

CHAPTER 6305
BOARD OF NURSING
PROFESSIONAL AND PRACTICAL LICENSURE

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6305.0100 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 6305.0100 to 6305.0800, the following terms have the meanings given them.

[For text of subp 1a, see M.R.]

Subp. 2. [Repealed, 37 SR 403]

Subp. 3. [Repealed, 18 SR 2195]

Subp. 4. [Renumbered subp 6a]

[For text of subps 5 and 6, see M.R.]

Subp. 6a. **Confirmation of program completion.** "Confirmation of program completion" means the evidence submitted to the board used to authenticate officially that the applicant has graduated or is eligible for graduation.

Subp. 6b. **Continuing education report.** "Continuing education report" means the evidence submitted to the board to officially authenticate that the applicant has fulfilled all continuing education requirements for licensure.

Subp. 7. [Repealed, 37 SR 403]

[For text of subp 7a, see M.R.]

Subp. 7b. **Eligibility for graduation.** "Eligibility for graduation" means that the applicant has fulfilled all the requirements of an approved nursing program and is awaiting the official conferral of the degree by the school.

Subp. 8. [Repealed, 18 SR 2195]

Subp. 9. [Repealed, 18 SR 2195]

Subp. 10. [Repealed, 18 SR 2195]

Subp. 11. **Jurisdiction.** "Jurisdiction" means a state or territory of the United States.

Subp. 12. **Graduation.** "Graduation" means all requirements of an approved nursing program are met and the degree is conferred.

Subp. 13. **License.** "License" means the authority issued by the board to an individual who meets for the first time the requirements to practice professional or practical nursing in Minnesota.

Subp. 14. **Licensure application.** "Licensure application" means the method required by the board used in applying for professional or practical nurse licensure.

Subp. 15. [Repealed, 15 SR 838]

Subp. 16. [Repealed, 15 SR 838]

Subp. 17. **Nursing ability.** "Nursing ability" means the skill and judgment necessary to perform nursing actions safely.

Subp. 18. [Repealed, 37 SR 403]

[For text of subps 19 and 20, see M.R.]

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Subp. 21. **Program.** "Program" means a course of study offered by a controlling body that prepares students to practice practical nursing or professional nursing.

Subp. 21a. **Program completion.** "Program completion" means graduation or eligibility for graduation from a nursing program approved by a United States jurisdiction or Canadian province.

Subp. 22. **Refresher course.** "Refresher course" for the applicant for licensure by endorsement under Minnesota Statutes, section 148.211, subdivision 2, or for reregistration under Minnesota Statutes, section 148.231, subdivision 5, means a planned program of study with a clinical component that provides a review and evaluation of basic nursing knowledge and abilities to enhance clinical competency within the professional or practical scope of practice. The criteria for a refresher course is identified in Program Requirements: Appendices to Minnesota Administrative Rules, Chapter 6305, in part 6305.0800, as incorporated by reference in part 6305.0800.

Subp. 23. **Registration.** "Registration" means the process whereby the names and original license numbers of individuals licensed by the board are listed as individuals authorized to engage in professional or practical nursing during a registration period.

Subp. 24. **Temporary permit.** "Temporary permit" means the authority issued by the board that authorizes the practice of professional or practical nursing in Minnesota prior to final board action on the application for licensure or during participation in the clinical portion of a refresher course.

Statutory Authority: *MS s 148.191*

History: *37 SR 403*

6305.0200 PURPOSE AND AUTHORITY.

Parts 6305.0100 to 6305.0700 are adopted pursuant to Minnesota Statutes, section 148.191. The parts pertain to the authorization to practice, the requirements for licensure by examination, the requirements for licensure by endorsement, and nullification of applications. Part 6305.0400 applies to applicants who have not passed an examination acceptable to the board. Part 6305.0405 applies to applicants educated in Canada. Part 6305.0500 applies to applicants who have passed an examination acceptable to the board.

Statutory Authority: *MS s 148.191*

History: *37 SR 403*

6305.0300 AUTHORIZATION TO PRACTICE NURSING.

Subpart 1. **Required authorization.** A Minnesota license and current registration or a temporary permit is required if an individual practices professional nursing as defined in Minnesota Statutes, section 148.171, subdivision 15, or practical nursing as defined in Minnesota Statutes, section 148.171, subdivision 14, whether for monetary compensation or as a volunteer, or if an individual is a faculty member for an out-of-state nursing or nursing assistant program and is supervising nursing students or nursing assistant students in Minnesota except as provided in Minnesota Statutes, section 148.271. If the temporary permit is revoked or expires, whichever occurs first, an applicant must not practice nursing until a license has been issued.

Exceptions as identified in Minnesota Statutes, section 148.271, include the following:

[For text of items A to C, see M.R.]

