

S-2/28, - 50 vass

FEB 1 2000  
Place On Calendar

HOUSE FILE **2105**  
BY COMMITTEE ON  
STATE GOVERNMENT

(SUCCESSOR TO HSB 143)

Passed House, Date 2/7/00 (P. 223)  
Vote: Ayes 91 Nays 4  
Approved March 16, 2000  
Passed Senate, Date 3/7/00 (P. 550)  
Vote: Ayes 47 Nays 1

**A BILL FOR**

- 1 An Act adopting the nurse licensure compact.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3

**HOUSE FILE 2105**

**S-5026**

- 1 Amend House File 2105, as passed by the House, as
- 2 follows:
- 3 1. Page 2, line 17, by striking the words "in
- 4 the" and inserting the following: "at the".
- 5 2. Page 6, line 4, by striking the words "party's
- 6 state" and inserting the following: "party state's".
- 7 3. Page 6, line 22, by striking the word
- 8 "boards'" and inserting the following: "boards of".
- 9 4. Page 6, line 27, by striking the word
- 10 "party's" and inserting the following: "party".
- 11 5. Page 7, line 7, by striking the word
- 12 "authorized" and inserting the following:
- 13 "authorizing".
- 14 6. Page 10, line 34, by striking the words
- 15 "orders or" and inserting the following: "orders to".
- 16 7. Page 10, line 35, by striking the words "the
- 17 nurse's" and inserting the following: "the".

By MARY A. LUNDBY

**S-5026 FILED FEBRUARY 28, 2000**

*wks 3/7/00 (P. 550)*

**HF 2105**

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1 Section 1. Section 147.2, Code 1999, is amended by adding  
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. For purposes of this section, a  
4 person who is licensed in another state and recognized for  
5 licensure in this state pursuant to the nurse licensure  
6 compact contained in section 152E.1 shall be considered to  
7 have obtained a license to practice nursing from the  
8 department.

9 Sec. 2. Section 147.5, Code 1999, is amended by adding the  
10 following new unnumbered paragraph:

11 NEW UNNUMBERED PARAGRAPH. This section shall not apply to  
12 a person who is licensed in another state and recognized for  
13 licensure in this state pursuant to the nurse licensure  
14 compact contained in section 152E.1.

15 Sec. 3. Section 147.7, Code 1999, is amended by adding the  
16 following new unnumbered paragraph:

17 NEW UNNUMBERED PARAGRAPH. This section shall not apply to  
18 a person who is licensed in another state and recognized for  
19 licensure in this state pursuant to the nurse licensure  
20 compact contained in section 152E.1. A person licensed in  
21 another state and recognized for licensure in this state  
22 pursuant to the compact shall, however, maintain a copy of a  
23 license issued by the person's home state available for  
24 inspection when engaged in the practice of nursing in this  
25 state.

26 Sec. 4. Section 152.6, Code 1999, is amended to read as  
27 follows:

28 152.6 LICENSES -- PROFESSIONAL ABBREVIATIONS.

29 The board may license a natural person to practice as a  
30 registered nurse or as a licensed practical nurse. However,  
31 only a person currently licensed as a registered nurse in this  
32 state may use that title and the abbreviation "RN" after the  
33 person's name and only a person currently licensed as a  
34 licensed practical nurse in this state may use that title and  
35 the abbreviation "LPN" after the person's name. For purposes

1 of this section, "currently licensed" includes persons  
2 licensed in another state and recognized for licensure in this  
3 state pursuant to the nurse licensure compact contained in  
4 section 152E.1.

5 Sec. 5. Section 152.7, Code 1999, is amended by adding the  
6 following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. For purposes of licensure  
8 pursuant to the nurse licensure compact contained in section  
9 152E.1, the compact administrator may refuse to accept a  
10 change in the qualifications for licensure as a registered  
11 nurse or as a licensed practical or vocational nurse by a  
12 licensing authority in another state which is a party to the  
13 compact which substantially modifies that state's  
14 qualifications for licensure in effect on July 1, 2000. A  
15 refusal to accept a change in a party state's qualifications  
16 for licensure may result in submitting the issue to an  
17 arbitration panel or in withdrawal from the compact, in the  
18 discretion of the compact administrator.

