Chapter N 8

POLICIES GOVERNING BOARD AND EXAMINING COUNCILS

N 8.01 Board of nursing
N 8.02 Policies of board of nursing
N 8.03 Division of nurses
N 8.04 Examining council on registered nurses
N 8.05 Examining council on licensed practical nurses

History: Chapter N 8 as it existed on December 31, 1968 was repealed and a new chapter N 8 was created effective January 2, 1969.

N 8.01 Board of nursing. (1) OFFICERS. The officers of the board shall consist of a chairman, vice-chairman and secretary.

(2) ELECTION. The officers of the board, except the secretary, shall be elected annually by ballot at the meeting in January. The candidates receiving the largest number of votes shall be declared elected. Officers shall assume office at the close of the meeting at which they are elected. The administrator of the division of nurses serves as the secretary.

(3) VACANCIES IN OFFICE. (a) *Chairman.* A vacancy occurring in the office of the chairman shall be filled by the vice-chairman for the period of the unexpired term.

(b) *Vice-chairman.* A vacancy in the office of vice-chairman shall be filled by appointment by the chairman for the period of the unexpired term.

(c) *Chairman and vice-chairman.* Vacancies in both the offices of chairman and vice-chairman require a special election. Persons so elected shall hold office for the unexpired term of the person who vacated the office.

(d) *Secretary.* A vacancy in the office of secretary shall be filled by the designated deputy administrator until the administrator of the division of nurses has been appointed.

(4) DUTIES OF OFFICERS. (a) *Chairman.* The chairman shall preside at meetings and shall appoint members to serve on committees, regular and special, as may be created. The chairman shall be an ex-officio member of all committees.

(b) *Vice-chairman.* The vice-chairman shall preside at meetings in the absence of the chairman and shall assume all duties of the chairman.

(c) *Secretary.* 1. The secretary shall make the necessary arrangements for the meetings of the board, and send notices of meetings to members, prepare the agenda and record the minutes of the meetings and conduct the necessary correspondence for the board.

2. Previous to the expiration of the term of office of a member of the examining council on registered nurses and the examining council on licensed practical nurses the secretary shall assemble a list of eligible candidates and their credentials as herein provided and present the same to the board.

(5) COMMITTEES. (a) There shall be 3 standing committees. Each committee shall consist of at least 3 members who shall be appointed by the chairman with the consent of the board following the annual meeting in July.

1. Committee on Credentials
2. Committee on Scholarship
3. Executive Committee

(b) The committee on credentials shall review and approve or disapprove the applications for registration/licensure by endorsement.

(c) The committee on scholarship shall prepare rules and policies for the granting of scholarships, prepare announcements and send forms as are necessary for scholarships subject to the approval of the board. The committee shall assemble and evaluate the credentials of applicants for scholarships and submit to the board a list of eligible candidates. It shall review the records of recipients who have failed to fulfill their obligations and recommend, to the board, action which should be taken.

(d) The executive committee shall act in behalf of the board between board meetings and assume such duties as the board may delegate. At least one member of this committee shall be present at all hearings regarding individual registrants, licensees and persons desiring to be heard by the board.

(e) A special committee may be created by the board, as necessary, and shall cease to exist upon completion of the special work for which it was created.

(6) MEETINGS. The meetings of the board shall be designated as regular and special.

(a) Regular meetings shall be held at least 4 times a year. The board shall determine the exact number and dates of meetings for the year at its annual meeting in July. Effort will be made to hold meetings in January, April, July and November. The chairman may alter the dates of meeting if circumstances so indicate. A notice of meeting shall be sent to each member at least 10 days before the date of meeting.

(b) The July meeting shall be the annual meeting.

(c) Special meetings may be called by the chairman or by a majority of the members on 24 hours notice. A telephone conference may be considered a special meeting.

(d) A quorum shall consist of 6 members.

(e) The business at each meeting shall follow Robert's Rules of Order, revised.

(7) EXAMINING COUNCIL ON REGISTERED NURSES. (a) Candidates. In January the secretary of the board shall request the names of possible candidates from the educational administrators of accredited schools of nursing, the Wisconsin Nurses' Association, the Wisconsin League for Nursing and the members of the board. The secretary shall obtain the credentials of the candidates and prepare a list of eligible candidates with their qualifications for presentation to the board at the regular meeting preceding the date of expiration of the councilor's term of office.

