

Emergency Rules

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 4—General Rules

EMERGENCY AMENDMENT

20 CSR 2200-4.020 Requirements for Licensure. The board is amending sections (1) and (5).

PURPOSE: This amendment is to recognize the Air Force Basic Medical Technician Corpsman Program 4N051 – 5 Skill Level and above to meet educational standards/academic preparation for licensure as a practical nurse.

EMERGENCY STATEMENT: Section 536.025, RSMo, sets forth the standards for an emergency rule, which are strict. However, one (1) of the criteria is that the agency must find that the rule is necessary to preserve a compelling governmental interest that requires an early effective date. The language contained in section 324.007, RSMo, requires the Missouri State Board of Nursing to accept education, training, or service completed by an individual who is a member of the United States Armed Forces or Reserves, the National Guard of any state, the military reserves of any state, or the naval militia of any state. The Missouri State Board of Nursing determined that this emergency rule is necessary for military service members with prior military education, training, and service to gain timely authorization to practice nursing. In late 2016, official evidence became available that the Air Force – BMTCP – 4N051 program beginning at 5-skill level meets standards for practical nurse education; this rule change would provide academic eligibility for military service members that have completed the Air Force BMTCP – 4N051 program with 5-skill level or above designation to apply to take the practical nurse licensure exam and therefore, upon passing of the exam, fill an immediate need in the nursing workforce. The Air Force reports that there are approximately twenty-seven (27) individuals who would be ready to apply for licensure, if the rule was in effect. Bothwell Hospital in Sedalia is in need of nurses and would be very interested in putting them to work. The individuals who would otherwise be eligible may leave Missouri or may transfer to another state by the time that this rule is promulgated under the normal procedures. Emergency rule processes would allow for a one hundred eighty- (180-) day window and the potential of at least twenty-seven (27) new LPNs in Missouri with the potential for jobs at Bothwell or other Missouri healthcare institutions. Air Force reports indicate that nation-wide there may be in excess of ten thousand (10,000) service members with this designation.

The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Missouri State Board of Nursing believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed April 27, 2017, becomes effective May 9, 2017, and expires February 15, 2018.

(1) Examination.

(B) The registered professional nurse (RN) candidate shall have successfully completed the basic prescribed curriculum and received a degree or diploma from a school with an *[accredited]* approved professional nursing program. The practical nurse candidate shall have successfully completed a basic prescribed curriculum in an *[accredited]* approved school of practical nursing and have earned a practical nursing degree, diploma, or certificate or completed a comparable period of training as determined by the board. A comparable period of training as determined by the board shall mean grad-

uation from an *[accredited]* approved professional nursing program with validation by examination of a personal and vocational concepts course by an *[accredited]* approved practical nursing program or graduation from the Army Practical Nurse Program.

(C) Pursuant to section 324.007, RSMo, the education, training, and/or service received and completed through the Air Force Basic Medical Technician Corpsman Program (BMTCP) – 4N051-5 Skill Level is an approved program for practical nursing. Any applicant for licensure for practical nursing who has successfully completed the BMTCP – 4N051-5 Skill Level, or above, has met the educational qualifications for licensure by examination.

[(C)](D) The candidate shall make written application to the Missouri State Board of Nursing for permission to *[be admitted]* take to the licensing examination for professional/practical nurses. Application forms for the licensing examination shall be obtained from the Missouri State Board of Nursing.

[1. A request for forms shall be made by the director of the program of professional/ practical nursing and should include the names and completion dates of candidates who expect to apply for admission to the examination.

2. Application forms for out-of-state/country graduates may be obtained by contacting the State Board of Nursing, giving name, address, name and address of school of nursing and completion date.]

[3.]1. Any applicant applying for the practical nurse licensing examination who is deficient in theory, clinical experience, or both, as stated in 20 CSR 2200, Chapter 3—Practical Nursing, and has not earned a practical nursing degree or met the requirements for a comparable period of training as determined by the board pursuant to 20 CSR 2200-4.020(1)(B) or (C), will not be approved.

