

**CHAPTER 6310**  
**BOARD OF NURSING**  
**PROFESSIONAL AND PRACTICAL REGISTRATION**

|           |  |           |  |
|-----------|--|-----------|--|
| 6310.2600 | DEFINITIONS.   | 6310.3200 | REREGISTRATION PROCEDURES.             |
| 6310.2700 | PURPOSE.   | 6310.3300 | CHANGE OF NAME AND ADDRESS ON RECORDS. |
| 6310.2800 | REGISTRATION RENEWAL REQUIREMENTS.                       | 6310.3400 | DUPLICATE AND REPLACEMENT DOCUMENTS.   |
| 6310.2810 | FETAL ALCOHOL EDUCATION.                                 | 6310.3500 | VERIFICATION OF MINNESOTA LICENSE.     |
| 6310.2900 | REGISTRATION RENEWAL PROCEDURES.                         | 6310.3600 | REGISTRATION FEES.                     |
| 6310.3000 | SUBSTANTIATION OF PARTICIPATION IN CONTINUING EDUCATION. | 6310.3700 | DISHONORED CHECKS.                     |
| 6310.3100 | REREGISTRATION REQUIREMENTS.                             |           |  |

**6310.0200** [Repealed, 9 SR 2673]

**6310.0300** [Repealed, 9 SR 2673]

**6310.0400** [Repealed, 9 SR 2673]

**6310.0500** [Repealed, 9 SR 2673]

**6310.0600** [Repealed, 9 SR 2673]

**6310.1100** [Repealed, 9 SR 2673]

**6310.1200** [Repealed, 9 SR 2673]

**6310.1300** [Repealed, 9 SR 2673]

**6310.1400** [Repealed, 9 SR 2673]

**6310.2100** [Repealed, 9 SR 2673]

**6310.2200** [Repealed, 9 SR 2673]

**6310.2600 DEFINITIONS.**

Subpart 1. **Acceptable continuing education activity.** “Acceptable continuing education activity” means a learning experience which meets the criteria established in part 6310.2800, subpart 3.

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, subdivision 15. For practical nursing practice, the practice must have included one or more of the functions defined in Minnesota Statutes, section 148.171, subdivision 14.

Subp. 1b. [Repealed, 24 SR 1884]

Subp. 2. **Board.** “Board” means the Minnesota Board of Nursing.

Subp. 3. **Contact hour.** “Contact hour” means 50 consecutive minutes, except in reference to the class period of an educational institution. Class periods of no less than 45 minutes will be accepted as a contact hour. The number of contact hours for a course are determined by the number of class credits assigned to the course multiplied by the number of full weeks in the term.

Subp. 4. **Continuing education participation period.** “Continuing education participation period” means the 24-month interval of time immediately before the registration renewal deadline during which a licensee must fulfill the continuing education requirements for registration renewal. The length varies for a licensee’s first registra-

# MINNESOTA RULES 2003

1029

## PROFESSIONAL AND PRACTICAL REGISTRATION 6310.2600

tion period after licensure or reregistration, beginning on the date of licensure or reregistration and ending on the registration deadline date.

Subp. 5. **Continuing education report form.** "Continuing education report form" means the printed document provided by the board for use in reporting the information required in parts 6310.2800 to 6310.3000.

Subp. 5a. **Deferment.** "Deferment" means postponement of participation in and reporting of all or part of the continuing education activities required for renewal.

Subp. 5b. [Repealed, 24 SR 1884]

Subp. 6. **Instructor.** "Instructor" means a presenter, preparer, or guide for a continuing education activity. Written programmed instruction comes within this definition.

Subp. 6a. **Late application fee.** "Late application fee" means the penalty fee authorized in Minnesota Statutes, section 148.231, subdivision 1.

Subp. 7. **License.** "License" means the document issued by the board to an individual who meets for the first time the requirements to practice professional or practical nursing in Minnesota.

Subp. 7a. **Licensee.** "Licensee" means either a professional or practical nurse who has been granted a license by the board to practice professional or practical nursing in Minnesota.

Subp. 8. **Licensure.** "Licensure" means the process by which the board confers legal authority upon an individual authorizing the person to engage in professional or practical nursing, thereby certifying that those licensed have attained the minimal degree of competency necessary to ensure that the public health, safety, and welfare will be reasonably well protected.

Subp. 8a. [Repealed, 15 SR 838]

Subp. 8b. [Repealed, 15 SR 838]

Subp. 8c. **Nursing ability.** "Nursing ability" means the mental and physical capacity and skill necessary to perform nursing actions.

Subp. 9. **Participation.** "Participation" means to be present at or in any other manner taking part in an acceptable continuing education activity.

Subp. 9a. **Permit.** "Permit" means the document issued by the board to an applicant for reregistration that authorizes practice of professional or practical nursing in Minnesota during participation in the clinical portion of a refresher course or its equivalent.

