

## NURSING BOARD[655]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 17A.3 and 147.76, the Board of Nursing hereby gives Notice of Intended Action to amend Chapter 4, “Discipline,” Iowa Administrative Code.

The proposed amendments in Items 1 and 2 update and clarify the reporting of deferred judgments by licensees when reporting criminal convictions. The proposed amendment in Item 3 defines certified copy.

Any interested person may make written comments or suggestions on the proposed amendments on or before August 16, 2011. Such written materials should be directed to the Executive Director, Iowa Board of Nursing, RiverPoint Business Park, 400 S.W. 8th Street, Suite B, Des Moines, Iowa 50309-4685. Persons who wish to convey their views orally should contact the Executive Director at (515)281-3256, or in the Board office at 400 S.W. 8th Street, by appointment.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapters 147, 152, 152E and 272C.

The following amendments are proposed.

ITEM 1. Amend paragraph **4.6(3)“e”** as follows:

*e.* Failing to notify the board of a criminal conviction within 30 days of the action, regardless of whether the judgment of conviction or sentence was deferred, and regardless of the jurisdiction wherein it occurred.

ITEM 2. Amend paragraph **4.6(4)“p”** as follows:

*p.* Pleading guilty to or being convicted of a ~~misdemeanor or felony~~ crime related to the practice profession of nursing, or conviction of any crime that would affect the licensee’s ability to practice nursing, regardless of whether the judgment of conviction or sentence was deferred, and regardless without regard to of the jurisdiction wherein the action occurred. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

ITEM 3. Adopt the following new definition of “Certified copy” in rule ~~655—4.14(17A,152E)~~:

“*Certified copy,*” as used in the statutes and rules administered by the board, means a complete and accurate copy of a document, as verified by the board or the agency providing that document. “Certified copy” includes an electronic version of a document provided to another agency or individual by the board, or received from another agency, so long as the electronic record is:

1. Obtained directly from the official Web site of the board or other agency;
2. Regularly updated by the board or the other agency in accordance with standard practice;
3. Accessible as a “read only” document;
4. Properly safeguarded to prevent the document from being altered; and
5. Certified from another agency in accordance with the laws applicable in that jurisdiction.