

CR 92-92

CERTIFICATE

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 6th day of May, 1993.

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 6th day of May, 1993.

Ramona Weakland Warden

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

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7-1-93

STATE OF WISCONSIN
BOARD OF NURSING

IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	BOARD OF NURSING
BOARD OF NURSING	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 92-92)

ORDER

An order of the Board of Nursing to amend N 5.01 (1) and to create N 5.08 of the administrative code relating to the renewal of a credential where the credential holder has not renewed for a period of 5 years after the last renewal date.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b) and 227.11 (2) (a), Stats., and s. 440.08 (3) (b), Stats., as created by SECTION 3305 of 1991 Wisconsin Act 39.

Statutes interpreted: ss. 440.08 (3) (b) and 441.07, Stats.

In this proposed rule-making order the Board of Nursing promulgates rules outlining its authority under s. 440.08 (3) (b), Stats., to require a credential holder who has not renewed for a period of 5 years or more to meet educational or other requirements set by the board as a condition for credential renewal. These proposed rules are the result of changes made in the law by 1991 Wisconsin Act 39.

These proposed rules specify that the Board of Nursing may, in the exercise of its discretion, require nurses that have not renewed their license for a period of 5 years or more to demonstrate continued competence to practice. The Board of Nursing has adopted a case-by-case approach to establishing criteria for renewal after a 5 year hiatus, to allow for the varied experience and qualifications that applicants will bring to the board in conjunction with their renewal requests.

TEXT OF RULE

SECTION 1. N 5.01 (1) is amended to read:

N 5.01 AUTHORITY AND INTENT. (1) The rules in this chapter are adopted pursuant to authority of ss. 15.08, 15.403, 227.11, 440.08 (3) (b), and 441.01 (3), Stats., and interpret ss. 440.08 (3) (b), 441.06 (3), (4), 441.10 (3) (b), (c) and 441.15 (3) (b), Stats.

SECTION 2. N 5.08 is created to read:

N 5.08 RENEWAL AFTER 5 YEARS. (1) The board may, in the exercise of its discretion, require a credential holder who has failed to renew his or her license within 5 years after its renewal date to demonstrate continued competence in the practice of nursing as a prerequisite to credential renewal.

(2) The board may require demonstration of competence by various methods, including but not limited to written or oral examination, documentation of nursing work in other jurisdictions, or documentation of current education or experience in the field. Any examination or education required under this section shall not be more extensive than the educational or examination requirements for an initial credential from the board.

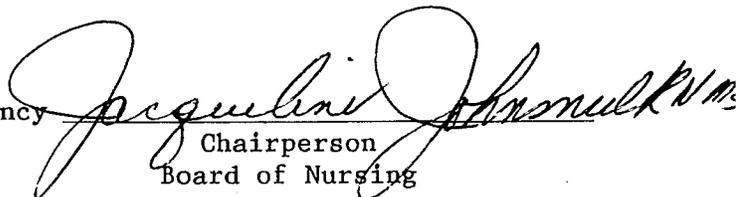
(END OF TEXT OF RULE)

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

5/6/93

Agency


Chairperson
Board of Nursing

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CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

DATE: May 11, 1993

TO: Gary Poulson
Assistant Revisor of Statutes

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

SUBJECT: Final Rulemaking Order

Agency: BOARD OF NURSING

Clearinghouse Rule: 92-92

Attached is a copy and a certified copy of a final order adopting rules.
Would you please publish these rules in the code.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.

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