Subp. 9b. **Practical nurse.** "Practical nurse" means a person authorized by the board to engage in the practice of practical nursing as defined in Minnesota Statutes, section 148.171, subdivision 14.

Subp. 9c. **Professional nurse.** "Professional nurse" means a person authorized by the board to engage in the practice of professional nursing as defined in Minnesota Statutes, section 148.171, subdivision 15.

Subp. 9d. **Refresher course equivalent or equivalent.** "Refresher course equivalent" or "equivalent" when used to refer to a refresher course means an educational activity that includes a clinical component and can be used in lieu of a refresher course. These activities include a preceptorship, an orientation program, a program of study leading to a degree in nursing, or a clinical course to enhance nursing skills in a clinical area.

Subp. 10. **Registration.** "Registration" means the process by which 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. 11. **Registration renewal.** "Registration renewal" means the periodic process whereby a licensee who is licensed and registered with the board requests and obtains registration for the next registration period.

Subp. 12. **Registration renewal deadline.** "Registration renewal deadline" means the last day of the month immediately preceding the month in which the licensee's registration expires.

Subp. 13. **Registration certificate.** "Registration certificate" means the document issued by the board to a licensee who meets registration or reregistration requirements.

Subp. 14. **Registration expiration date.** "Registration expiration date" means the last calendar day of a registration period.

Subp. 15. **Registration period.** "Registration period" means the interval of time for which a registration certificate is issued. The initial registration period following licensure or reregistration is from six to 29 full calendar months starting on the day of licensure or reregistration and ending on the last day of the licensee's month of birth in an even-numbered year if the year of birth was an even-numbered year or in an odd-numbered year if the year of birth was in an odd-numbered year. Subsequent registration periods are 24-month periods. For registration renewal, the period starts on the first day of the month following expiration of the previous registration period. The period ends the last day of the licensee's month of birth in an even- or odd-numbered year according to the licensee's year of birth.

Subp. 16. **Reregistration.** "Reregistration" means the process whereby a licensee regains the authority to practice professional or practical nursing after one or more days without current registration.

**Statutory Authority:** *MS s 62A.15; 147.235; 148.191; 148.231; 214.12*

**History:** *12 SR 102; 15 SR 838; 18 SR 468; 19 SR 2223; L 1999 c 172 s 18; 24 SR 1884*

### 6310.2700 PURPOSE.

Parts 6310.2600 to 6310.3100 establish the requirements and procedures for registration for professional nurses and practical nurses including continuing education.

Parts 6310.3100 and 6310.3200 establish the requirements and procedures for reregistration. Parts 6310.3300 to 6310.3700 establish requirements and procedures for change of name and address, duplicate and replacement documents, and verification of Minnesota license.

**Statutory Authority:** *MS s 148.191; 214.06; 214.12*

**History:** *12 SR 102; 18 SR 468*

### 6310.2800 REGISTRATION RENEWAL REQUIREMENTS.

Subpart 1. **Renewal application.** A licensee shall submit an application for renewal by the deadline for renewal of registration. Failure to receive the registration renewal application mailed by the board does not relieve the licensee of the obligation to renew registration by the deadline.

Subp. 2. **Fee.** The licensee shall pay the fee specified in part 6310.3600, subpart 1.

Subp. 3. [Repealed, 12 SR 102]

Subp. 3. **Continuing education.** Continuing education requirements for the licensed practical nurse begin for registration periods that begin on or after November 1, 1993. The report of continuing education is due by the application deadline for subsequent renewals of registration. A registered nurse shall participate in the ratio of at least one contact hour of acceptable continuing education for each month of registration. A licensed practical nurse shall participate in the ratio of at least one contact hour of acceptable continuing education for each two months of registration.

For a continuing education activity to be acceptable for renewal of registration, the criteria in items A to G must be met.

A. The content must be designed to enhance the licensee's ability to practice nursing. The content may include such topics as those included in a nursing curriculum. For licensees who are not engaged in direct patient care but who are required to be licensed as a nurse in their employment, the content may include topics that may assist

# MINNESOTA RULES 2003

1031

## PROFESSIONAL AND PRACTICAL REGISTRATION 6310.2800

the licensees in the performance of their responsibilities. Unacceptable content includes subject matter that is inaccurate, outdated, or not generally accepted within the health care community.

B. The activity must last at least one contact hour. Licensees may report an activity that lasts more than one contact hour but less than an additional contact hour. Licensees shall not claim contact hours in which they did not participate, for example, if they arrived late or left early.

C. There must be written objectives which describe what a licensee can expect to learn.

D. The activity must be completed during the licensee's continuing education participation period.

E. The activity must be taught by someone other than the licensee.

F. The instructor must be qualified to teach the content. Qualifications include education, preparation of information related to the objectives for the activity, or experience.

