

CR 88-125

RECEIVED

CERTIFICATE

MAR. 23 1990  
4:20 pm  
Revisor of Statutes  
Bureau

STATE OF WISCONSIN

DEPARTMENT OF REGULATION AND LICENSING

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Ramona Weakland Warden, Director, Bureau of Health Service Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Board of Nursing do hereby certify that the annexed rules were duly approved and adopted by the Board of Nursing on the 12<sup>th</sup> day of March, 1990.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 21<sup>st</sup> day of March, 1990.

*Ramona Weakland Warden*  
Ramona Weakland Warden, Director  
Bureau of Health Service Professions  
Department of Regulation and  
Licensing

16-1-90

RECEIVED

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

90 MAR 21 AM 9:12

IN THE MATTER OF RULE-MAKING  
PROCEEDINGS BEFORE THE  
BOARD OF NURSING

REGULATION & LICENSING  
ORDER OF THE BOARD OF NURSING  
: ADOPTING RULES  
: (Clearinghouse Rule 88-125)

ORDER

AN ORDER to renumber N 2.02 (2) and (5); to renumber and amend N 2.02 (1), (4) and (6); to amend N 2.01 (2), N 2.02 (3), N 2.03 (1) (b) to (d), N 2.03 (2) (b) and (c), N 2.04 (3), (5) and (6), N 2.05 (4) (b), and N 2.06 (1), (2), and (6) (a); and to create N 2.04 (8) of the administrative code relating to technical changes to rules of the board of nursing, redefining terms and educational equivalences.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) (a), 441.01 (3), Stats.

Statutes interpreted: ss. 441.04, 441.10, Stats.

In this order the rules of the Board of Nursing are changed to reflect changes in 1987 Wisconsin Act 264 which changed the term used to describe the document received by a registered nurse from "certificate of registration" to "license." Terminology changes are made to reflect that the board approves schools but does not accredit them.

Section N 2.01 (2) clarifies that the document received by a registered nurse is a license rather than a certificate of registration. A single official title of "licensed practical nurse" is adopted for L.P.N. The designation "trained" may be deleted as it is not used in practice or educational settings in Wisconsin.

Section N 2.02 indicates that the Board of Nursing approves, but does not accredit, Wisconsin schools of nursing. The current title of the licensing bureau for nurses is indicated. The definition of supervision is specified as "direct supervision" as defined in chapter N 6 of the code.

In section N 2.03, the requirements of graduation from high school or its equivalent is specified as necessary for licensure as a nurse in Wisconsin.

Section N 2.04 (5) indicates that the board provides an official change of name form for licenses. Section N 2.04 (8) provides for appeal to the board for any exceptions regarding required certification.

TEXT OF RULE

SECTION 1. N 2.01 (2) is amended to read:

N 2.01 (2) The intent of the board of nursing in adopting rules in this chapter is to specify the requirements and procedures for obtaining a ~~certificate of registration or~~ license by examination as a registered nurse or a licensed ~~trained~~ practical nurse, to outline the board's policies and procedures on exam administration, to set forth qualifications and procedures for obtaining a temporary permit, and to provide rules governing the board's examining councils.

SECTION 2. N 2.02 (1) is renumbered (2) and as renumbered is amended to read:

N 2.02 (2) ~~Accredited~~ "Board-approved school" means an institution which has a school, college, program, or department of nursing which meets standards of the board or ~~an accrediting body approved by the board~~ holds accreditation by a board-recognized nursing accreditation agency.

SECTION 3. N 2.02 (2) is renumbered (1).

SECTION 4. N 2.02 (3) is amended to read:

N 2.02 (3) "Bureau" means the bureau of nursing health service professions within the department of regulation and licensing.

SECTION 5. N 2.02 (4) is renumbered (5) and as renumbered is amended to read:

N 2.02 (5) "L.P.N." means licensed practical nurse, ~~licensed-trained practical nurse or trained practical nurse.~~

SECTION 6. N 2.02 (5) is renumbered (6).

SECTION 7. N 2.02 (6) is renumbered (4) and as renumbered is amended to read:

N 2.02 (4) ~~"Supervision"~~ "Direct supervision" means ~~to~~ immediate availability to continually coordinate, direct and inspect ~~continually and~~ at first hand the practice of another.