(b) Qualifications. 1. Registered in Wisconsin.

2. Qualified as an instructor who is currently engaged in teaching in a clinical field and has had a minimum of 3 years of practice in the area of specialization.

3. Knowledge of principles underlying test construction and experience in constructing, administering, evaluating and scoring objective tests.

(c) Selection of candidates. Candidates shall be elected by ballot and the candidate receiving the highest number of votes shall be appointed.

(d) A vacancy shall be filled in the same manner as for new appointments or from an existing list of eligible candidates provided such list has been compiled within one year and as provided in (7) (a).

(8) EXAMINING COUNCIL ON LICENSED PRACTICAL NURSES. (a) *Candidates.* In January the secretary of the board shall request the names of possible candidates from the nursing faculty of accredited schools of practical nursing, the Wisconsin Nurses' Association, the Wisconsin League for Nursing, the Wisconsin Association of Licensed Practical Nurses, and the members of the board. The secretary shall obtain the credentials of the candidates and prepare a list of eligible candidates with their qualifications for presentation to the board at the regular meeting preceding the date of expiration of the councilor's term of office.

(b) *Qualifications.* 1. Licensed practical nurse: a. Licensed in Wisconsin;

b. Actively engaged in nursing for 3 years immediately preceding appointment;

c. High school graduate or its equivalent; graduation from college preferred;

d. Knowledge of content in present curriculum in practical nursing;

e. Interest in and willingness to devote sufficient time to study of principles underlying test construction to contribute to the construction, administration, evaluation and scoring of objective tests.

2. Registered nurse: a. Registered in Wisconsin;

b. Actively engaged in nursing for 3 years immediately preceding appointment;

c. Holds at least a baccalaureate degree;

d. See (b) 1, d. above.

e. See (b) 1, e. above.

3. Registered nurse faculty member: a. Registered in Wisconsin;

b. Holds at least a baccalaureate degree in nursing;

c. Qualified as an instructor and currently engaged in teaching nursing in a practical nursing school;

d. See (b) 1, e. above.

(c) *Selection.* Candidates shall be elected by ballot and the candidate receiving the highest number of votes in (b) 1, 2 and 3 shall be appointed.

(d) *Vacancy.* A vacancy shall be filled in the same manner as for new appointments or from an existing list of eligible candidates provided such list has been compiled within one year and as provided in (8) (a).

(9) AMENDMENTS. These rules may be amended at any regular meeting by majority vote of those members present and voting.

History: Cr. Register, December, 1968, No. 156, eff. 1-2-69; am. (4) (c) 2, (6), (7) and (8), r. and recr. (5), Register, December, 1974, No. 228, eff. 1-1-75.

N 8.02 Policies of board of nursing. (1) BOARD MATERIALS. Each new member, upon appointment, shall receive a copy of the Wisconsin statutes applicable to the functions of the board, and chapter N Wisconsin administrative code.

(a) Within 2 weeks after retiring from the board, all materials, including reports of survey of schools, shall be returned to the secretary.

(2) AGENDA. (a) A copy of the agenda for each meeting shall be sent to each member at least 5 days prior to the meeting.

(b) Any member wishing to have a special topic introduced for discussion at a regular meeting shall submit the same to the secretary of the board at least 10 days prior to the meeting for placement on the agenda.

(3) REPORTS OF SURVEYS AND VISITS TO SCHOOLS. (a) Written reports of surveys of schools, associate and extended units with a list of suggested requirements to be met and recommendations for improvement shall be sent to each member with the agenda. Until the board has acted upon the reports the content is confidential.

(b) After the board has approved the report, the secretary shall send a copy to the educational administrator and the administrator or president of the governing body.

(c) A written report of each visit to a school shall be placed on file but shall not be presented for discussion except upon request of one or more members or unless action by the board is indicated.

History: Cr. Register, December, 1968, No. 156, eff. 1–2–69; am. (2) (a) and (3) (a) and (b), Register, December, 1974, No. 228, eff. 1–1–75.