G. The following information regarding the continuing education activity must be obtainable by the licensee:

- (1) the written objectives;
- (2) the name and qualifications of the instructor;
- (3) the contact hours or their equivalent assigned to the activity;
- (4) the dates of the activity;
- (5) the title of the activity; and

(6) an attendance statement that verifies that the licensee was present at or participated in the activity.

Subp. 4. **Exceptions.** If the continuing education activity has been approved by another health licensing board or association or if the licensee is currently certified by a national professional nursing organization, only the criteria for acceptability in item A or B must be met.

A. If the activity has been approved by another health licensing board or association, the criteria in subitems (1) to (5) must be met.

(1) The activity must last at least one contact hour. Licensees may report an activity that lasts more than one contact hour but less than an additional contact hour. Licensees shall not claim contact hours in which they did not participate, for example, if they arrived late or left early.

(2) The activity must be completed during the licensee's continuing education participation period.

(3) The activity must be taught by someone other than the licensee.

(4) The instructor must be qualified to teach the content. Qualifications include education, preparation of information related to the objectives for the activity, or experience.

(5) The following information regarding the continuing education activity must be obtainable by the licensee:

- (a) the name and qualifications of the instructor;
- (b) the contact hours or their equivalent assigned to the activity;
- (c) the dates of the activity;
- (d) the title of the activity; and

(e) an attendance statement that verifies that the licensee was present at or participated in the activity.

B. If the licensee has a current certificate from a national professional nursing organization, the criteria in subitems (1) to (5) must be met.

(1) The initial certification must be based on predetermined standards for specialty certification assuring that the licensee has acquired knowledge and skill in the specialty.

(2) If the current specialty certificate is a recertification certificate, it must be based on meeting periodic continuing education or other current competency certification requirements.

(3) The certificate must be issued by a national nursing or medical organization.

(4) A copy of the certificate must be submitted and it must be current at the time of submission.

(5) The licensee shall not use the practice specialty certificate as a substitute for any previously deferred contact hours.

Subp. 5. **Other acceptable continuing education activities.** A licensee may do one of the following within the licensee's participation period and apply up to ten contact hours to the activity:

- A. publish an article or book on nursing or health care related issues;
- B. deliver a professional paper related to nursing or health care;
- C. participate on a professional panel that addresses nursing or health care related issues;
- D. participate in quality assurance or risk management studies; or
- E. engage in nursing or health care related research.

Subp. 6. [Repealed, 18 SR 468]

Subp. 6a. **Deadline for submission.** The registration renewal application, registration renewal fee, and continuing education report must be received in the board office on or before the last day of the month preceding the licensee's registration expiration. This receipt deadline is referred to as the application deadline. If the application deadline falls on a weekend or holiday, receipt by the board on the following business day constitutes timely submission.

If the licensee's registration renewal application, registration renewal fee, and continuing education report are received in the board office after the application deadline, a late application fee is required. If the application is received after the licensee's registration expires, the applicant is not eligible for renewal of registration. If the registration expiration date falls on a weekend or holiday, receipt by the board on the following business day constitutes timely submission. However, the licensee may not practice nursing after the registration expiration date until registration renewal requirements have been met as specified in this part.

Subp. 7. **True information.** The licensee shall submit true, complete, and accurate information. Falsification of any evidence for any registration period or falsification or omission of information provides grounds for disciplinary action.

Subp. 8. **Retention of information.** Each licensee shall keep information documenting each continuing education activity submitted to meet registration renewal requirements. The licensee shall retain the information for two years after the continuing education activities are reported to the board on the continuing education report form.

Subp. 9. **Variance.** On presentation of convincing evidence by a registration or reregistration applicant, the board shall grant a variance from the following requirements:

- A. for a receipt deadline, evidence of mail delay;
- B. for a fee, evidence of financial hardship;
- C. for document submission, evidence of loss of records through fire or other disaster; and

D. for the required number of continuing education contact hours, evidence of unexpected illness or personal tragedy.

# MINNESOTA RULES 2003

1033

## PROFESSIONAL AND PRACTICAL REGISTRATION 6310.2900

Subp. 10. **Exemption from renewal of registration.** Pursuant to Minnesota Statutes, section 326.56, a licensee who is in the armed forces of the United States or is employed outside the United States in employment which is essential to the prosecution of any war or the national defense, and whose registration was in effect at the time of entry into the armed forces or engagement in employment outside the United States, is not obligated to renew registration. The board must be notified in writing by the licensee regarding the qualifications for this exemption. The exemption ceases six months after discharge from active duty or termination of the aforementioned employment. A registration renewal application shall be sent to the licensee who has applied for the exemption at the time that a registration renewal application would normally be sent to the licensee. The licensee may be requested to reconfirm exempt status. If the licensee no longer qualifies for the exemption, the requirements for registration renewal must be met. The required number of contact hours are calculated based on the number of months since the exemption ceased to the month of the registration renewal application deadline and according to the ratio specified in subpart 3.

