Nurses
- Workers Compensation Nurses
- Nurses in Insurance or Managed Care



Regulatory Impact:

#3. Adapts Licensure for Telehealth

- Nurses can practice in multiple states with one license
- Increases patient access to care in rural communities
- Enables care continuity for patients regardless of their location



Regulatory Impact:

#4. Reduces License Redundancies for Online Nursing Faculty

- July 2019: 368 Accredited Online Nursing Courses in all states/territories
- Nurse educators teaching online courses outside their jurisdiction, need to obtain a license in every state students are enrolled in didactic & clinical courses
- Faculty & colleges benefit significantly



Regulatory Impact:

#5. Faster Emergency Disaster Relief

Allows nurses to immediately cross state borders & provide vital services in the event of a natural disaster or other emergency, without the need to wait for a declaration of emergency

Hurricane Dorian – NC requesting licensed nurses



Regulatory Impact:

#6. Fosters Quicker Employment Military Spouses

Allows military spouse nurses with MSL to continue working without having to obtain new license each party state they relocate



Regulatory Impact:

#7. Immediate Hiring of Nurses with MSL in Party States

Employers:

- When a nurse with multistate license is being recruited by an employer in another NLC state, the nurse can be available to the prospective employer immediately since the nurse already has the authority to practice in that state



Regulatory Impact:

#8. Rapid Communication Investigations & Disciplinary Actions

- Disciplinary action may be taken against the license or the privilege to practice when nurse violates state laws
- Member states may take adverse action, including revoking a privilege to practice in their state, even while the nurse is still under investigation
- Adverse actions are reported in one depository known as Nursys within ten days



Regulatory Impact:

#9. Authorizes Discipline Beyond State

Such provisions provide for a “stronger & more efficient state board enforcement in the context of modern cross-border practice in which state lines are often blurred”

- UAA, supra note 60, at 1-2



Regulatory Impact:

#10. Share Complaint Information to Protect Public Beyond Geographical Boundaries

Shared sovereignty & responsibility for patient safety not governed by geographical boundaries



Regulatory Impact:

#11. Reduces Reciprocal & Duplicative Board Actions

- 31 states working together to assure patient safety
- New process to isolate or limit ability to practice on Privilege to Practice
- Reduce reciprocal & duplicative board actions
- Uniform statutes, rules and policies applicable to & enforceable upon all compact states



Regulatory Impact:

#12. Harmonizes State Licensure

- Standardizes state licensure requirements known as Uniform Licensure Requirements (ULR's)
- Builds confidence nurses practicing in multiple states have same qualifications



11 Identical Licensure Requirements



To receive a **multistate** license, a nurse must:

- 1) Meet the home state's qualifications
- 2) Graduate from qualifying education program or graduated from a foreign program verified by independent credentials review agency
- 3) Passed English proficiency exam if foreign graduate



Uniform Licensure Requirements (Continued)

- 4) Pass the NCLEX-RN® or NCLEX-PN® exam (or state board test pool exam)
- 5) Have no active discipline on a license
- 6) Submit to state/federal fingerprint-based criminal background check
- 7) Not currently enrolled in an alternative program



Uniform Licensure Requirements (Continued)

- 8) Self-disclose participation in an alternative program
- 9) Have no misdemeanors related to practice of nursing as determined by the state board of nursing on a case by case basis
- 10) Have a valid U.S. Social Security number
- 11) Have no prior state or federal felony convictions

NOTE: A nurse who does not meet a requirement may receive a single state license.



Regulatory Impact:

#13. Disqualifiers for MSL Same All Compact States

Disqualifying event = ineligibility to retain or renew MSL:

- any adverse action
- current participation in an alternative program
- a misdemeanor offense related to the practice of nursing or a felony offense



Regulatory Impact:

#14. Practice Location Affirmed by National Boards for Medicine, Nursing & Pharmacy

A nurse must have the authority to practice in the state where the recipient of healthcare is located at the time service is provided

“As the organizations representing...state...licensing boards...that regulate the practice of medicine, pharmacy and nursing, ... (we) affirm that in a consumer protection model, health care practice occurs where the recipient of healthcare services is located.”

Source: The Tri-Regulator Collaborative Position Statement on Practice Location for Consumer Protection



Regulatory Impact: NCSBN IT Data System -Nursys

IT data system fastens together information system
between all states/territories

National database that is free & allows employers &
public verify multistate & single state licenses & privileges
to practice



Common Questions



How is Primary State of Residence (PSOR) defined?

- Signed Declaration of PSOR form
- State Where Applicant Can Prove Legal Residence
 - Drivers license with home address
 - Voter registration card with home address



Which Nurse Practice Act Do I Follow When Practicing in a Remote State?

The state of practice, i.e., the state in which the patient is located at the time nursing service is provided



Interstate Compacts for Healthcare Professions

6 Existing Compacts

- 1) Nursing- RN/LPN
- 2) Nursing -APRN
- 3) Physicians
- 4) Physical Therapists
- 5) Emergency Medical Technicians
- 6) Psychologists

8 In Development/ Explored

- 1) Occupational Therapists
- 2) Speech Pathologists / Audiologists
- 3) Nutritionists / Dieticians
- 4) Athletic Trainers
- 5) Physician Assistants
- 6) Social Workers
- 7) Counselors
- 8) Dentists



Policy Goal



Enhancing Access to Nursing Care Across the Nation



Summary: NLC Core Purpose

Public protection benefits & 14 Regulatory Impacts



Thank you!

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