N 8.03 Division of nurses. When the administrator of the division of nurses is out of the office or otherwise engaged a deputy administrator shall be designated to act in his behalf. If the position of administrator is vacant or the administrator has been unable to make the designation, the chairman of the board shall appoint a deputy administrator until the next meeting of the board at which time the board shall appoint an acting administrator. The designation of a deputy administrator or acting administrator shall be in writing and the selection limited to persons within the division who are registered nurses.

History: Cr. Register, December, 1968, No. 156, eff. 1–2–69; am. Register, December, 1974, No. 228, eff. 1–1–75.

N 8.04 Examining council on registered nurses. (1) OFFICERS. The officers of the examining council shall be a chairman, vice chairman, and a secretary.

(2) ELECTIONS. The officers of the examining council, except the secretary, shall be elected annually by the members at the first meeting in the year and shall assume office at the close of the meeting at which they are elected. The administrator of the division serves as secretary.

(3) VACANCIES. (a) A vacancy in the office of chairman shall be filled by the vice-chairman until the next meeting of the examining council at which time it will elect a chairman for the unexpired term.

(b) Vice-chairman. A vacancy in the office of vice-chairman may

be filled by the chairman, the appointee to serve for the period of the unexpired term.

(c) Secretary. A vacancy in the office of secretary shall be filled by the deputy or acting administrator of the division of nurses, who shall serve until the position of administrator of the division and secretary of the board has been filled.

(4) DUTIES OF OFFICERS. (a) Chairman. The chairman shall preside at all meetings of the examining council and appoint such standing or special committees as may be necessary.

(b) Vice-chairman. The vice-chairman shall preside at meetings in the absence of the chairman and discharge the duties of the chairman.

(c) Secretary. The secretary shall: 1. Record the minutes of all meetings, send out notices of and prepare the agenda for all meetings.

2. Make arrangements for conducting examinations, prepare the notices and schedules of examinations, and send notice of examination to schools at least once each year.

3. Obtain the credentials of applicants for examination, review their qualifications and notify them of their eligibility for the examination.

4. Authorize and supervise the preparation and distribution of all admission cards to qualified candidates.

5. Select and arrange for temporary appointment of the number of assistants necessary to conduct all examinations, efficiently and securely.

(5) MEETINGS. (a) Meetings shall be held at least once a year. Notice of meeting shall be sent to members of the examining council at least one week prior to the meeting.

(b) A quorum shall be 3 members.

(6) EXAMINATION. (a) *Candidates.* All eligible persons who graduated within the past 2 years and are writing the examination for the first time are classified as regular candidates. All others will be classified as irregular candidates. These include persons:

1. Whose date of graduation is more than 2 years in the past;

2. Who were unsuccessful on examination in one or more subject areas in Wisconsin or any other jurisdiction;

3. Graduates of schools in foreign countries found to be eligible to write the examination.

(b) *Time and place.* Examinations shall be held at least twice a year at the time designated by the examining council. In scheduling examinations there shall be compliance with the policies of the American Nurses Association's Council of State Boards of Nursing and the contract which the council has authorized be signed with the National League for Nursing. (Copies of these are available for review in the division by confirmed appointment.) The secretary, in arranging for examination centers, shall provide separate facilities for irregular candidates. This is essential because the instructions must be re-stated at each session for irregular candidates and this results in delay for regular candidates. Should there be less than 8 irregular candidates and each of these writing the total examination, the secretary may assign them to a center for regular candidates.

(c) *Proctors.* A minimum of 2 proctors and a professional nurse

employee of the division of nurses shall be assigned to each examining center. The ratio of examiners, assistant examiners, and proctors shall conform to the policies established by American Nurses Association's Council of State Boards of Nursing and the National League for Nursing contract.

(d) *Final date for filing.* Application, fee and all credentials (general and professional education) shall be in the office of the division of nurses no later than 4:30 P.M., 28 days before the examination is to be conducted. Should complications arise which would preclude the receipt of the final transcript for any candidate from a Wisconsin accredited school, the educational administrator may substitute a notarized statement for the candidate. It shall provide the following information:

1. Name of the graduate;
2. The school in which the program was conducted;
3. The course completed;
4. The diploma or degree awarded;
5. The date on which the program was completed;
6. A statement that the candidate has completed a program which has met the minimum standards as outlined by the state of Wisconsin board of nursing;
7. The date on which the official transcript will replace the notarized statement. This shall be no more than 6 weeks from receipt of the notarized statement;
8. The signature of the educational administrator.

