

CHAPTER 3
LICENSURE TO PRACTICE—
REGISTERED NURSE/LICENSED PRACTICAL NURSE

[Prior to 5/23/84, IAC, appeared as separate Chapters 3 and 4]

[Prior to 8/26/87, Nursing Board[590] Ch 3]

655—3.1(17A,147,152,272C) Definitions.

“Accredited or approved nursing program” means a nursing education program whose status has been recognized by the board or by a similar board in another jurisdiction that prepares individuals for licensure as a licensed practical nurse, registered nurse, or registration as an advanced registered nurse practitioner; or grants a baccalaureate, master’s or doctorate degree with a major in nursing.

“Address” means a street address in any state when a street address is available or a rural route address when a street address is not available.

“Applicant” means a person who is qualified to take the examination or apply for licensure.

“Delinquent licensee” means a registered nurse/licensed practical nurse who has failed to renew the license or place it on inactive status as provided by subrule 3.7(5) by the fifteenth day of the month following the expiration date.

“Endorsement” means the process by which a registered nurse/licensed practical nurse licensed in another jurisdiction becomes licensed in Iowa.

“Examination” means any of the tests used to determine minimum competency prior to the issuance of a registered nurse/licensed practical nurse license.

“Fees” means those fees collected which are based upon the cost of sustaining the board’s mission to protect the public health, safety and welfare. The nonrefundable fees set by the board are as follows:

1. Application for original licensure based on the registered nurse examination, \$75.
2. Application for original licensure based on the practical nurse examination, \$75.
3. Application for registered nurse/licensed practical nurse licensure by endorsement, \$101.
4. Application for registration as an advanced registered nurse practitioner, \$21 per year, or any portion of a year.
5. For a certified statement that a registered nurse/licensed practical nurse is licensed in this state or registered as an advanced registered nurse practitioner, \$25.
6. For written verification of licensure status, not requiring certified statements, \$3 per license.
7. For reactivation of a license to practice as a registered nurse/licensed practical nurse, based on \$27 per year, or any portion of a year, \$81 for a license lasting more than 24 months up to 36 months.
8. For the renewal of a license to practice as a registered nurse/licensed practical nurse, \$81 for a three-year period.
9. For a duplicate or reissued wallet card or original certificate to practice as a registered nurse/licensed practical nurse, or registration card or original certification to practice as an advanced registered nurse practitioner, \$20.
10. For late renewal of a registered nurse/licensed practical nurse license, \$50, plus the renewal fee as specified in paragraph “8” of this rule.
11. For reinstatement of a delinquent registered nurse/licensed practical nurse license, \$100. The delinquent license fee shall not be assessed if the license became delinquent prior to July 4, 1963.
12. For a check returned for any reason, \$15. If licensure/registration has been issued by the board office based on a check for the payment of fees and the check is later returned by the bank, the board shall request payment by certified check or money order.
13. For a certified copy of an original document, \$20.
14. For special licensure, \$62.

“Inactive licensee” means a registered nurse/licensed practical nurse who has requested to be placed on inactive status.

“Lapsed license” means an expired license, which is either late or delinquent.

“*Late licensee*” means a registered nurse/licensed practical nurse who has failed to renew the license or place it on inactive status as provided by subrule 3.7(4) by the expiration date on the license. The time between the expiration date and the fifteenth day of the month following the expiration date is considered a grace period or late period.

“*NCLEX®*” means National Council Licensure Examination for registered nurse/licensed practical nurse licensure.

“*Overpayment*” means payment in excess of the required fee. Overpayment less than \$10 received by the board shall not be refunded.

“*Reactivation*” means the process whereby an inactive licensee obtains a current license.

“*Reinstatement*” means the process by which a delinquent licensee obtains a current license.

“*Repayment receipts*” means those moneys collected by a department or establishment that supplement an appropriation made by the legislature. Repayment receipts, as defined in Iowa Code section 8.2, apply to the definition of “fees,” paragraphs “5,” “6,” “9,” “12,” and “13,” of this rule.

“*Temporary license*” means a license issued on a short-term basis for a specified time pursuant to subrule 3.5(3).

