RA 26-195

INSPECTIONS AND APPEALS DEPARTMENT[481]

Regulatory Analysis

Notice of Intended Action to be published: 481—Chapters 616, 617, and 619 to 621
"Nursing Education Programs; Registered Nurse/Licensed Practical Nurses; Advanced Registered Nurse Practitioners; Continuing Education"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A, 147, 152, 152E, and 272C

State or federal law(s) implemented by the rulemaking: Iowa Code section 152.5, chapter 152E, and sections 272C.2 and 272C.3

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

August 25, 2026	6200 Park Avenue
1 p.m.	Des Moines, Iowa

Information on virtual participation will be available on the Department of Inspections, Appeals, and Licensing's website prior to the hearing.

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Emily DeRonde
6200 Park Avenue
Des Moines, Iowa 50321
Email: emily.deronde@dia.iowa.gov

Purpose and Summary

This proposed rulemaking is intended to update provisions of Board of Nursing rules to streamline the approval process for educational programs, update licensing processing, and implement legislation.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no direct costs to the public to comply with this rulemaking. The individual institutions and programs that provide educational programs incur costs in the form of application fees, documentation and the accreditation process, but the proposed rulemaking is meant to simplify the process and reduce the costs.

Staff salaries to support the work of the Board are covered by the Licensing and Regulation Fund established in 2023 Iowa Acts, Senate File 557. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards. Board staff review applications, perform site visits, review reports and present to the Board.

- **Classes of persons that will benefit from the proposed rulemaking:**

Establishing minimum program requirements ensures that nursing programs are providing competent education that meets the minimum standards. Without having an established threshold for nursing education programs, institutions that are not appropriately staffed or educated or providing the appropriate training could cause harm to the public, especially nursing students. For these reasons, the Board believes the costs of implementing this rulemaking are justified by the benefits received.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

The Board regulates over 74,000 nursing licenses in Iowa. There is no national standard or established curriculum for nursing programs. The Board has approved 79 prelicensure programs and 21 postlicensure programs to provide nursing education in Iowa.

- **Qualitative description of impact:**

Because the field of nursing does not have a nationally recognized curriculum or education, the Board currently approves all nursing programs existing in Iowa or providing services to individuals in Iowa. This rulemaking would shorten the process of approval for those schools with national accreditation. Both processes ensure the State does not have programs that are fraudulent or lack the proper education and training required to prepare an individual to practice nursing safely.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Staff salaries to support the work of the Board are covered by the fund. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards. Board staff review applications, perform site visits, review reports, and present to the Board.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Establishing minimum program and licensing requirements ensures that nursing programs are providing competent education that meets the minimum standards and that Iowa nurses have the proper education prior to licensure. Without having an established threshold for nursing education programs, institutions that are not appropriately staffed or educated or providing the appropriate training could cause harm to the public, especially nursing students. For these reasons, the Board believes the costs of implementing this rulemaking are justified by the benefits received.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

This rulemaking proposes changes to the rules on nurse education program approval and licensure process for individuals to create a more cost-effective approval process. The Board finds that these rules provide the most cost-effective approach while also ensuring public safety and adequacy of nursing programs for Iowans. The program requirements or approval process could be eliminated completely, but the Board would be concerned about the credibility of the programs offered to nursing students in that scenario.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

This rulemaking proposes changes to the rules on nurse education program approval and licensure process for individuals to create a more cost-effective approval process. The Board finds that these rules provide the most cost-effective approach while also ensuring public safety and adequacy of nursing programs for Iowans. The program requirements or approval process could be eliminated completely, but the Board would be concerned about the credibility of the programs offered to nursing students in that scenario.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

This rulemaking proposes changes to the existing rules on nurse education program approval and licensure process for individuals to create a more cost-effective approval process. The Board finds that these rules provide the most cost-effective approach while also ensuring public safety and adequacy of nursing programs for Iowans. The program requirements or approval process could be eliminated completely, but the Board would be concerned about the credibility of the programs offered to nursing students in that scenario.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rulemaking regulates the quality of the education for nursing programs in Iowa. These rules apply equally to all schools, businesses and licensees. If a small business identifies a rule that is overly burdensome and the goals of which could be achieved in a manner that would reduce the impact on the small business, the business may utilize the Department's established waiver process.

Text of Proposed Rulemaking

ITEM 1. Amend rule **481—616.1(152)**, definition of "Improvement status," as follows:

"Improvement status" means the status on which a program is placed after three consecutive years of NCLEX® results below ~~95~~ 80 percent of the national NCLEX® passing percentage.

ITEM 2. Adopt the following **new** definitions of "Accreditation" and "Program proposal," in rule **481—616.1(152)**:

"Accreditation" means the official, voluntary peer-review process conducted by a national accreditor that evaluates a nursing program to ensure it meets strict national education quality and professional practice standards.