(e) *Admission.* Priorities for admission to examinations have been established because of the number seeking to write and the limitations on staff and facilities available. Therefore:

1. First consideration shall be given to all graduates of Wisconsin's schools of nursing who have qualified by the deadline for filing.
2. After all qualified Wisconsin graduates have been accommodated, Wisconsin residents who are graduates of schools in other states will be considered.
3. Out-of-state graduates who for their convenience may wish to write the examination in Wisconsin shall be accommodated if there is space available after candidates in 1 and 2 above are assigned.
4. With each of the groups identified above assignment shall be based on the date application was approved.

(f) *Credentials.* 1. The application shall be filled out completely. A photograph of head and shoulders, which has the signature of the applicant and the signature of the educational administrator of his school or the designee, taken within the past 2 years shall be affixed to the application.

2. General and professional education transcripts shall be original documents and shall contain the authorized signature and the school seal. Notarization is acceptable in lieu of a school seal. Legible photocopies of transcripts are acceptable provided the reproduction has permanency, contains an authorized signature and the school seal. See (d) above.

3. Each candidate shall present at the opening session of the examination an admission card and a signed photograph which is a duplicate of the one submitted with the application.

(g) *Areas.* The examination shall be based upon the content of

the curriculum and shall be incorporated in subject areas also referred to as tests.

(h) *Confidentiality of Test Items.* All test booklets and items shall be confidential. There may be no review of these except under the provisions outlined in the National League for Nursing contract. (The contract is available for review in the Division by confirmed appointment.)

1. Proctors shall not open or review items in the test booklets.

2. Candidates. No applicant who takes the examination shall disclose or discuss the contents of examination items with anyone unless authorized so to do in writing by the examining council.

3. Others. No one shall solicit, accept, or compile information regarding the content of an examination or test items, either before, during, or after the administration of the examination.

4. Penalty. a. Registered nurses violating the security of the examination shall be charged with unprofessional conduct and may have to show cause why the certificate held should not be revoked or suspended.

b. Candidates found to be in violation of examination security shall have the results declared null and void. This would necessitate the filing of a new application if in the opinion of the board the individual should be granted the privilege of re-writing the examination.

c. Others. Appropriate legal action shall be taken.

5. All persons charged under Section (h) 4 (a) and (b) above are entitled to a public hearing before the board.

(i) *Passing score.* 1. The passing score in each area shall be a standard score. The examining council shall determine the passing score in each nursing area and shall authorize the issuance of a certificate of registration to each candidate receiving a passing score in all nursing areas.

2. The standard scores shall be used on all records in the files of the division of nurses, for the report to the candidate's school and for certification to other jurisdictions. Only employees of the division who are responsible to the secretary of the examining council and board shall have access to this information.

(j) *Unsuccessful candidates.* 1. A candidate who fails to meet the passing (critical) score in one or more areas shall be required to rewrite these areas.

2. An unsuccessful candidate shall appear for re-examination within one calendar year or rewrite the entire examination. Exceptions shall be made only by the examining council.

3. Candidates rewriting any part of the examination shall pay the fee of $50.

(k) *Proctoring.* 1. By other jurisdictions. The examining council will not authorize the writing of the candidate's first Wisconsin examination in another jurisdiction. A candidate is advised to apply for and write the examination in the jurisdiction in which the individual resides. The secretary of the examining council may arrange for an unsuccessful candidate residing in another state to have his test proctored by another jurisdiction if undue hardship would be caused by his return to Wisconsin. (This procedure will rarely be used because jurisdictions are refusing to proctor examinations for other states because of number of candidates, limited facilities and

staff.) In this instance the candidate shall pay all charges made by the proctoring jurisdiction in addition to the Wisconsin examination fee of $50. The latter shall be on file in the division before arrangements are made with another jurisdiction.