“*Unlicensed student*” means a person enrolled in a nursing education program who has never been licensed as a registered nurse or licensed practical/vocational nurse in any U.S. jurisdiction.

“*Verification*” means the process whereby the board provides a certified statement that the license of a registered nurse/licensed practical nurse is active, inactive, or lapsed, or an advanced registered nurse practitioner is registered in this state.

This rule is intended to implement Iowa Code section 147.80.

655—3.2(17A,147,152,272C) Mandatory licensure.

3.2(1) A person who practices nursing in the state of Iowa as defined in Iowa Code section 152.1, outside of one’s family, shall have a current Iowa license, whether or not the employer is in Iowa and whether or not the person receives compensation. The nurse shall maintain a copy of the license and shall have it available for inspection when engaged in the practice of nursing in Iowa.

3.2(2) Current Iowa licensure is not mandatory when:

a. A nurse who resides in another party state is recognized for licensure in this state pursuant to the nurse licensure compact contained in Iowa Code chapter 152E. The nurse shall maintain a copy of the license and shall have it available for inspection when engaged in the practice of nursing in Iowa.

b. A nurse who holds an active license in another state provides services to patients in Iowa only during interstate transit.

c. A nurse who holds an active license in another state provides emergency services in an area in which the governor of Iowa has declared a state of emergency.

d. A nurse who is enrolled in an approved nursing program shall hold an active license in the U.S. jurisdiction(s) in which the nurse provides patient care. An individual from another country who is enrolled in a course of study for registered nurses or licensed practical nurses shall hold an active license in the U.S. jurisdiction(s) in which the individual provides patient care.

This rule is intended to implement Iowa Code section 147.2.

655—3.3(17A,147,152,272C) Qualifications for licensure.

3.3(1) Applicants shall meet the requirements set forth in Iowa Code sections 147.3 and 152.7. Requirements include:

a. Graduation from an approved nursing program preparing registered nurses as defined in Iowa Code section 152.5(1) for registered nurse applicants or graduation from an approved nursing program preparing practical nurses as defined in Iowa Code section 152.5(1) for licensed practical nurse applicants. Theory and clinical experience shall include medical nursing, surgical nursing, obstetric nursing and nursing of children. Registered nurse applicants shall additionally have completed theory and clinical experience in psychiatric nursing.

b. Passing NCLEX[®] or the State Board Test Pool Examination, the national examination used prior to 1982.

c. Approval by the board of those with a past felony conviction or a record of prior disciplinary action, regardless of jurisdiction.

3.3(2) The requirement listed in paragraph 3.3(1) “*b*” is subject to the following exceptions:

a. A practical nurse applicant must have written the same examination as that administered in Iowa and achieved a score established as passing for that test by the board unless the applicant graduated and was licensed prior to July 1951.

b. An applicant whose national examination scores do not meet the Iowa requirements in effect at the time of the examination and who wishes to become licensed in Iowa may appeal to the board. The board may require the applicant to pass the current examination.

This rule is intended to implement Iowa Code sections 147.2 and 152.7(3).

655—3.4(17A,147,152,272C) Licensure by examination.

3.4(1) Applicants shall meet qualifications for licensure set forth in subrule 3.3(1).

3.4(2) The board contracts with the National Council of State Boards of Nursing, Inc. to use the NCLEX[®] for registered nurses and licensed practical nurses.

a. The passing standard for the NCLEX[®] is determined by the board.

b. NCLEX[®] results are reported as pass or fail.

c. The NCLEX[®] is administered according to guidelines set forth by the National Council of State Boards of Nursing, Inc.

d. Examination statistics are available to the public.

3.4(3) Application—graduates of board-approved programs.

a. The board shall:

(1) Provide information about licensure application to applicants, nursing education programs in Iowa, and others upon request.

(2) Determine eligibility of each applicant upon receipt of an application, fee, official nursing transcript and notification of NCLEX[®] registration.

b. The applicant shall:

(1) Complete application for licensure by examination.

(2) Submit fee for application for licensure by examination as identified in rule 3.1(17A,147,152,272C).

(3) Register for the NCLEX[®] and submit registration fee to the national test service.

(4) Direct the nursing program to submit to the board an official nursing transcript denoting the date of entry, date of graduation, and diploma or degree conferred.

