

CHAPTER 6305
BOARD OF NURSING
PROFESSIONAL AND PRACTICAL LICENSURE

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NURSING

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6305.0100 DEFINITIONS.

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

Subp. 1a **Acceptable nursing practice.** "Acceptable nursing practice" means employment or volunteer nursing in any setting. Employment includes those positions for which the individual is required to be a nurse. For professional nursing practice, the practice must have included one or more of the functions defined in Minnesota Statutes, section 148.171, paragraph (3). For practical nursing practice, the practice must have included one or more of the functions defined in Minnesota Statutes, section 148.171, paragraph (5).

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

Statutory Authority: *MS s 148 191*

History: 22 SR 973

6305.0300 AUTHORIZATION TO PRACTICE NURSING.

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

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

A submits the licensure application and licensure fee,

B is licensed in another jurisdiction or Canadian province by an examination acceptable to the board;

C applies for a permit to practice on a form obtained from the board,

D submits evidence of licensure and current eligibility to practice in another jurisdiction or Canadian province. Evidence of licensure and eligibility to practice may include, but is not limited to, a copy of the document from another jurisdiction or Canadian province that authorizes current practice, an official statement from another jurisdiction or Canadian province that the applicant is currently authorized to practice, or an official statement from another jurisdiction or Canadian province that the licensure examination was passed and that the applicant is authorized to practice pending licensure, and

E. has graduated from a nursing program approved for the type of license for which the application has been submitted.

Subp. 7. **Length of permits.** The permit authorizing practice under the direct supervision of a registered nurse expires 60 days from the date of issue or upon the applicant's notification by the board of failure on the examination, whichever occurs first. The board may extend this permit if the applicant has come under investigation by the board after the issuance of the initial permit until the matter is resolved for the applicant.

The permit authorizing practice without direct supervision expires 12 months after the date of issue. The board may extend the permit if the applicant has come under investigation by the board after the issuance of the initial permit until the matter is resolved for the applicant.

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

Statutory Authority: *MS s 148 191*

History: 22 SR 973

6305.0500 REQUIREMENTS FOR LICENSURE WITHOUT EXAMINATION.

[For text of subps 1 to 6, see M.R.]

Subp. 7 **Current nursing education or acceptable nursing practice.** An applicant who has engaged in acceptable nursing practice as defined in part 6305.0100, subpart 1a,

who has graduated from an approved nursing program, or who has completed a degree program with a major in nursing during the two years immediately preceding application for licensure is exempt from the continuing education requirements in subpart 8. Verification of acceptable nursing practice must be submitted to verify practice dates. If the applicant was employed by an institution or agency, an employer shall complete the verification. In lieu of an employer, a patient, volunteer supervisor, patient's family or physician, or peer can verify acceptable nursing practice. If the applicant supplies a written statement that verification cannot be obtained because the institution or agency no longer has the relevant records or the institution or agency has gone out of business, the last date of employment shall be accepted from the applicant. An affidavit of graduation or evidence from the nurse licensing agency in another jurisdiction or Canadian province must be submitted to verify the graduation date.

Subp 8 Continuing education. An applicant who has not engaged in acceptable nursing practice within the two years preceding receipt by the board of the application for licensure must comply with items A to D.

A The applicant must report the number of months since the last date of acceptable nursing practice.

B The applicant must submit a verification of acceptable nursing practice. If the applicant was employed by an institution or agency, an employer shall complete the verification. In lieu of an employer, a patient, volunteer supervisor, patient's family or physician, or a peer may verify acceptable nursing practice. If the applicant supplies a written statement that verification cannot be obtained because the institution or agency no longer has the relevant records or the institution or agency has gone out of business, the last date of employment shall be accepted from the applicant.

C The applicant must participate in and report participation in acceptable continuing education as specified in part 6310.2800, subparts 3, items A, B, C, E, and F, and 5. If the applicant has not engaged in acceptable nursing practice for ten years or more, the applicant must successfully complete a refresher course or refresher course equivalent as defined in part 6310.2600, subpart 9d. The refresher course or refresher course equivalent must include a clinical component. If the length of the refresher course or its equivalent is less than the hours required in item D, other acceptable continuing education must be completed to meet the hour requirement. The applicant shall participate in the continuing education or complete the refresher course or the refresher course equivalent within the 24 months immediately preceding board action on the application for licensure.

D The applicant must complete the required number of contact hours of continuing education. The registered nurse must complete one contact hour of acceptable continuing education for each month that the applicant was not engaged in acceptable practice. The licensed practical nurse must complete one contact hour for every two months that the applicant was not engaged in acceptable practice. The maximum hours required are 150 hours for a registered nurse applicant and 75 hours for a licensed practical nurse applicant. The continuing education must be reported on the form provided by the board.

If the applicant is required to successfully complete a refresher course or its equivalent, the applicant shall report the successful completion of the refresher course or refresher course equivalent on an affidavit provided by the board. The affidavit must be signed by the refresher course provider, the preceptor, the instructor, an official of the nursing program, or the employer.

[For text of subs 9 to 12, see M.R.]

Subp. 13 Insufficient score. An applicant for licensure whose examination score does not meet the Minnesota score requirement in subpart 11 or 12 must successfully take the current examination for licensure. The applicant must meet the requirements in subpart 14.

[For text of subp 14, see M.R.]

Statutory Authority: *MS s 148.191*

History: 22 SR 973

6305.0600 APPLICATION NULLIFICATION.

Subpart 1 Licensure by examination. The board will nullify an application for licensure by examination if the applicant

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A did not take the examination within one year following submission of a licensure application and fee, or

B did not apply to retake the examination within eight months after the last examination failed and did not retake the examination within 12 months after the last examination failed

The board will not nullify an application if it agrees on a different action during a disciplinary proceeding

Subp 2 **Licensure without examination.** The board will nullify an application for licensure without examination if the applicant fails to complete the application process within one year after submission of the application.

[For text of subps 3 and 4, see M R]

Statutory Authority: *MS s 148.191*

History: 22 SR 973