**Statutory Authority:** *MS s 16A.128; 148.191; 148.211; 148.231; 214.06; 214.12*

**History:** *11 SR 1331; 12 SR 102; 15 SR 838; 18 SR 468; 22 SR 973; 24 SR 1884*

### 6310.2810 FETAL ALCOHOL EDUCATION.

Subpart 1. **Announcement and request form.** On August 1, 2000, and thereafter, the board shall include an announcement regarding Minnesota Statutes, section 214.12, subdivision 3, with every registered nurse application for renewal of registration. The announcement shall indicate that the board will provide educational materials at no cost to licensees who have primary responsibility for diagnosing and treating pregnant women who may be abusing alcohol and/or diagnosing and treating individuals with fetal alcohol syndrome. A request form for the material shall be included with the announcement. Each licensee who has primary responsibility for diagnosing and treating these individuals shall complete and return the request form with the renewal of registration application.

Subp. 2. **Educational materials.** The board shall send educational materials to those licensees who return the completed request form. The educational material shall address fetal alcohol syndrome and fetal alcohol effects, including how to screen pregnant women for alcohol abuse, how to identify affected children, and where to refer individuals for needed services.

Subp. 3. **Expiration.** This part expires August 1, 2003.

**Statutory Authority:** *MS s 148.191; 148.211; 148.231; 214.12*

**History:** *24 SR 1884*

### 6310.2900 REGISTRATION RENEWAL PROCEDURES.

Subpart 1. **Application.** The board shall mail a registration renewal application at least three full calendar months before a licensee's registration expiration date to the licensee's last known address. Placing the registration renewal application in first class United States mail, postage prepaid, and addressed to the licensee at the licensee's last known address constitutes valid service. Failure to receive the registration renewal application mailed by the board does not relieve the licensee of the obligation to renew registration by the deadline.

The licensee shall submit the completed, signed application, fee, and continuing education report to the board in time for the application to be received in the board office by the application deadline.

The board shall return an application that is received without a fee or an application that is incomplete. The licensee must resubmit the application and fee within 30 days or by the licensee's registration expiration date, whichever is later. The board shall record on the application the date mailed and calculate the 30 days from that date. The board shall determine timely submission by receipt date.

Subp. 2. **Fee.** The licensee shall submit the fee with the application for renewal by the application deadline. The fee must be made payable to the Minnesota Board of Nursing. The board shall return a fee that is received without an application or is made out incorrectly. The licensee shall resubmit the fee with an application within 30 days or by the licensee's registration expiration date, whichever is later. The board shall record on the notice the date mailed and calculate the 30 days from that date. The board shall determine timely submission by receipt date. If the requirements for renewal of registration are not met, the fee is not refundable.

Subp. 3. **Report of continuing education.** The report of continuing education shall be a part of the renewal of registration application. The board shall require the name of the activity, the date of the activity, and the number of contact hours for each of the activities.

Licensees shall report the required information on the continuing education report form. A professional nurse who has been certified in a nursing specialty may submit a copy of the practice specialty certificate in lieu of reporting participation in the remaining required number of contact hours.

Each licensee shall verify that the continuing education activities met all the criteria in part 6310.2800 and that the information contained on the continuing education report form is true in every respect. The licensee shall sign and date the application and continuing education report form.

Subp. 4. **Application deadline.** The application and fee must be received in the board office by the last day of the month preceding the month in which the licensee's registration expires. If the last day of the month falls on a weekend or holiday, the application must be received in the board office by the next working day. If the application and fee are received after the deadline, the board shall return the application and fee to the licensee. The licensee shall pay the late application fee, the amount specified in part 6310.3600, subpart 1. If the application and fee are received after the expiration of registration, the board shall return the renewal application and fee. The board shall mail a reregistration application to the licensee. If the expiration date falls on a weekend or holiday, receipt by the board on the following business day constitutes timely submission. However, the licensee may not practice nursing after the expiration date until registration renewal requirements have been met.

Subp. 5. **Incomplete application; notice.** The board shall notify the licensee within 30 calendar days of receipt by the board of any deficiency. On the deficiency notice, the board shall note if the application, the continuing education report, or the fee submitted by a licensee is incomplete, incorrect, or not in compliance with part 6310.2800 and this part. The board shall record the mailing date on the deficiency notice. The licensee shall correct the deficiency within 30 calendar days of the date recorded on the notice or by the licensee's registration expiration date, whichever is later. The renewal application, fee, and other documents will be retained by the board whenever possible.

Subp. 6. **Insufficient hours.** If a licensee does not have enough contact hours of acceptable continuing education to report, the licensee has the following options listed in items A to C.