(5) Inform the board that the primary state of residence is Iowa or a noncompact state and provide a current street address.

(6) Self-schedule the examination at an approved testing center. Applicants who do not test within 91 days of authorization are required to submit a new application and fee to the board.

(7) Complete NCLEX[®] registration within 12 months of board receipt of the application for licensure and fee. The board reserves the right to destroy documents after 12 months.

3.4(4) Application—individuals educated and licensed in another country.

a. The board shall:

(1) Provide information about licensure application to applicants and others upon request.

(2) Determine eligibility of each applicant upon receipt of:

1. Application for licensure by examination.

2. Application fee for licensure by examination.

3. Notification of NCLEX[®] registration.

4. Official nursing transcript denoting date of entry and date of graduation validated by the Commission on Graduates of Foreign Nursing Schools (CGFNS) or submitted by the program if the original transcript is in English.

5. Validation of licensure/registration in the original country by CGFNS.

6. Official certification submitted by CGFNS for registered nurse applicants.

7. Nursing and science course report submitted by CGFNS for licensed practical nurse applicants.

8. Verification of ability to read, write, speak and understand the English language as determined by the results of the Test of English as a Foreign Language (TOEFL) for licensed practical nurse applicants. The board shall determine the TOEFL passing standard. Applicants shall be exempt from the TOEFL examination when the native language is English; nursing education was completed in a college, university or professional school located in Australia, Canada (except Quebec), Ireland, New Zealand or the United Kingdom; language of instruction in the nursing program was English; and language of the textbooks in the nursing program was English.

b. The applicant shall:

(1) Complete application for licensure by examination.

(2) Submit fee for application for licensure by examination as identified in rule 3.1(17A,147,152,272C).

(3) Register for the NCLEX[®] and submit registration fee to the national test service.

(4) Direct CGFNS to validate the official nursing transcript or direct the nursing education program to submit to the board an official nursing transcript in English denoting the date of entry, date of graduation, and diploma or degree conferred.

(5) Direct CGFNS to validate licensure/registration in the original country.

(6) Complete CGFNS certification requirements for registered nurse applicants.

(7) Complete nursing and science course report requirements of the CGFNS Credentials Evaluation Service for practical nurse applicants.

(8) Complete TOEFL requirements for practical nurse applicants.

(9) Inform the board of primary state of residence and current mailing address.

(10) Self-schedule the examination at an approved testing center. Applicants who do not test within 91 days of authorization are required to submit a new application and fee to the board.

(11) Complete NCLEX[®] registration within 12 months of board receipt of the application for licensure and fee. The board reserves the right to destroy documents after 12 months.

3.4(5) Application—individuals with disabilities. Individuals with disabilities as defined in the Americans with Disabilities Act shall be provided modifications in the NCLEX[®] or NCLEX[®] administration.

a. The board shall:

(1) Notify applicants of the availability of test modifications for individuals with documented disabilities.

(2) Upon request, notify applicants of the process for obtaining board approval of test modification as defined in paragraph 3.4(5) “*b.*”

(3) Determine eligibility for test modification upon receipt of:

1. Written request for test modifications in the NCLEX[®] or NCLEX[®] administration.

2. Written documentation of the applicant’s disability and need for test modifications, including results of diagnostic testing when appropriate, submitted by a qualified professional with expertise in the area of the diagnostic disability, or interpretation of results.

3. Written documentation of test modifications provided to the applicant while enrolled in the nursing education program, if applicable.

b. The applicant shall:

(1) Submit to the board a written request for specific modifications in the NCLEX[®] or NCLEX[®] administration.

(2) Direct a qualified professional with expertise in the area of the diagnosed disability or interpretation of test results to submit to the board written documentation of the applicant's disability and need for specific test modifications, including the history of the disability and results of diagnostic testing.

(3) Direct the nursing program to submit to the board documentation of test modifications provided to the applicant while enrolled in the nursing education program, if applicable.

(4) Complete examination application requirements defined in subrule 3.4(3) or 3.4(4).