Subp. 1a. **Authorized abbreviations.** The categories of nursing personnel listed below may use abbreviations as follows:

A. Public health nurse, abbreviated "PHN."

B. Registered nurse, abbreviated "RN," may only be used by a registered nurse who is currently registered in Minnesota or an applicant for licensure in Minnesota who holds a temporary permit as authorized in subpart 9.

C. Licensed practical nurse, abbreviated "LPN," may only be used by a licensed practical nurse who is currently registered in Minnesota or an applicant for licensure in Minnesota who holds a temporary permit as authorized in subpart 9.

[For text of items D and E, see M.R.]

[For text of subp 2, see M.R.]

Subp. 3. [Repealed, 37 SR 403]

Subp. 4. [Repealed, 37 SR 403]

Subp. 5. [Repealed, 37 SR 403]

Subp. 6. **Temporary 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 temporary permit to practice nursing that does not require direct supervision if the applicant:

[For text of items A and B, see M.R.]

C. applies for a temporary permit to practice;

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, 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 temporary permits.** The temporary permit authorizing practice without direct supervision expires 60 days after the date of issue. The board may extend the temporary permit if the applicant has come under investigation by the board after the issuance of the initial temporary permit until the matter is resolved for the applicant.

Subp. 8. **Revocation of temporary permit.** The board shall revoke a temporary permit in the following situations:

A. an applicant for licensure by endorsement presented fraudulent evidence of licensure in another jurisdiction or Canadian province; or

B. an applicant has engaged in conduct which constitutes grounds for denial of a license.

Subp. 9. **Designated titles.** The temporary permit holder who is an applicant for registered nurse licensure by endorsement shall use the title registered nurse, abbreviated "RN." The temporary permit holder who is an applicant for licensed practical nurse licensure by endorsement shall use the title "licensed practical nurse," abbreviated "LPN."

Statutory Authority: *MS s 148.191*

History: *37 SR 403*

6305.0400 REQUIREMENTS FOR LICENSURE BY EXAMINATION.

Subpart 1. **Licensure application.** An applicant shall obtain the application for licensure and instructions for filing from the board. An applicant shall respond to questions on the application that relate to the grounds for disciplinary action in Minnesota Statutes, section 148.261. An applicant shall submit true information. Falsification or omission of information provides grounds for disciplinary action. If an application is received without a fee, it shall be returned to the applicant.

Subp. 2. [Repealed, 18 SR 2195]

[For text of subp 3, see M.R.]

Subp. 4. **Graduation or eligibility for graduation from approved professional nursing program.** An applicant who has graduated from or is eligible for graduation from an approved professional nursing program is eligible for licensure as a registered nurse.

Subp. 5. **Graduation or eligibility for graduation from approved practical nursing program.** An applicant who has graduated from or is eligible for graduation from an approved practical nursing program is eligible for licensure as a licensed practical nurse.

Subp. 6. [Repealed, 37 SR 403]

Subp. 7. **Resolution of educational deficiencies.** Any deficit in nursing education identified through the credentials evaluation must be made up prior to admission to the examination in one of the following ways:

A. The applicant must successfully complete coursework designed for an applicant that provides theoretical and clinical learning activities with patients across the life span and also with patients throughout the whole wellness, acute, and chronic illness continuum. This coursework must be in the area of deficit in an approved nursing program that prepares students for the type of licensure for which the applicant is applying.

B. If the deficit is a clinical coursework deficit and not a theoretical coursework deficit, an applicant for licensure must successfully complete clinical instruction including evaluation of nursing ability in the deficit area. The clinical instruction including evaluation must be supervised by a faculty person who is a registered nurse.

The applicant must submit evidence of having completed the coursework designed to resolve the deficiencies on an affidavit provided by the board and signed by all individuals responsible for the makeup activities.

Subp. 8. **Confirmation of program completion.**

A. Confirmation of graduation or a transcript is required if an applicant graduated from an approved nursing program in a United States jurisdiction or Canadian province. If an applicant submits confirmation of graduation, the confirmation must be completed and signed by an official of the nursing program or controlling institution and must bear the seal or stamp of the program or controlling institution. If the applicant submits a transcript, it must be an official transcript from the educational institution or nursing program that verifies that the applicant has graduated from the nursing program.

B. Confirmation of eligibility for graduation is required if an applicant is eligible to graduate from an approved nursing program in a United States jurisdiction or Canadian province. If an applicant submits a confirmation of eligibility for graduation, the confirmation must be completed and signed by an official of the nursing program or controlling institution and must bear the seal or stamp of the program or controlling institution.

C. If the board finds after the examination has been taken that the confirmation of program completion was completed in error, the examination results shall not be released nor action taken on the application until the applicant has met all requirements for program completion. If all requirements for program completion are not met within 12 months after the application was submitted, the application will be nullified in accordance with part 6305.0600. If there is evidence that the applicant was aware of not meeting program requirements before the examination and did not inform the board, the matter may be handled through a disciplinary proceeding.