"Program proposal" means the comprehensive set of documentation required from the proposed nursing program submitted prior to enrolling students.

ITEM 3. Renumber rules **481—616.3(152)** to **481—616.18(152)** as **481—616.5(152)** to **481—616.20(152)**.

ITEM 4. Adopt the following **new** rule 481—616.3(152):

481—616.3(152) Accreditation. Any nursing education program currently accredited by the Accreditation Commission for Education in Nursing, the Commission on Collegiate Nursing Education, or the Commission for Nursing Education Accreditation is an approved education program for the purpose of qualifying graduates for licensure.

616.3(1) If an accredited program receives notice or determines that its accreditation status is in jeopardy, the institution offering the program must:

a. Notify the board in writing no later than ten days of receipt of the determination; and

b. Immediately and verifiably notify each enrolled student, in writing, within ten days of receipt of official notice from the accrediting body. The written notification must include:

(1) The estimated date the accrediting body will make its final determination as to the program's accreditation;

(2) The imposed action being taken by the accrediting body;

(3) The potential impact of the program's accreditation status on the student's ability to secure licensure and employment or transfer academic credits to another institution in the future; and

(4) Attempted negotiations with other academic institutions to establish a transfer articulation agreement.

616.3(2) The board may rescind full approval that has been granted to a nursing education program that consistently fails to meet the board's standards, as evidenced in the annual report; failure to notify a board representative of accreditation site visits; or unacceptable performance on a licensing examination for each program with a pass rate of less than 80 percent for its first-time takers in any given year for two consecutive calendar years.

ITEM 5. Adopt the following **new** rule 481—616.4(152):

481—616.4(152) Board approval. A nursing education program that is not currently accredited by the Accreditation Commission for Education in Nursing, the Commission on Collegiate Nursing Education, or the Commission for Nursing Education Accreditation must meet the requirements of this chapter for board approval.

ITEM 6. Amend renumbered rule 481—616.5(152) as follows:

481—616.5(152) Application for interim approval of a nursing program.

616.5(1) No change.

616.5(2) The proposed program shall submit the following prior to enrolling students:

a. Evidence of employment of the head of the program, including the individual's qualifications~~, at least six months prior to the beginning of the first nursing course~~.

b. and *c.* No change.

d. Curriculum plan that meets the criteria in rule ~~481—616.10(152)~~ 481—616.12(152).

e. No change.

f. Evidence of faculty employed by the controlling institution prior to the beginning of teaching assignments. Faculty members who teach nursing shall meet the qualifications outlined in subrule ~~616.11(2)~~ 616.13(2).

g. No change.

616.5(3) No change.

616.5(4) Interim approval may be granted to the program based on the program proposal and ~~a~~ site visit.

a. No change.

b. The program shall submit an annual report by June ~~30th~~ 30 of each year until full approval as described in rule ~~481—616.4(152)~~ 481—616.6(152) is granted by the board. The report shall include the following:

(1) to (4) No change.

(5) Changes requiring board notification and approval as outlined in subrule ~~616.17(3)~~ 616.19(3).

c. Interim approval continues until the board conducts a review of program materials, completes a site visit, and grants approval to the program following graduation of the first class and submission of results of the national examination for licensure or advanced practice certification, if applicable. If the program is seeking national accreditation, then the program may submit accreditation self-study and notify the board representative of a site visit.

d. No change.

616.5(5) The board may deny interim approval based on the program proposal and a site visit.

a. In order to be reconsidered, the controlling institution shall resubmit a program proposal within six months from the time of ~~program application~~ denial.

b. ~~One year from the initial application~~ If more than six months have passed since the application denial, the controlling institution may ~~resubmit a~~ submit a new initial program application to the board in order to be reconsidered.

ITEM 7. Amend renumbered subrule 616.6(3) as follows:

616.6(3) The program provides to the board the nursing education program report and supporting documentation addressing all aspects of the program outlined in rules ~~481—616.8(152) through 481—616.18(152)~~ 481—616.10(152) through 481—616.20(152).

ITEM 8. Amend renumbered subrule 616.12(3) as follows:

616.12(3) Prelicensure programs.

a. No change.

b. In addition to the requirements identified in paragraph ~~616.10(3)~~ 616.12(3)*"a,"* the curriculum of a program leading to a diploma in practical nursing and to eligibility to apply for practical nurse licensure by examination requires:

(1) to (4) No change.

c. In addition to the requirements identified in paragraph ~~616.10(3)~~ 616.12(3)*"a,"* the curriculum of a program leading to a degree in nursing and to eligibility to apply for registered nurse licensure by examination requires:

(1) to (5) No change.