[(D)](E) A completed application for the licensing examination signed and accompanied by one (1) two-inch by two-inch (2" × 2") portrait/photograph of the applicant shall be submitted to the Missouri State Board of Nursing for evaluation along with the required examination fee, and proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check prior to the established deadline date set by the Missouri State Board of Nursing. Proof shall consist of any documentation acceptable to the board. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri State Highway Patrol or its approved vendor. All fees are nonrefundable. Note: The name appearing on the application will be the only legal name of the individual recognized by the Missouri State Board of Nursing unless evidence of the change in name has been submitted.

[(E)](F) An application for a candidate's first licensing examination in Missouri shall bear the school seal and the signature of the director of the program of professional/practical nursing. This shall indicate the endorsement of the candidate to take the licensing examination. The affidavit portion of the application shall be properly executed before a notary public.

[(F) Applicants approved by the Missouri State Board of Nursing as eligible to take the licensing examination for professional/practical nurses shall be notified and forwarded identifying material and specific information as to date, time, and place. Candidates shall take the current National Council of State Boards of Nursing, Incorporated Licensure Examination for professional/practical nurses.]

(K) A transcript of the final record shall be submitted to the Missouri State Board of Nursing for each applicant upon completion of the program of professional/practical nursing. The seal, if available, of the school and signature of the director of the program of professional/practical nursing *[or]*, registrar shall be affixed to the transcript. The transcript must include the degree/*designation* awarded and date of graduation **or completion**. A candidate cannot take the licensure

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examination until all licensure requirements are met, including providing a transcript.

(5) Licensure by Endorsement in Missouri—Registered Nurses (RNs) and Licensed Practical Nurses (LPNs).

(A) A professional/practical nurse licensed in another state or territory of the United States shall be entitled to licensure provided qualifications are equivalent to the requirements of Missouri at the time of original licensure. This equivalency shall be defined as—

1. Evidence of completion and graduation from an *[accredited]* **approved** program of professional/practical nursing if educated in a state of the United States; a course-by-course evaluation report received directly from a credentials evaluation service approved by the board or a Commission on Graduates of Foreign Nursing Schools (CGFNS) certificate if the initial nursing education was earned in a territory, Canada, or another country;

2. Attainment of a passing standard score or pass designation as determined by the Missouri State Board of Nursing on the licensing examination or attainment of an acceptable grade in areas comparable to those required in Missouri at the time licensure was secured in the state of original licensure;

3. Evidence of completion of the applicable secondary education set forth in section 335.046, RSMo, requirements or the equivalent as determined by the State Department of Education;

4. Applicants who are not citizens of the United States who have completed programs in schools of professional/practical nursing in states which require citizenship for licensure may take the National Council Licensure Examination for professional/practical nurses in Missouri if they meet all of Missouri's requirements; and

5. If an individual was licensed by waiver as a practical/vocational nurse in another state, territory, or foreign country prior to July 1, 1955, and the individual meets the requirements for licensure as a practical nurse in Missouri which were in effect at the time the individual was licensed in the other jurisdiction, she/he is eligible for licensure in Missouri as an LPN. If an individual is licensed by waiver in another state after July 1, 1955, she/he does not qualify for licensure by waiver in Missouri as a practical nurse.

AUTHORITY: sections 335.036.1(2) and (7), 335.046, 335.051, and 335.066, [RSMo Supp. 2013, and sections 335.046 and 335.051,] RSMo [2000] 2016. This rule originally filed as 4 CSR 200-4.020. Original rule filed Oct. 14, 1981, effective Jan. 14, 1982. For intervening history, please consult the Code of State Regulations. Emergency amendment filed April 27, 2017, effective May 9, 2017, expires Feb. 15, 2018. An emergency amendment and a proposed amendment covering this same material will be published in the June 1, 2017, issue of the Missouri Register.