A. Complete the required number of contact hours during the month following the application deadline in which case this month shall not be used as part of the subsequent continuing education participation period.

B. Defer the number of contact hours that the licensee is lacking. The deferred hours shall be added to the contact hours required in the immediately succeeding continuing education participation period. Contact hours may be deferred if there are no current deferred contact hours required of the licensee. If the licensee is deferring a fraction of a contact hour, a whole contact hour must be deferred. If the licensee does not renew for the continuing education participation period that included the deferred hours, the deferred hours shall be required for reregistration.

C. Allow registration to expire and reregister.

Subp. 6a. [Repealed, 12 SR 102]

Subp. 7. **Noncompliance with continuing education requirement.** A licensee provides grounds for disciplinary action if the licensee cannot meet one of the options for insufficient hours or fails an audit and is not eligible to defer.

Subp. 8. **Nullification of incomplete registration renewal.** The board shall return a renewal application and fee received after the licensee's registration expiration date unless the expiration date falls on a weekend or holiday. The board shall mail a reregistration application to the licensee. The board shall nullify incomplete registration renewal applications that are not completed, returned, and received by the board within 30 days following notification of the deficiency or by the licensee's expiration date, whichever is later. For a nullified application, the fee shall be forfeited and the application and other documents may be destroyed according to Minnesota Statutes, section 138.17, subdivision 7.

Subp. 9. **Removal of name from list.** The names of licensees who do not return the complete renewal application, renewal fees, and late application fees by the registration expiration date shall be removed from the list of individuals authorized to practice professional or practical nursing.

Subp. 10. **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 62A.15; 147.235; 148.191; 148.211; 148.231; 148.294; 214.06; 214.12*

**History:** *9 SR 765; 12 SR 102; 12 SR 2623; 15 SR 838; 18 SR 468; 19 SR 2223; 22 SR 973; 24 SR 1884*

### 6310.3000 SUBSTANTIATION OF PARTICIPATION IN CONTINUING EDUCATION.

Subpart 1. **Substantiation of continuing education activity.** At the time of renewal, the board shall randomly select a sample of licensees and require substantiation of participation in the activities that the licensees reported on their continuing education report form. The licensee shall submit documents or written statements that verify the following:

- A. the name of the activity;
- B. the date of the activity;
- C. the number of contact hours or hours equivalent to contact hours;
- D. the objectives;
- E. the name and qualifications of the instructor; and
- F. presence at or participation in the activity.

Licensees who participated in other acceptable continuing education listed in part 6310.2800, subpart 5, shall submit all or a portion of the article, book, paper, study, research, or brochure that verifies participation as a panel member.

Failure to substantiate the hours with the required information shall result in the hours being automatically deferred to the next participation period unless the licensee is not eligible to do so. At the next renewal or reregistration, the licensee shall substantiate participation in all the hours of continuing education required for that reporting period including the automatically deferred hours. Failure to substantiate the hours at this time shall provide grounds for disciplinary action.

Subp. 2. **Substantiation after deferment.** For licensees who have deferred continuing education hours on record, except those automatically deferred as indicated in subpart 1, the board shall randomly select a sample of licensees and require substantiation of participation in the activities that the licensees must report. The licensee shall submit substantiation of participation in all of the continuing education hours required for that participation period, the deferred hours, and the regular hours. The licensee



shall submit documents or written statements that verify the information listed in subpart 1.

**Statutory Authority:** *MS s 148.191; 148.211; 148.231; 214.12*

**History:** *18 SR 468; 24 SR 1884*

### 6310.3100 REREGISTRATION REQUIREMENTS.

Subpart 1. **Reregistration application.** A licensee shall submit an application for reregistration and respond to questions on the application that relate to the grounds for disciplinary action listed in Minnesota Statutes, section 148.261. The licensee shall submit true information. Falsification or omission of information provides grounds for disciplinary action. The board may require further information of the licensee to determine whether the licensee has engaged in conduct warranting disciplinary action listed in Minnesota Statutes, section 148.261.

#### Subp. 2. Fees.

A. The fee for reregistration is the current registration renewal fee.

B. The late application fee is applicable if the licensee's registration expired within the two years preceding submission of the reregistration application unless the licensee has been licensed and is practicing nursing in another jurisdiction or country.

C. In addition to the fee in item A and when applicable the fee in item B, the penalty fee for practicing nursing without current registration is also applicable if the licensee practiced nursing in Minnesota after expiration of the licensee's registration.

D. For purposes of calculating the penalty fee for practicing nursing without current registration, the number of calendar months, or parts of months, of practice shall be calculated from the first day the licensee does not have current registration to the date of last nursing practice.

Subp. 2a. **Continuing education.** Licensees whose registrations expired within the two years preceding application for reregistration shall report participation in the required number of acceptable continuing education hours. To fulfill this requirement, the criteria in items A to C must be met.