3.4(6) Reexamination.

a. An applicant who has graduated from an approved practical nurse program and has failed the NCLEX-PN[®] is eligible to take the NCLEX-PN[®] an indefinite number of times.

b. An applicant who has graduated from an approved registered nurse program and has failed the NCLEX-RN[®] is eligible to take the NCLEX-RN[®] an indefinite number of times.

c. An applicant who fails the NCLEX[®] and reapplies for licensure by examination shall be required to complete application for licensure by examination, submit the fee for application by examination, complete NCLEX[®] registration and submit a registration fee to the national test service.

3.4(7) Certificate of licensure by examination. Upon completion of the relevant qualifications for licensure by examination defined in these rules, the board shall issue a certificate of licensure by examination and a current license to practice as a registered nurse/licensed practical nurse.

This rule is intended to implement Iowa Code sections 147.36, 147.80 and 152.7(3).

655—3.5(17A,147,152,272C) Licensure by endorsement.

3.5(1) *Qualifications for licensure by endorsement.* The endorsee shall meet the qualifications for licensure defined in subrule 3.3(1).

3.5(2) *Applicants currently licensed in another state.* Application for licensure to practice as a registered nurse or licensed practical nurse by endorsement shall be made according to the following process:

a. The board shall:

(1) Provide application forms and instructions to applicants upon request.

(2) Determine eligibility of each applicant upon receipt of an application, fee, official nursing transcript, and verification of licensure submitted by state of original licensure or the National Council of State Boards of Nursing, Inc.

b. The applicant shall:

(1) Submit a completed board application form.

(2) Submit the endorsement fee, made payable to the Iowa Board of Nursing as outlined in rule 3.1(17A,147,152, 272C).

(3) Direct the nursing program to submit to the board an official nursing transcript denoting the date of entry, date of graduation and diploma or degree conferred.

(4) Submit the application form for verification of original licensure. If the original state of licensure participates in the National Council of State Boards of Nursing, Inc. Electronic Nurse Licensure System (NURSYS), send form and application fee directly to the National Council of State Boards of Nursing, Inc.

(5) Submit evidence attesting that Iowa is the primary state of residence if the applicant is changing primary state of residence from another party state as outlined in rule 655—16.2(152) or that the primary state of residence is a noncompact state.

(6) Complete the application process within 12 months from the date of receipt of the application. The board reserves the right to destroy the documents after 12 months.

c. An endorsement applicant who has been disciplined by a licensing authority in another state must indicate the jurisdiction of the action(s) when submitting application materials. A copy of all relevant disciplinary documents will be obtained for board review prior to a determination regarding licensure. The board may impose special conditions for licensure if deemed appropriate.

d. A license shall not be issued to an applicant who fails to complete the licensure process within 12 months from the date of receipt of the application.

3.5(3) Temporary license. A temporary license shall be issued to an applicant who is licensed in another state if the applicant meets the qualifications for licensure as outlined in subrule 3.3(1). The board application form and endorsement fee as outlined in rule 3.1(17A,147,152,272C) and verification of licensure form shall be on file in the office of the board prior to the issuance of the temporary license.

a. A temporary licensee may use the appropriate title of registered nurse or licensed practical nurse and the appropriate abbreviation R.N. or L.P.N.

b. The temporary wallet card must be signed by the licensee to be valid. The temporary license shall be issued for a period of 30 days. A second temporary license may be issued for a period not to exceed 30 days or at the discretion of the executive director.

c. A temporary license shall not be issued to an applicant whose license is currently encumbered by disciplinary action in another state.

3.5(4) Certificate of licensure by endorsement. Upon completion of the endorsement procedures defined in these rules, the board shall issue a certificate of licensure by endorsement and a current license to practice as a registered nurse/licensed practical nurse.

This rule is intended to implement Iowa Code sections 147.2 and 152.9.

655—3.6(17A,147,152,272C) Special licensure for those licensed in another country. A special license may be granted by the board on an individual basis to allow a nurse licensed in another country who is not eligible for endorsement to practice nursing in Iowa for a fixed period of time under certain conditions. Special licensure shall allow the nurse to provide care in a specialty area, provide consultation or teaching where care is directed, serve as a research or teaching assistant, or obtain clinically based continuing education.

1. Upon request, the board shall provide application materials to the applicant or sponsor.

2. The applicant shall provide identifying information, history of felony conviction, history of licensure in another jurisdiction, and reason for special licensure.

