

**ARTICLE 54-01
GENERAL ADMINISTRATION**

Chapter

54-01-01 Organization of Board

54-01-02 Professional Nurse Appointments to Board [Repealed]

54-01-03 Definitions

**CHAPTER 54-01-01
ORGANIZATION OF BOARD**

Section

54-01-01-01 Organization of Board of Nursing

2. **Board membership.** The board consists of nine members appointed by the governor. Five members are registered nurses, one member is an advanced practice registered nurse, ~~three~~ two members are licensed practical nurses, and one member is a public member. Members of the board serve four-year terms with the public member's appointment coinciding with that of the governor. No member may be appointed for more than two consecutive terms.

History: Amended effective July 1, 1982; November 1, 1985; October 1, 1987; December 1, 1989; November 1, 1996; April 1, 2004; 2014.

General Authority: NDCC 28-32-02.1

Law Implemented: NDCC 28-32-02.1, 43-12.1

DEFINITIONS

Section

54-01-03-01 Definitions

54-01-03-01. Definitions.

6. “Advanced assessment” means the collection of the history, physical and psychological assessment data of a client’s signs, symptoms, pathophysiologic status and psychosocial variation in the determination of differential diagnoses and treatment by the advanced practice registered nurse.

Renumber accordingly

13. 42: “Certification” means a process of voluntary recognition by a national nursing organization or other entity of the person’s specialty knowledge, skills, and abilities in a defined area of nursing practice. The certification process measures the theoretical and clinical content denoted in the specialty areas or scope of practice and is developed in accordance with generally accepted standards of validity and reliability.

15. “Clinical learning experiences” means the planned, faculty-guided learning experiences that involve direct or indirect contact with clients.

17. “Comprehensive nursing assessment” means analysis and synthesis of data collected by a registered nurse which is used to establish a health status baseline, establish a plan of care, and address changes in a client’s condition.

27. “Focused nursing assessment” means the collection and recording of baseline assessment data by a licensed practical nurse, which is used to observe, monitor, and report signs, symptoms, and changes in client condition in an ongoing manner. The licensed practical nurse reports to the supervising registered nurse or licensed practitioner.

29. "Inactive license or registration" means a license or registration which is not renewed.

33. "Internationally educated" means educated outside the United States.

34. "Jurisdiction" means a province, state or territory that administers the national council licensure examination for the purpose of licensure.

38. 34. "Licensure" means the process by which the board grants legal authority privilege to an individual to engage in the practice of nursing as a licensed practical nurse, registered nurse, advanced practice registered nurse or specialty practice registered nurse upon finding that the individual has attained the essential degree of education and competence necessary to ensure that the public health, safety, and welfare will be protected.

42. 35. "Medication assistant III" means an individual who has a current registration as an unlicensed assistive person, has had additional training in administration of medication, and possesses a current registration from the board. Medication assistant III is a person who has completed two semesters of an approved nursing education program, each of which must have included a clinical nursing component, or a graduate of a board-recognized medical assistant program.

43. "Medical assistant student" means an individual who is currently enrolled in an approved medical assistant program.

45. 37. "Misappropriation of property" means the patterned or knowing, willful, or intentional misplacement, exploitation, taking or wrongful, temporary, or permanent use of a client's, employer's, or any other person's or entity's belongings, money, assets, or property without consent.

46. "NCLEX-PN®" means the national council licensure examination for practical nurses.

47. NCLEX-RN®" means the national council licensure examination for registered nurses.

50. "Nurse faculty" means individuals employed by an academic institution who are responsible for developing, implementing, teaching, evaluating and updating nursing program curricula.

52. 41. "Out-of-state nursing education program" means a program **that is approved by the board of nursing of the jurisdiction in which the program is headquartered**, whose faculty and facilities are located outside North Dakota but within the United States, which is approved by the licensing board for nurses in the particular state or United States territory and is equivalent to an "instate nursing program".

55. "Preceptor" means an individual at or above the level of licensure that an assigned student is seeking who may serve as a teacher, mentor, role model or supervisor for the assigned student in a clinical setting.

56. 44. "Probation" means **restrictions, requirements, or limitations placed against a licensee or registrant through monitoring for a prescribed period of time.** issuance of a current license or registration marked **"encumbered"** and identification of specific requirements, restrictions, or limitations against a nursing license or registration for a period of time.

57. "Professional-boundary crossing" means a deviation from an appropriate boundary for a specific therapeutic purpose with a return to established limits of the professional relationship.

59. "Professional-boundary violation" means a failure of a licensee or registrant to maintain appropriate boundaries with a client, client family member or other healthcare provider.

61. 47. "Reactivation" means issuance of a previously active license or registration in the absence of disciplinary action.

63.49. "Reinstatement" means activation of a board-sanctioned license or registration from a surrendered, suspended or revoked status.

64. "Reissuance" means issuance of a license from probationary status to full licensure status.

65. "Re-licensure"-renewal, reinstatement, reactivation, or reissuance of a license or registration.