A. The number of contact hours required are the number of hours the licensee was responsible for at the time registration expired, including any deferred hours.

B. To be acceptable, the continuing education must meet the requirements specified in part 6310.2800, subpart 3, with the exception of item D, or part 6310.2800, subpart 4 or 5.

C. Participation must have occurred during the 24 months immediately preceding board action on the application for reregistration.

Subp. 2b. **Deferred contact hours.** A licensee who has deferred continuing education contact hours on record shall make up the deferred contact hours before board action on the application for reregistration. The licensee shall submit a report of participation in the required number of contact hours and submit the substantiating documents required in part 6310.3000, subpart 1. The board shall audit the substantiating documents to be certain that the requirements in part 6310.3000, subpart 1, have been met.

Subp. 2c. **Acceptable nursing practice requirement.** A licensee shall submit proof of acceptable nursing practice that occurred within the two years immediately preceding receipt by the board of the application for reregistration.

Subp. 3. [Repealed, 12 SR 102]

Subp. 4. [Repealed, 12 SR 102]

Subp. 5. [Repealed, 15 SR 838]

Subp. 6. **Additional continuing education in lieu of acceptable nursing practice.** Licensees who have not been engaged in acceptable nursing practice within the two

# MINNESOTA RULES 2003

1037

## PROFESSIONAL AND PRACTICAL REGISTRATION 6310.3200

years preceding receipt by the board of the application for reregistration must comply with items A to D:

A. A licensee must report the number of months since their last date of acceptable nursing practice.

B. A licensee must submit a verification of acceptable nursing practice.

C. A licensee must participate in and report participation in acceptable continuing education as specified in part 6310.2800, subpart 3, items A, B, C, E, and F, 4, or 5. If the licensee has not engaged in acceptable nursing practice for ten years or more, the licensee must successfully complete a refresher course or refresher course equivalent. An affidavit of successful completion must be signed by the person responsible for the refresher course or the refresher course equivalent. 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 licensee 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 reregistration.

D. A licensee must complete the required number of contact hours. The registered nurse shall complete one contact hour of acceptable continuing education for each month that the licensee was not engaged in acceptable nursing practice. The licensed practical nurse shall complete one contact hour for every two months that the licensee was not engaged in acceptable nursing practice. The maximum hours required are 150 hours for a registered nurse and 75 hours for a licensed practical nurse.

Subp. 7. **Permit to practice.** The licensee shall have a permit to practice to participate in the clinical component of a refresher course or its equivalent with the exception of degree granting programs. For the latter, a permit may be issued if the degree granting program requires it.

Subp. 8. **Licensees residing outside Minnesota.** If a licensee residing outside of Minnesota applies for reregistration for the purpose of obtaining verification of current registration status to another country or United States jurisdiction, the requirements for reregistration are the reregistration application, applicable fee, request for verification of licensure, and verification fee.

Subp. 9. [Repealed, 18 SR 468]

Subp. 10. [Repealed, 18 SR 468]

Subp. 11. [Repealed, 18 SR 468]

Subp. 12. [Repealed, 18 SR 468]

Subp. 13. **Disciplinary action.** Nothing in this part shall be construed as preventing the board from proceeding with disciplinary action pursuant to Minnesota Statutes, section 148.261. Grounds for the board to proceed with disciplinary action include, but are not limited to, practicing nursing without current registration for more than two years, repeated occurrences of practicing nursing without current registration, or knowingly practicing nursing without current registration.

**Statutory Authority:** *MS s 148.191; 148.211; 148.231; 214.06; 214.12*

**History:** *12 SR 102; 15 SR 838; 18 SR 468; 22 SR 973; 24 SR 1884*

### 6310.3200 REREGISTRATION PROCEDURES.

Subpart 1. **Reregistration application.** A licensee shall obtain a reregistration application from the board. The licensee shall submit the completed and signed reregistration application which includes questions that relate to the grounds for disciplinary action listed in Minnesota Statutes, section 148.261. The licensee shall submit true information. Falsification or omission of information provides grounds for disciplinary action. The board may require further information of the licensee to determine whether the licensee has engaged in conduct warranting disciplinary action listed in Minnesota Statutes, section 148.261.

The board shall return an application that is received without a fee or an application that is incomplete.

**Subp. 2. Fees.** The licensee shall submit the registration renewal fee, the late application fee when applicable and any penalty fee for practicing without current registration, with the application for reregistration. The fee or fees must be payable to the Minnesota Board of Nursing. The board shall return the fee or fees if they are received without an application or if they are made out incorrectly. If the requirements for reregistration are not met, the fees are not refundable.