3. The applicant shall complete the application, submit a fee as identified in rule 3.1(17A,147,152,272C) and provide evidence of certification by the Commission on Graduates of Foreign Nursing Schools (CGFNS), or a Test of English as a Foreign Language (TOEFL) score of at least 500 for the paper-based TOEFL or 173 for the computer-based TOEFL.

4. Board staff shall determine the validity of the request based on the need, duration and location of special licensure identified on the application, and staff shall notify the applicant of ineligibility for special licensure if the application is incomplete, or demonstrates a felony conviction, or evidence of licensure in another jurisdiction.

5. The board shall grant special licensure to eligible applicants. The license shall be identified as a special license and identify duration and conditions as designated in this rule. The period of special licensure shall be determined by the board and may be extended at the request of the applicant.

6. If the board denies special licensure, the individual may be eligible for licensure by examination in accord with subrule 3.4(4).

7. The licensee shall be subject to all rules and regulations promulgated by the board except those pertaining to verification, renewal, late renewal, inactivation, reactivation and continuing education requirements.

This rule is intended to implement Iowa Code section 147.2.

655—3.7(17A,147,152,272C) License cycle.

3.7(1) Name and address changes. Written notification to the board of name and address changes is mandatory as defined in Iowa Code section 147.9. Licensure documents are mailed to the licensee at the address on file in the board office. There is no fee for a change of name or address in board records.

3.7(2) New licenses. The board shall issue licenses by endorsement and examination for a 24- to 36-month period. When the license is renewed, it will be placed on a three-year renewal cycle. Expiration shall be on the fifteenth day of the birth month.

3.7(3) Renewal. At least 60 days prior to expiration of the license, the licensee shall be notified by mail that a renewal application is available at the board's Internet address. Renewal applications are also available by mail upon request.

a. The required materials and the renewal fee as specified in rule 3.1(17A,147,152,272C) are to be submitted to the board office 30 days before license expiration.

b. When the licensee has satisfactorily completed the requirements for renewal 30 days before expiration of the previous license, a renewal wallet card shall be mailed to the licensee before expiration of the previous license.

c. A licensee who regularly examines, attends, counsels or treats children in Iowa shall indicate on the renewal application completion of two hours of training in child abuse identification and reporting in the previous five years or condition(s) for rule suspension as identified in paragraph "g."

d. A licensee who regularly examines, attends, counsels or treats adults in Iowa shall indicate on the renewal application completion of two hours of training in dependent adult abuse identification and reporting in the previous five years or condition(s) for rule suspension as identified in paragraph "g."

e. A licensee who regularly examines, attends, counsels or treats both adults and children in Iowa shall indicate on the renewal application completion of training on abuse identification and reporting in dependent adults and children or condition(s) for rule suspension as identified in paragraph "g."

Training may be completed through separate courses as identified in paragraphs "c" and "d" or in one combined two-hour course that includes curricula for identifying and reporting child abuse and dependent adult abuse. The course shall be a curriculum approved by the Iowa department of public health abuse education review panel.

f. The licensee shall maintain written documentation for five years after mandatory training as identified in paragraphs "c" to "e," including program date(s), content, duration, and proof of participation.

g. The requirement for mandatory training for identifying and reporting child and dependent adult abuse shall be suspended if the board determines that suspension is in the public interest or that a person at the time of license renewal:

(1) Is engaged in active duty in the military service of this state or the United States.

(2) Holds a current waiver by the board based on evidence of significant hardship in complying with training requirements, including waiver of continuing education requirements or extension of time in which to fulfill requirements due to a physical or mental disability or illness as identified in 655—Chapter 5.

h. The board may select licensees for audit of compliance with the requirements in paragraphs "c" to "g."

3.7(4) Late renewal. The license shall become late when the license has not been renewed by the expiration date on the wallet card. The licensee shall be assessed a late fee as specified in rule 3.1(17A,147,152,272C).

a. To renew a late license, the licensee shall complete the renewal requirements and submit the late fee before the fifteenth day of the month following the expiration date on the wallet card.

b. To place the late license on inactive status, the licensee shall submit a written request for inactive status and pay the late fee. No continuing education shall be required. The license of an individual who is 70 years of age or older will be placed on inactive status upon request without the late fee.