ITEM 9. Amend renumbered subrule 616.13(1) as follows:

616.13(1) *Program requirements.* The program shall provide:

a. A sufficient number of faculty who satisfy the requirements in subrule ~~616.11(2)~~ 616.13(2).

b. to *f.* No change.

ITEM 10. Amend renumbered subrules 616.20(3) and 616.20(4) as follows:

616.20(3) Changes requiring board notification and approval. The program shall submit one copy of a proposed change for board approval at least four weeks prior to the next scheduled board meeting when the outcome will:

a. to *e.* No change.

f. Reduce the human, physical or learning resources provided by the controlling institution to meet program needs as described in rule ~~481—616.9(152)~~ 481—616.11(152).

g. to *j.* No change.

616.20(4) If a program makes changes as part of a plan to improve the program's NCLEX® passing percentage pursuant to rule ~~481—616.17(152)~~ 481—616.19(152), such changes must also be separately submitted to the board for approval pursuant to this rule.

ITEM 11. Adopt the following **new** definitions of "Disqualifying event" and "TruMerit" in rule **481—617.1(17A,147,152,152E,272C)**:

"Disqualifying event" means an incident that results in a person's becoming disqualified or ineligible to retain or renew a multistate license. This includes but is not limited to any adverse action resulting in an encumbrance, current participation in an alternative to discipline program, a misdemeanor offense related to the practice of nursing (including agreed disposition), or any felony offense.

"TruMerit" means the credentialing organization recognized by the board to verify and evaluate the education, professional credentials, and English language proficiency of foreign-educated applicants for licensure.

ITEM 12. Amend subrules 617.4(2) and 617.4(3) as follows:

617.4(2) Successful passage of the National Council Licensure Examination (NCLEX®) or the State Board Test Pool Examination, the national examination used prior to 1982. The passing standard is that established by the testing authority at the time the test was administered. Graduates who do not

pass the National Council Licensure Examination (NCLEX®) within five years following completion of an approved nursing education program must follow specific remedial measures prescribed by the board.

617.4(3) If applicable, board approval of an applicant with a criminal history, pursuant to rule ~~481—617.11(272C)~~ 481—617.12(152), or a record of prior disciplinary action, regardless of jurisdiction.

ITEM 13. Amend rule 481—617.5(17A,147,152,272C) as follows:

481—617.5(17A,147,152,272C) Licensure by examination.

617.5(1) *Board application.* A graduate of an approved nursing program seeking initial licensure as a registered nurse or licensed practical nurse shall submit the following:

a. and *b.* No change.

c. ~~Two completed fingerprint cards and a signed waiver form~~ Fingerprints pursuant to the board-approved process to facilitate a national criminal history background check.

~~*d.* If the applicant has a criminal history, copies of all documents required by rule 481—617.11(272C).~~

~~*e.*~~ *d.* An official transcript ~~denoting~~ or a sworn statement from an official of the educational institution certifying the date of graduation and diploma or degree conferred, sent directly to the board from the nursing program. Electronic transcripts must be sent by a source approved by the board.

617.5(2) and **617.5(3)** No change.

617.5(4) *Authorization to test.* An applicant will not receive an authorization to test until ~~all of~~ the requirements in ~~subrules 617.5(1) and~~ paragraphs 617.5(1)*"a"* and *"b"* and subrule 617.5(2) are met.

a. and *b.* No change.

617.5(5) to **617.5(7)** No change.

ITEM 14. Amend rule 481—617.6(17A,147,152,272C) as follows:

481—617.6(17A,147,152,272C) Licensure by endorsement.

617.6(1) *Board application.* A graduate of an approved nursing program seeking licensure as a registered nurse or licensed practical nurse in Iowa who has been licensed in another state shall submit the following:

a. and *b.* No change.

c. ~~Two completed fingerprint cards and a signed waiver form~~ Fingerprints pursuant to the board-approved process to facilitate a national criminal history background check.

d. If the applicant has a criminal history, copies of all documents required by rule ~~481—617.12(272C)~~ 481—617.13(272C).

e. and *f.* No change.

g. Proof of active licensure in any jurisdiction within the previous five years from the date of application or proof of completion of a nurse refresher course in accordance with rule ~~481—617.11(152)~~ 481—617.12(152) within the 12 months prior to the date of application.

h. An official transcript ~~denoting~~ or a sworn statement from an official of the educational institution certifying the date of graduation and diploma or degree conferred, sent directly to the board from the nursing program. An applicant may be excused from this requirement if the nursing program is closed and records are no longer available. Electronic transcripts may be sent by a source approved by the board

617.6(2) to **617.6(4)** No change.

617.6(5) *Changing primary state of residence for multistate license.* A nurse who holds a multistate license issued by a party state and who changes the nurse's primary state of residence to Iowa must apply for licensure in Iowa pursuant to ~~this rule.~~ paragraph 617.5(1)*"a."* Upon issuance of a multistate license by the board, the nurse's prior multistate license will be deactivated.