**Subp. 3. Report of continuing education.** The board shall provide a form for reporting continuing education. In the report of continuing education, the board shall require the name of the activity, the date of the activity, and the number of contact hours for each of the activities. The licensee shall report participation in the required acceptable continuing education including the refresher course. A professional nurse who has been certified in a nursing specialty may submit a copy of the practice specialty certificate in lieu of reporting participation in the continuing education contact hours. The copy of the current certificate must be attached to the report of continuing education. Each licensee shall verify that the continuing education activities met all the criteria specified in part 6310.2800, subpart 3, with the exception of item D, or part 6310.2800, subpart 4 or 5, and that the information contained on the continuing education report form is true in every respect. The licensee shall sign and date the continuing education report form.

**Subp. 4. Acceptable nursing practice requirement.** Verification of acceptable nursing practice must be reported on a form provided by the board or in a statement submitted in writing which includes the information required by the board on the verification of practice form. It must be completed by the individual best able to verify the licensee's practice. If the licensee 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 may verify acceptable 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 went out of business, the last date of employment shall be accepted from the applicant.

**Subp. 5. Permit to practice.** To obtain a permit to complete the clinical portion of a refresher course or its equivalent if being taken in Minnesota, a licensee shall submit the completed reregistration application, fee, and a statement of intent to participate in a refresher course or its equivalent. The statement of intent must be signed by the refresher course provider, the preceptor, the instructor, an official of the nursing program, or the employer. The statement of intent must contain the request for a permit. The board shall issue a permit after the application, fee, and statement of intent have been received and evaluated for compliance with this chapter. The board shall issue the permit for no more than 90 days. The permit is valid only for practice as a part of the refresher course or its equivalent. While the 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 or its equivalent, the licensee shall return the expired permit and complete another statement of intent. The board shall issue another permit for no more than 90 days.

**Subp. 6. Affidavit of successful completion of a refresher course or refresher course equivalent.** The licensee who must successfully complete a refresher course or its equivalent shall submit the affidavit of successful completion of a refresher course or refresher course equivalent. The affidavit must be signed by the refresher course provider, the preceptor, the instructor, an official of the nursing program, or the employer.

**Subp. 7. Out-of-state address.** A licensee residing outside Minnesota who applies for reregistration for the purpose of obtaining verification of current registration status to another country or United States jurisdiction must have an out-of-state address and submit a verification of licensure request from another jurisdiction. The verification of

# MINNESOTA RULES 2003

1039

## PROFESSIONAL AND PRACTICAL REGISTRATION 6310.3400

licensure request must be submitted with the reregistration application. The fee for verification must be separate from the fee for reregistration.

Subp. 8. **Nullification and reapplication.** The board shall nullify an incomplete reregistration application if the licensee fails to complete the application process within one year after submission of the application.

For a nullified application, the registration renewal fee and the late application fee when applicable shall be forfeited and the application and other documents may be destroyed according to Minnesota Statutes, section 138.17, subdivision 7. If a licensee fails to submit an application and fee within six months after the board received any other documents relating to the application, the board may destroy the documents.

If a licensee whose application has been nullified wants to be reregistered, a new reregistration application must be submitted and all applicable reregistration requirements must be met.

Subp. 9. **Initial registration following reregistration.** The board shall issue a registration certificate once the reregistration requirements have been met. The initial registration period is as 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. The continuing education must meet the criteria in part 6310.2800.

**Statutory Authority:** *MS s 62A.15; 147.235; 148.191; 148.211; 148.231; 214.12*

**History:** *18 SR 468; 19 SR 2223; 22 SR 973; 24 SR 1884*

### 6310.3300 CHANGE OF NAME AND ADDRESS ON RECORDS.

Subpart 1. **Name change.** The licensee who has changed names shall notify the board in writing as soon as possible and request a revised registration certificate. When requesting a revised registration certificate, the licensee shall return the current certificate to the board. The board may require substantiation of the name change by requiring official documentation.

Subp. 2. **Address change.** The licensee who has changed addresses shall notify the board as soon as possible. The board shall notify the licensee of address changes made in the licensee's records. However, a revised registration certificate will not be issued.

**Statutory Authority:** *MS s 148.191; 148.211; 148.231; 214.06; 214.12*

**History:** *12 SR 102; 15 SR 838; 24 SR 1884*

### 6310.3400 DUPLICATE AND REPLACEMENT DOCUMENTS.

Subpart 1. **License.** A duplicate license shall not be issued. A replacement license may be issued for a fee when the licensee notifies the board, by certified statement, that the original license was lost, stolen, or destroyed. The replacement license shall be marked "Replacement" and the date of issuance indicated.

Subp. 2. **Registration certificate.** A duplicate registration certificate shall not be issued. If a registration certificate is lost, stolen, or destroyed, the licensee shall submit a written explanation of the situation. On written request of the licensee, a replacement registration certificate may be issued for a fee. The replacement registration certificate shall be marked "Replacement."