2. For other jurisdictions. The secretary of the examining council, upon the request of another jurisdiction, may arrange for the proctoring of an examination or test for the person specified. The individual will be assigned as an irregular candidate on the regularly scheduled dates. If the person has made application for Wisconsin registration and paid the required fee, a service fee of ten dollars shall be charged. This fee is payable prior to examination. If the person has not made application for Wisconsin registration the service charge plus the examination fee shall be $60 for the entire examination. When only a part of the examination is written the charge shall be $20 for one or 2 tests and $10 for each additional test plus a service charge of $10.

(1) *Selection of test items.* The secretary of the examining council shall be authorized to enter into a contract with an agency offering a test pool service provided the examining council selects the areas for use and the security procedures are satisfactory. In participating in a test pool examination the examining council shall be able to demonstrate it is in the best interest of the candidates and Wisconsin citizens.

(m) *Member responsibility.* Members of the examining council are expected to participate in the preparation of each new series of the examination, attend meetings of the examining council and proctor examinations as needed.

(7) MEMBER RESPONSIBILITY. Members of the examining council are expected to attend all meetings, review test items and proctor examinations.

(8) FEE. (a) *Earned.* Forty dollars of the $50 examination fee is an earned fee upon receipt.

(b) *Refunded.* Ten dollars of the $50 fee shall be returned to an applicant who gives 7 days advance written notice that he is unable to be present for the examination. Exceptions may be made if after review of the facts, the examining council believes the circumstances which resulted in non-attendance could not have been anticipated.

History: Cr. Register, December, 1968, No. 156, eff. 1-2-69; r. and recr. Register, December, 1974, No. 228, eff. 1-1-75.

N 8.05 Examining council on licensed practical nurses. (1) OFFICERS. See section N 8.04 (1).

(2) ELECTIONS. See section N 8.04 (2).

(3) VACANCIES. See section N 8.04 (3).

(4) DUTIES OF OFFICERS. See section N 8.04 (4).

(5) MEETINGS. (a) See section N 8.04 (5) (a).

(b) A quorum shall be 4 members.

(6) EXAMINATION. (a) *Candidates.* All eligible persons who graduated within the past 2 years and are writing the examination for the first time are classified as regular candidates. All others will be classified as irregular candidates. These include persons:

1. Whose date of graduation is more than 2 years in the past;

2. Who were unsuccessful on examination in Wisconsin or any other jurisdiction;

3. Graduates of schools in foreign countries found to be eligible to write the examination.

(b) *Time and place.* Examinations shall be held at least twice a year at the time designated by the examining council. In scheduling examinations there shall be compliance with the policies of the American Nurses Association's Council of State Boards of Nursing and the contract which the council has authorized be signed with the National League for Nursing. (Copies of these are available for review in the division by confirmed appointment.)

(c) *Proctors.* A minimum of 2 proctors and a professional nurse employee of the division of nurses shall be assigned to each examining center. One of the proctors shall be a licensed practical nurse. The ratio of examiners, assistant examiners and proctors shall conform to the policies established by American Nurses Association's Council of State Boards of Nursing and the National League for Nursing contract.

(d) *Final date for filing.* Application, fee and all credentials (general and nursing education) shall be in the office of the division of nurses no later than 4:30 P.M., 28 days before the examination is to be conducted. Should complications arise which would preclude the receipt of the final transcript for any candidate from a Wisconsin accredited school, the educational administrator may substitute a notarized statement for the candidate. It shall provide the following information:

1. Name of the graduate;
2. The school in which the program was conducted;
3. The course completed;
4. The diploma or degree awarded;
5. The date on which the program was completed;
6. A statement that the candidate has completed a program which has met the minimum standards as outlined by the State of Wisconsin Board of Nursing;
7. The date on which the official transcript will replace the notarized statement. This shall be no more than 6 weeks from receipt of the notarized statement;
8. The signature of the educational administrator.

(e) *Admission.* Priorities for admission to examination have been established because of the number seeking to write, and the limitations on staff and facilities available. Therefore:

1. First consideration shall be given to all graduates of Wisconsin's schools of nursing who have qualified by the deadline for filing.
2. After all qualified Wisconsin graduates have been accommodated, Wisconsin residents who are graduates of schools in other states will be considered.
3. Out-of-state graduates who for their convenience may wish to write the examination in Wisconsin shall be accommodated if there is space available after candidates in 1 and 2 above are assigned.
4. With each of the groups identified above assignment shall be based on the date application was approved.