Subp. 9. [Repealed, 18 SR 2195]

Subp. 10. **Fees.** A licensure or retake fee must be paid to the board and must be received before evaluation of an applicant's qualifications for licensure. Personal checks are not accepted. Remittance must be in the form of United States currency. If for any reason a license is not issued, the fee is not refundable.

Subp. 11. [Repealed, 18 SR 2195]

Subp. 12. **Licensure examination.** The licensure examinations are the examinations of the National Council of State Boards of Nursing, Inc. An applicant must receive a pass on the National Council Licensure Examination.

A. An applicant is eligible for an examination when the following have been received:

- (1) application for licensure;
- (2) fee for licensure;
- (3) confirmation of program completion;
- (4) when applicable, request to retake the examination and fee;
- (5) when applicable, verification of comparable education; and
- (6) when applicable, verification of completion of an English proficiency examination that meets a board-established passing standard.

B. To take the examination, the applicant must meet all requirements of the test service of the National Council of State Boards of Nursing, Inc., including the payment of fees, and, after receipt of an authorization to test, schedule the examination at one of the testing centers.

C. Official notification of the results of the examination shall be by using the last contact information provided by the applicant. This constitutes official notification.

D. An applicant who fails an examination and wants to retake the examination must notify the board by a method provided by the board. On the request to retake the examination, an applicant shall respond to questions that relate to the grounds for disciplinary action listed in Minnesota Statutes, section 148.261. The board may require further information of the applicant in order to determine whether the applicant has engaged in conduct warranting disciplinary action. An applicant must submit true information. Falsification or omission of information provides grounds for denial of a license. If the request is received without a fee, it shall be returned to the applicant.

Subp. 13. **Initial registration.** An individual who is issued a license by the board shall also be registered by the board. The licensure fee shall serve as payment for the initial registration period.

Statutory Authority: *MS s 148.191*

History: *37 SR 403*

6305.0405 REQUIREMENTS FOR LICENSURE FOR APPLICANTS EDUCATED IN CANADA.

Subpart 1. **Acceptable examination.** An applicant for licensure who passed an examination acceptable to the board as listed in part 6305.0500, subparts 11 and 12, shall submit an application for licensure by endorsement as listed in part 6305.0500.

Subp. 2. **Insufficient score.** An applicant for licensure whose examination score does not meet the Minnesota score requirement in part 6305.0500, subpart 11 or 12, must successfully take the current examination for licensure. The applicant must meet the requirements in subpart 3.

Subp. 3. **Unacceptable examination.** An applicant for licensure who did not take an examination acceptable to the board must successfully take the current examination for licensure.

- A. The applicant must submit:
- (1) the application for licensure by examination;
 - (2) the licensure fee;
 - (3) confirmation of program completion; and
 - (4) if applicable, a verification of licensure from the Canadian province of original licensure and a verification of licensure from the Canadian province in which the

applicant was most recently employed if this is different from the Canadian province in which the applicant was licensed by examination.

B. To take the examination, the applicant must meet all requirements of the test service of the National Council of State Boards of Nursing, Inc., including the payment of fees, and, after receipt of an authorization to test, schedule the examination at one of the testing centers. Passing the examination will be accepted in lieu of the requirements set out in part 6305.0500, subparts 7 and 8.

Statutory Authority: *MS s 148.191*

History: *37 SR 403*

6305.0500 REQUIREMENTS FOR LICENSURE BY ENDORSEMENT.

Subpart 1. **Proof of licensure in another jurisdiction.** To be licensed to practice nursing in Minnesota by endorsement, an applicant must submit proof that the applicant is licensed in another jurisdiction and has passed an examination acceptable to the board as listed in subparts 11 and 12. Proof of licensure must be obtained from the jurisdiction in which the applicant wrote an acceptable examination as well as the jurisdiction in which the applicant was most recently employed. Proof of licensure must be obtained from the jurisdiction in which the applicant was first licensed, if this is different from the jurisdiction in which the applicant was licensed based on an acceptable examination.

Subp. 2. **Licensure application.** An applicant shall obtain the application and instructions for filing from the board. An applicant shall respond to questions on the application that relate to the grounds for disciplinary action listed in Minnesota Statutes, section 148.261. An applicant shall submit true information. Falsification or omission of any information provides grounds for denial of a license. If an application is received without a fee, it shall be returned to the applicant. Application for licensure begins on the date when an application and fee are received by the board.

Subp. 3. **Fee.** A licensure fee must be paid to the board and must be received before evaluation of an applicant's qualifications for licensure. Personal checks are not accepted. Remittance must be in the form of United States currency. If for any reason a license is not issued, the fee is not refundable.

[For text of subps 4 and 5, see M.R.]