If a licensee does not receive a registration certificate which has been issued and notifies the board office in writing within 60 days of the effective date, a replacement registration certificate may be issued without a fee.

Subp. 3. **Lost, stolen, or destroyed documents.** If a licensee's license or registration certificate or permit is lost, stolen, or destroyed, the licensee must report the loss to the board.

**Statutory Authority:** *MS s 16A.128; 148.191 subd 2; 148.231; 214.06*

**History:** *11 SR 1331; 12 SR 102; 15 SR 838*

**6310.3500 VERIFICATION OF MINNESOTA LICENSE.**

Subpart 1. **Verification of licensure.** A licensee wishing a certified statement of licensure status sent to another United States jurisdiction or foreign country or to any other third party may, upon written request and payment of a fee, have a certified statement of Minnesota licensure status issued to the Board of Nursing, other official agency empowered to issue nursing licenses in the other jurisdiction or country or a third party. A replacement of the certified statement shall not be issued within the first two months nor more than six months after the original statement was issued. If requested by the licensee, a replacement shall be issued without charge between two and six months after the original statement was issued.

Subp. 1a. **Verification of examination scores.** A Minnesota licensee wishing a certified statement of licensing examination scores sent to a third party may, upon written request and payment of fee, have a certified statement of examination scores issued.

Subp. 2. **Copies of license application.** A copy of a transcript or other application materials is provided from the board files upon payment of a fee. Copies will not be provided for transcripts or other application materials available from nursing programs in the United States.

**Statutory Authority:** *MS s 16A.128; 148.191; 148.231 subd 6; 214.06*

**History:** *11 SR 1331; 12 SR 102; 22 SR 973*

**6310.3600 REGISTRATION FEES.**

Subpart 1. **Amount.** The amount of fees shall be as follows:

- A. registration renewal, as set by law;
- B. late application, as set by law;
- C. replacement license, \$20;
- D. replacement registration certificate, \$5;
- E. verification of licensure status, \$20;
- F. verification of examination scores, \$20;
- G. a copy of licensure application materials, \$20;
- H. service charge for a dishonored check, \$20; and

I. penalty for practicing nursing without current registration, two times the amount of the current registration renewal fee for any part of the first calendar month, plus the current registration renewal fee for any part of any subsequent month up to 24 months. The fee shall be paid in the form of a certified check or money order.

Subp. 2. **Nonrefundable.** All fees are nonrefundable.

**Statutory Authority:** *MS s 148.191; 148.211; 148.231; 148.294; 214.06; 214.12; 332.50*

**History:** *12 SR 102; 12 SR 2623; 15 SR 838; 16 SR 2479; 18 SR 2195; 19 SR 1131; 20 SR 2429; 22 SR 973; 24 SR 1884; 28 SR 218*

**6310.3700 DISHONORED CHECKS.**

Subpart 1. **Service charge.** If a licensee submits a dishonored check for any of the fees required in part 6310.3600, subpart 1, items A to G or 6316.0200, subpart 3, a service charge shall be assessed in keeping with Minnesota Statutes, section 332.50, subdivision 2.

Subp. 2. **Nullified registration and prescribing authority.** Nonreplacement of a dishonored check for the fees required for renewal of registration or for reregistration and nonpayment of the service charge shall result in a nullified registration. Nonreplacement of a dishonored check for the fee required for prescribing authority and nonpayment of the service charge shall result in the nullification of prescribing authority.

# MINNESOTA RULES 2003

1041

## PROFESSIONAL AND PRACTICAL REGISTRATION 6310.3700

Subp. 3. **Additional fee.** Nonreplacement of a dishonored check for the fees required in part 6310.3600, subpart 1, items C to G or 6316.0200, subpart 3, and nonpayment of the service charge will result in the amounts being added to the next fee the licensee must pay.

**Statutory Authority:** *MS s 148.191; 148.211; 148.231; 214.12*

**History:** *12 SR 102; 22 SR 973; 24 SR 1884*

**6310.5100** [Repealed, 9 SR 2673]

**6310.5200** [Repealed, 9 SR 2673]

**6310.5300** [Repealed, 9 SR 2673]

**6310.5400** [Repealed, 9 SR 2673]

**6310.5500** [Repealed, 9 SR 2673]

**6310.6100** [Repealed, 9 SR 2673]

**6310.6200** [Repealed, 9 SR 2673]

**6310.7100** [Repealed, 9 SR 2673]

**6310.7200** [Repealed, 9 SR 2673]

**6310.7600** [Repealed, 12 SR 102]

**6310.7700** [Repealed, 12 SR 102]

**6310.7800** [Repealed, 12 SR 102]

**6310.7900** [Repealed, 12 SR 102]

**6310.8000** [Repealed, 12 SR 102]

**6310.8100** [Repealed, 12 SR 102]