(f) *Credentials.* 1. The application shall be filled out completely. A photograph of head and shoulders, which has the signature of the applicant and the signature of the educational administrator in nurs-

ing or the designee, taken within the past 2 years shall be affixed to the application.

2. General and vocational education transcripts shall be original documents and shall contain the authorized signatures and the school seal. Notarization is acceptable in lieu of a school seal. Legible photocopies of transcripts are acceptable provided the reproduction has permanence, contains an authorized signature and school seal. See (d) above.

3. Each candidate shall present at the opening session of the examination an admission card and a signed photograph which is a duplicate of the one submitted with his application.

(g) *Content.* The examination shall be based upon the content of the minimum curriculum.

(h) *Confidentiality of test items.* All test booklets and items shall be confidential. There may be no review of these except under the provisions outlined in the National League for Nursing contract. (The contract is available for review in the Division by confirmed appointment.)

1. Proctors shall not open or review items in the test booklets.

2. Candidates. No applicant who takes the examination shall disclose or discuss the contents of examination items with anyone unless authorized so to do in writing by the examining council.

3. Others. No one shall solicit, accept, or compile information regarding the content of an examination or test items, either before, during, or after the administration of the examination.

4. Penalty.

a. Registered nurses and licensed practical nurses violating the security of the examination shall be charged with unprofessional conduct or moral delinquency and may have to show cause why the certificate/license held should not be revoked or suspended.

b. Candidates found to be in violation of examination security shall have the results declared null and void. This would necessitate the filing of a new application if in the opinion of the board the individual should be granted the privilege of rewriting the examination.

c. Others. Appropriate legal action shall be taken.

5. All persons charged under section (h) 4. a. and b. are entitled to a public hearing before the board.

(i) *Selection of test items.* See section N 8.04 (6) (1).

(j) *Passing score.* 1. The passing score shall be determined by the examining council and reported as a standard score.

2. The examining council shall authorize the issuance of a license to each candidate receiving a passing score.

3. The standard score shall be used on all records in the files of the division of nurses, for the report to the candidate's school and for certification to other jurisdictions. Only employees of the division who are responsible to the secretary of the examining council and board shall have access to this information.

(k) *Unsuccessful candidate.* A person rewriting the examination shall pay the regular examination fee of $30.

(1) *Proctoring.* 1. By other jurisdictions. The examining council will not authorize the writing of the candidate's first Wisconsin examination in another jurisdiction. A candidate is advised to apply for and write the examination in the jurisdiction in which he resides.

The secretary of the examining council may arrange for an unsuccessful candidate residing in another state to have his test proctored by another jurisdiction if undue hardship would be caused by his return to Wisconsin. (This procedure will rarely be used.) In this instance the candidate shall pay all charges made by the proctoring jurisdiction in addition to the Wisconsin examination fee of $30. The latter shall be on file in the division of nurses before arrangements are made with another jurisdiction.

2. For other jurisdictions. The secretary of the examining council, at the request of another jurisdiction, may arrange for proctoring the examination for a specified person. The individual will be assigned as an irregular candidate at the scheduled examination. If the person has made application for Wisconsin licensure and paid the required licensing fee, a service charge of $10 shall be made. This fee is payable prior to examination. If the person has not made application for Wisconsin licensure, the charge shall be $40 which includes the service charge of $10.

(7) MEMBER RESPONSIBILITY. 1. Members of the examining council are expected to attend all meetings, review test items, and proctor examinations as needed.

2. Registered nurse members are expected to participate in the preparation of each new form of the examination.

3. All knowledge of test items shall be held in strict confidence.

(8) FEE. (a) *Earned.* The $30 examination fee is an earned fee upon receipt.

(b) *Refunded.* Seven dollars of the $30 fee shall be returned to an applicant who gives 7 days advance written notice that the candidate is unable to be present for the examination. Exceptions may be made if after review of the facts, the examining council believes the circumstances which resulted in non-attendance could not have been anticipated.

History: Cr. Register, December, 1968, No. 156, 1-2-69; r. and recr. December, 1974, No. 228, eff. 1-1-75.