ITEM 15. Amend subrule 617.7(1) as follows:

617.7(1) Applicant for licensure. An applicant seeking licensure in Iowa who was educated in a foreign country or in a U.S. territory that is not a member of NCSBN shall apply for licensure by examination pursuant to rule 481—617.5(17A,147,152,272C) or licensure by endorsement pursuant to rule 481—617.6(17A,147,152,272C), as applicable, but instead of submitting an official transcript, shall submit one of the following documents issued by ~~CGFNS~~ TruMerit:

a. and *b.* No change.

c. ~~CGFNS~~ TruMerit Certification Program® certificate or certificate verification letter verifying that a ~~CGFNS~~ TruMerit Certification Program® certificate was issued.

ITEM 16. Amend subrule 617.8(7) as follows:

617.8(7) *Reactivation.*

a. To reactivate an inactive license, the licensee shall comply with the following:

(1) The licensee shall submit:

1. to 3. No change.

4. ~~Two completed fingerprint cards and a signed waiver form~~ Fingerprints pursuant to the board-approved process to facilitate a national criminal history background check.

(2) No change.

(3) If a licensee has not held an active license in any jurisdiction within the previous five years, the licensee must complete a nurse refresher course in accordance with rule ~~481—617.11(152)~~ 481—617.12(152) within 12 months of applying for reactivation.

b. and *c.* No change.

ITEM 17. Renumber rules **481—617.11(152)** and **481—617.12(272C)** as **481—617.12(152)** and **481—617.13(272C)**.

ITEM 18. Adopt the following **new** rule 481—617.11(152):

481—617.11(152) Deactivation. If the board determines that a disqualifying event has occurred or that the licensee is participating in an alternative to discipline program, the board may administratively deactivate the licensee's multistate license or multistate licensure privilege.

617.11(1) Upon deactivation due to a disqualifying event, the board may issue a single-state license.

617.11(2) The license of a licensee who is engaged in an alternative to discipline program will be administratively converted to a single-state license.

617.11(3) A licensee must reapply for a multistate license at the time the disqualifying event is concluded or the licensee is no longer participating in an alternative to discipline program.

ITEM 19. Adopt the following **new** subrule 617.12(4):

617.12(4) A nurse refresher course may be required if the applicant has graduated from an approved nursing program more than five years prior to application and has never held an active license or had any relevant clinical practice.

ITEM 20. Amend renumbered subrule 617.13(2) as follows:

617.13(2) *License application.* Unless an applicant for licensure petitions the board for an eligibility determination pursuant to subrule ~~617.11(3)~~ 617.12(3), the applicant's convictions will be reviewed when the board receives a completed license application.

a. to *f.* No change.

ITEM 21. Amend subrule 619.2(4) as follows:

619.2(4) *Documentation.* Licensees are required to keep continuing education documentation for a period of four years, including proof of attendance, licensee's name, course date, course title, awarded hours and ~~provider approval information~~ name of provider.

ITEM 22. Amend subrule 620.3(14) as follows:

620.3(14) A licensed practical nurse is permitted to perform, in addition to the functions set forth in subrule 620.3(5), procedures related to the expanded scope of practice of intravenous therapy upon completion of the board-approved expanded intravenous therapy certification course and in accordance with the following:

a. No change.

b. The course must be offered by an approved Iowa board of nursing provider ~~of nursing continuing education~~. Documentation of course completion shall be maintained by the licensed practical nurse and employer.

c. to *e.* No change.

ITEM 23. Amend rule 481—621.8(152) as follows:

481—621.8(152) Prescribing epinephrine ~~auto-injectors~~ delivery systems, bronchodilator canisters, bronchodilator canisters and spacers, or opioid antagonists in the name of a facility or school.

621.8(1) An ARNP may issue a prescription for one or more epinephrine ~~auto-injectors~~ delivery systems in the name of a facility as defined in Iowa Code section 135.185(1), a school district, or an accredited nonpublic school.

621.8(2) and **621.8(3)** No change.

621.8(4) An ARNP who prescribes epinephrine ~~auto-injectors~~ delivery systems, bronchodilator canisters, bronchodilator canisters and spacers, or opioid antagonists in the name of an authorized facility as defined in Iowa Code section 135.185(1), a school district, or an accredited nonpublic school, to be maintained for use pursuant to Iowa Code sections 135.185, 135.190, 280.16, and 280.16A, provided the ARNP has acted reasonably and in good faith, is not be liable for any injury arising from the provision, administration, or assistance in the administration of an epinephrine ~~auto-injector~~ delivery system, bronchodilator canister, bronchodilator canister and spacer, or opioid antagonist.