73. 61. "Voluntary Surrender" means an agreement by a licensee or registrant, approved by the board, to relinquish the license or registration to the board.

76. "Temporary permit" means the authority to practice nursing for a limited time period.

79. "Work authorization" means the issuance of an authorization to practice nursing between the dates of graduation and notification of the results of the licensure examination.

62. "Workplace impairment program" means the program administered by the board as set out in the Nurse Practices Act permitting nurses with chemical dependency, psychiatric or physical disorders, or practice deficiencies to seek treatment and remediation and participate in monitored practice, voluntarily or by the board's order.

~~63. "Workplace impairment program agreement" means an individualized written agreement between the nurse and the program. The agreement must include the terms and conditions for successful completion of the program.~~

History: Effective June 1, 2002; amended effective April 1, 2004; August 1, 2005; July 1, 2008; April 1, 2011; October 1, 2011; _____ 2014.

General Authority: NDCC 43-12.1-08(2)

Law Implemented: NDCC 43-12.1-08.

ARTICLE 54-02

NURSE LICENSURE

Chapter

- 54-02-01 Licensure by Examination
- 54-02-02 Reexamination
- 54-02-03 Proctored Examinations [Repealed]
- 54-02-04 Roster of Inactive Nurses [Repealed]
- 54-02-05 Renewal of License
- 54-02-06 License by Endorsement
- 54-02-07 Disciplinary Action
- 54-02-08 Temporary License [Repealed]
- 54-02-08.1 Transitional License [Repealed]
- 54-02-09 Limited License
- 54-02-10 RN and LPN Nurse Licensure Compact
- 54-02-11 Short-Term Clinical Education
- 54-02-12 Criminal History Record Checks for Licensure

CHAPTER 54-02-01

LICENSURE BY EXAMINATION

Section

- 54-02-01-01 Official Licensing Examination
- 54-02-01-02 Passing Score [Repealed]
- 54-02-01-03 Testing Dates [Repealed]
- 54-02-01-04 Examination Material [Repealed]
- 54-02-01-04.1 Board Authorization to Write Examination
- 54-02-01-05 Examination Results
- 54-02-01-06 Examination Fees
- 54-02-01-07 Transcript
- 54-02-01-08 Employment Verification [Repealed]
- 54-02-01-09 Internationally Educated Applicants Foreign Graduates
- 54-02-01-10 Employment of Unsuccessful Candidates
- 54-02-01-11 Qualification for Admission to the Licensing Examination [Repealed]
- 54-02-01-12 Early Admission to the Licensing Examination [Repealed]
- 54-02-01-13 Authorization to Practice Nursing
- 54-02-01-14 Recognition of Programs From Other Jurisdictions

54-02-01-04.1. Board authorization to write examination. Candidates must complete application to the board for licensure by examination. Eligibility for testing will be **submitted** forwarded to the test center by the board when notification is received that all academic requirements have been met **and the candidate's registration with the test vendor has been reported to the board office.**

History: Effective January 1, 1994; amended effective _____, 2014.

General Authority: NDCC 43-12.1-08

Law Implemented: NDCC 43-12.1-09(1) (2)

54-02-01-05. Examination results. Examination results will be reported to individual candidates and recorded in on the candidate's permanent record in the board office. The examination results for the successful candidate will include the number of the permanent license that shall be issued to the candidate.

History: Amended effective November 1, 1979; October 1, 1989; December 1, 1991; January 1, 1994; May 1, 1996; February 1, 1998; ____ 2014.

General Authority: NDCC 43-12.1-08(1)

Law Implemented: NDCC 43-12.1-09(1) (2)

54-02-01-07. Transcript.

2. **Internationally educated applicants** A graduate from an **international** foreign country nursing education program, except for English-speaking Canadian programs, may be requested to provide an English translated evaluation of the full nursing education program academic record from a board-recognized national credential's evaluation service.

History: Amended effective June 1, 1982; January 1, 1994; February 1, 1998; April 1, 2004; ____ 2014.

General Authority: NDCC 43-12.1-08

Law Implemented: NDCC 43-12.1-09(2)

54-02-01-09. Internationally Educated Applicants Foreign graduates. A certificate issued by a credentials evaluation service approved by the board shall be required of any **international** graduate from a foreign country, except for **graduates of** English-speaking Canadian programs, for admission to the national council licensure examination. Eligible **international** foreign graduates will be issued an authorization to practice nursing when declared eligible for licensure by examination and upon written verification of nursing employment in a North Dakota health care facility.

History: Effective November 1, 1979; amended effective June 1, 1982; February 1, 1998; April 1, 2004; July 1, 2008; ____ 2014.

General Authority: NDCC 43-12.1-08

Law Implemented: NDCC 43-12.1-09(2)

54-02-01-13. Authorization to practice nursing. Authorization to practice nursing between the dates of program completion and notification of results of the licensing examination will be issued to individuals accepted as candidates for the first licensing examination after program completion for which the candidate is eligible. Eligibility will be determined by the following criteria:

1. The applicant has submitted a completed application, the appropriate fee, and official transcript verifying program completion to the board office.