3.7(5) *Delinquent status.* The license shall become delinquent when the license has not been renewed by the fifteenth day of the month following the expiration date on the wallet card.

a. If the delinquent license is not reinstated, it shall remain delinquent.

b. If the licensee resides in Iowa or a noncompact state, the licensee shall not practice nursing in Iowa until the license is reinstated to active status. If the licensee is identified as practicing nursing with a delinquent license, disciplinary proceedings shall be started.

c. To reinstate to active licensure status, the licensee shall contact the board office.

(1) The licensee shall be provided an application, a continuing education report form and statement of the fee. The delinquent fee is specified in rule 3.1(17A,147,152,272C).

(2) The licensee shall have completed 12 contact hours of continuing education as specified in 655—Chapter 5, earned within the 12 months prior to reinstatement.

(3) Upon receipt of the completed application, required continuing education materials, the renewal and delinquent fees, and verification that the primary state of residence is Iowa or a noncompact state, the licensee shall be issued a license for a 24- to 36-month period. At the time of the next renewal, it will be placed on a three-year renewal cycle. Expiration shall be on the fifteenth day of the birth month.

d. To reinstate to inactive licensure status, the licensee shall submit a written request for inactive status and pay the delinquent fee as specified in rule 3.1(17A,147,152,272C).

(1) Continuing education shall not be required.

(2) The license of an individual who is 70 years of age or older will be placed on inactive status upon request without payment of the delinquent fee.

3.7(6) *Inactive status.* When the license is inactive, the licensee who resides in Iowa or a noncompact state shall not practice nursing in Iowa. The licensee is not required to obtain continuing education or pay fees. The license must remain on inactive status for a minimum of 30 days.

a. A licensee may request inactive licensure status by one of the following methods:

(1) Return the current wallet card prior to expiration of the license with a written request for inactive status. Inactive status becomes effective immediately upon board receipt of the wallet card.

(2) Submit a renewal form marked “inactive status” prior to expiration of the license. Inactive status becomes effective when the current license expires.

(3) Submit a request for inactive status, either in writing or over the Internet, 60 days prior to license expiration. Inactive status becomes effective when the current license expires.

(4) A delinquent license may be placed on inactive status as described in paragraph 3.7(5)“*d.*”

b. To reactivate the license, the licensee shall contact the board office.

(1) The licensee shall be provided an application and continuing education report form.

(2) The licensee shall have completed 12 contact hours of continuing education as specified in 655—Chapter 5, earned within the 12 months prior to reactivation.

(3) The licensee shall submit the reactivation fee as specified in rule 3.1(17A,147,152,272C).

(4) Upon receipt of the completed application, required continuing education materials, fee, and verification that the primary state of residence is Iowa or a noncompact state, the licensee shall be issued a license for a 24- to 36-month period. At the time of the next renewal, it will be placed on a three-year renewal cycle. Expiration shall be on the fifteenth day of the birth month.

3.7(7) *Duplicate wallet card or certificate.* A duplicate wallet card is required if the current one is lost, stolen or destroyed. The licensee shall be issued a duplicate wallet card or certificate upon receipt of a written request from the licensee and receipt of the fee as specified in rule 3.1(17A,147,152,272C). If the licensee notifies the board that the documents have not been received within 60 days after being mailed, no fee shall be required.

3.7(8) Reissue of a certificate or wallet card. The board shall reissue a certificate or current wallet card upon receipt of a written request from the licensee, return of the original document and payment of the fee as specified in rule 3.1(17A,147,152,272C). No fee shall be required if an error was made by the board on the original document.

This rule is intended to implement Iowa Code sections 147.2 and 147.9 to 147.11.

655—3.8(17A,147,152,272C) Verification. Upon written request from the licensee or another jurisdiction and payment of the verification fee as specified in rule 3.1(17A,147,152, 272C), the board shall provide a certified statement to another jurisdiction or entity that the license of a registered nurse/licensed practical nurse is active, inactive or lapsed in Iowa.

This rule is intended to implement Iowa Code sections 147.2 and 147.8.

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