SECTION 8. N 2.03 (1) (b) to (d) are amended to read:

N 2.03 (1) (b) Has been graduated from high school or its equivalent ~~An applicant shall be considered to have the equivalent of a 12th grade education if he or she has completed an accredited program of professional nursing; and,~~

(c) Has been graduated from ~~an accredited~~ a board-approved school of professional nursing ~~in the U.S. or a U.S. territory; or,~~

(d) An applicant who has been graduated from a board-approved school of professional nursing outside of the United States or a U.S. territory shall be required to take and satisfactorily complete a board-approved qualifying examination prior to admission to the NCLEX.

SECTION 9. N 2.03 (2) (b) and (c) are amended to read:

N 2.03 (2) (b) Has completed 2 years of high school or its equivalent. ~~An applicant shall be considered to have the equivalent of 10th grade education if he or she has completed an accredited program of practical nursing;~~

(c) Has been graduated from ~~an accredited~~ a board-approved school of practical nursing; and

SECTION 10. N 2.04 (3), (5) and (6) are amended to read:

N 2.04 (3) Certification of graduation from ~~an accredited~~ a board-approved school shall be completed by the educational administrator of the nursing education program or other person designated by the educational administrator. The certification of graduation shall be filed with the bureau no later than 28 days prior to the examination, unless an extension for filing the certification is approved by the board in advance of the 28-day deadline. An applicant who is unable to submit educational certification from a foreign country shall request that the board make a determination of educational qualifications.

(5) Any change of name or credentials received in a name other than that on the original application shall be reported to the bureau in a change of name form provided by the board.

(6) An applicant who has been graduated from a school of professional nursing outside the United States shall submit a valid certificate issued by the commission on graduates of foreign nursing schools (CGFNS).

SECTION 11. N 2.04 (8) is created to read:

N 2.04 (8) An applicant who is unable to submit the educational credentials required by this section may submit an explanation of his or her inability to submit required credentials together with other evidence of education. The board shall determine whether the applicant's explanation and other evidence are sufficient.

SECTION 12. N 2.05 (4) (b) is amended to read:

N 2.05 (4) (b) Licensed practical nurse licensure. The passing score on the NCLEX for practical nurse licensure is set by the board in advance of the examination. An applicant obtaining a passing score on the NCLEX may be eligible for licensure as a licensed ~~trained~~ practical nurse.

SECTION 13. N 2.06 (1) and (2) are amended to read:

N 2.06 (1) ELIGIBILITY. An applicant for the next scheduled examination required for R.N. ~~registration licensure~~ licensure or L.P.N. licensure who has been graduated from ~~an-accredited~~ a board-approved school of professional or practical nursing, and who has paid the fee specified in s. 440.05 (6), Stats., may be eligible for a temporary permit to practice.

(2) SUPERVISION REQUIRED. The holder of a temporary permit shall not practice beyond the scope of the ~~certificate or~~ license the holder is seeking to obtain. The holder is required to practice under the direct supervision of an R.N.

SECTION 14. N 2.06 (6) (a) is amended to read:

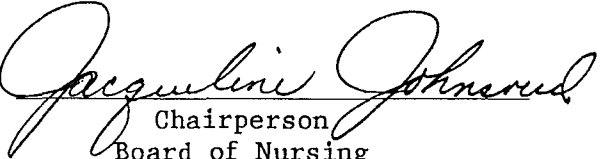
N 2.06 (6) (a) Violation of any of the rules of conduct for registered nurses or licensed practical nurses set forth in ch. N ~~11~~ 7.

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22(2)(intro), Stats.

Dated

3/19/90

Agency

  
Chairperson  
Board of Nursing

RULES-88

89-75  
What  
is

**CORRESPONDENCE/MEMORANDUM**

**STATE OF WISCONSIN**

**DATE:** March 22, 1990

**FILE REF:**

**TO:** Gary Poulson  
Assistant Revisor of Statutes

**RECEIVED**

**MAR 23 1990**

**FROM:** Pamela Haack, Administrative Assistant  
Department of Regulation and Licensing

Revisor of Statutes  
Bureau

**SUBJECT:** Final Rulemaking Order

**Agency: BOARD OF NURSING**

**Clearinghouse Rule: 88-125**

Attached is a copy and a certified copy of a final order adopting rules.

Would you please publish these rules in the code.

Thank you.