Subp. 6. **Waiver of graduation requirement.** The board shall waive the requirement of graduation from an approved nursing program if:

A. an applicant has been licensed by another jurisdiction based on requirements equivalent to the qualifications required in Minnesota at the time of the applicant's original licensure; or

B. an applicant for licensed practical nurse licensure has been licensed by another jurisdiction and passed an acceptable examination as specified in subpart 12 and has had at least 4,000 clock hours of employment as a licensed practical nurse in the five years prior to application for licensure in Minnesota.

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. Confirmation of graduation or evidence from the nurse licensing agency in another jurisdiction 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.

[For text of items A and B, see M.R.]

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. 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 60 hours for a registered nurse applicant and 30 hours for a licensed practical nurse applicant. The continuing education must be reported on the form provided by the board.

D. If the applicant has not engaged in acceptable nursing practice for more than five years, the applicant must successfully complete a refresher course that meets board criteria. The applicant shall complete the refresher course within the 24 months immediately preceding board action on the application for licensure.

The applicant shall report the successful completion of the refresher course on an affidavit provided by the board. The affidavit must be signed by the person responsible for the refresher course. Successful completion of a refresher course will meet continuing education requirements.

Subp. 9. **Clinical component temporary permit to practice.** The applicant shall have a temporary permit to practice to participate in the clinical component of a refresher course with the exception of degree granting programs. A temporary permit may be issued if it is required by the degree granting program. For the applicant who is not eligible for a temporary permit based on current licensure in another United States jurisdiction, a temporary permit shall be issued for use only in the refresher course. To obtain this temporary permit, the applicant must submit the completed licensure application, fee, and a statement of intent to participate in a refresher course. The statement of intent must be signed by the person responsible for the refresher course. The statement of intent must contain the request for a temporary permit. The board shall issue a temporary permit after the application, fee, and statement of intent have been received and evaluated for compliance with this chapter. The board shall issue the temporary permit for no more than 90 days. This temporary permit is valid only for practice as a part of the refresher course. While the temporary permit is in effect, the registered nurse may use the title registered nurse, abbreviated "RN," and a licensed practical nurse may use the title licensed practical nurse, abbreviated "LPN." If there is a delay in the completion of the clinical portion of the refresher course, the applicant shall complete another statement of intent. The board shall issue another temporary permit for no more than 90 days.

Subp. 10. **Evidence of graduation.** An applicant must submit confirmation of program completion, signed by an official of the nursing program and bearing the seal or stamp of the program. If an official school transcript is submitted, it shall be accepted in lieu of confirmation of program completion. Confirmation of program completion is not required if the licensing authority in another jurisdiction verifies graduation from an approved program. If a licensed practical nurse applicant has not graduated from an approved program, the applicant shall send his or her employer a form supplied by the board for documentation of 4,000 clock hours of employment. The form must be completed by the employer and returned to the board. The board shall determine if the employment fulfills the requirement of Minnesota Statutes, section 148.211, subdivision 4.

[For text of subps 11 to 13, see M.R.]

Subp. 14. **Unacceptable examination.** An applicant for licensure who did not take an examination acceptable to the board must successfully take the current examination for licensure. The applicant must submit the application for licensure by endorsement, the

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licensure fee, a verification of licensure from the jurisdiction of original licensure, and a verification of licensure from the jurisdiction in which the applicant was most recently employed if this is different from the jurisdiction in which the applicant was licensed by examination. To take the examination, the applicant must meet all requirements of the test service of the National Council of State Boards of Nursing, Inc., including the payment of fees, and, after receipt of an authorization to test, schedule the examination at one of the testing centers. Passing the examination will be accepted in lieu of the requirements set out in subparts 7 and 8.

Subp. 15. **Registration following licensure by endorsement.** The board shall authorize an individual to engage in the practice of practical or professional nursing in Minnesota once the registration requirements have been met. The initial registration period is defined in part 6310.2600, subpart 15. Licensees shall participate in the number of contact hours of acceptable continuing education according to the number of full months in their initial registration period. For licensed practical nurses, the number of contact hours is one contact hour for every two months of registration. For registered nurses, the number of contact hours is one contact hour for every month of registration.

Statutory Authority: *MS s 148.191*

History: *37 SR 403*

6305.0600 APPLICATION NULLIFICATION.

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

Subp. 2. **Licensure by endorsement.** The board will nullify an application for licensure by endorsement 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: *37 SR 403*

6305.0800 INCORPORATION BY REFERENCE.

Program Requirements: Appendices to Minnesota Administrative Rules, Chapter 6305, issued by the Minnesota Board of Nursing, February 2012, are incorporated by reference. They are available through the Minnesota Board of Nursing Web site at <http://www.nursingboard.state.mn.us> under the education topic tab. They are not subject to frequent change.

Statutory Authority: *MS s 148.191*

History: *37 SR 403*