19 Sec. 6. Section 152.8, Code 1999, is amended by striking  
20 the section and inserting in lieu thereof the following:

21 152.8 RECIPROCITY.

22 Notwithstanding the provisions of sections 147.44 through  
23 147.54, the following shall apply regarding applicants for  
24 nurse licensure possessing a license from another state:

25 1. A license possessed by an applicant from a state which  
26 has not adopted the nurse licensure compact contained in  
27 section 152E.1 shall be recognized by the board under  
28 conditions specified which indicate that the licensee meets  
29 all the qualifications required under section 152.7. If a  
30 foreign license is recognized, the board may issue a license  
31 by endorsement without an examination being required.

32 Recognition shall be based on whether the foreign licensee is  
33 qualified to practice nursing. The board may issue a  
34 temporary license to a natural person who has completed the  
35 requirements of and applied for licensure by endorsement. The

1 board shall determine the length of time a temporary license  
2 shall remain effective.

3 2. A license possessed by an applicant and issued by a  
4 state which has adopted the nurse licensure compact contained  
5 in section 152E.1 shall be recognized pursuant to the  
6 provisions of that section.

7 Sec. 7. Section 152.10, subsection 2, paragraph d, Code  
8 1999, is amended to read as follows:

9 d. (1) Having a license to practice nursing as a  
10 registered nurse or licensed practical nurse revoked or  
11 suspended, or having other disciplinary action taken by a  
12 licensing authority of another state, territory, or country.  
13 A certified copy of the record or order of suspension,  
14 revocation, or disciplinary action is prima facie evidence of  
15 such fact.

16 (2) Having a license to practice nursing as a registered  
17 nurse or licensed practical nurse revoked or suspended, or  
18 having other disciplinary action taken, by a licensing  
19 authority in another state which has adopted the nurse  
20 licensure compact contained in section 152E.1 and which has  
21 communicated information relating to such action pursuant to  
22 the coordinated licensure information system established by  
23 the compact. If the action taken by the licensing authority  
24 occurs in a jurisdiction which does not afford the procedural  
25 protections of chapter 17A, the licensee may object to the  
26 communicated information and shall be afforded the procedural  
27 protections of chapter 17A.

28 Sec. 8. NEW SECTION. 152E.1 FORM OF COMPACT.

29 The nurse licensure compact is entered into and enacted  
30 into law with all jurisdictions legally joining therein, in  
31 the form substantially as follows:

32 ARTICLE I -- FINDINGS AND PURPOSE

33 a. The party states find all of the following:

34 1. The health and safety of the public are affected by the  
35 degree of compliance with and the effectiveness of enforcement

1 activities related to state nurse licensure laws.

2 2. Violations of nurse licensure and other laws regulating  
3 the practice of nursing may result in injury or harm to the  
4 public.

5 3. The expanded mobility of nurses and the use of advanced  
6 communication technologies as part of our nation's health care  
7 delivery system require greater coordination and cooperation  
8 among states in the areas of nurse licensure and regulation.

9 4. New practice modalities and technology make compliance  
10 with individual state nurse licensure laws difficult and  
11 complex.

12 5. The current system of duplicative licensure for nurses  
13 practicing in multiple states is cumbersome and redundant to  
14 both nurses and states.

15 b. The general purposes of this compact are to:

16 1. Facilitate the states' responsibility to protect the  
17 public's health and safety.

18 2. Ensure and encourage the cooperation of party states in  
19 the areas of nurse licensure and regulation.

20 3. Facilitate the exchange of information between party  
21 states in the areas of nurse regulation, investigation, and  
22 adverse actions.

23 4. Promote compliance with the laws governing the practice  
24 of nursing in each jurisdiction.

25 5. Invest all party states with the authority to hold a  
26 nurse accountable for meeting all state practice laws in the  
27 state in which the patient is located at the time care is  
28 rendered through the mutual recognition of party state  
29 licenses.

30 ARTICLE II -- DEFINITIONS

31 As used in this compact:

32 a. "Adverse action" means a home or remote state action.

33 b. "Alternative program" means a voluntary,  
34 nondisciplinary monitoring program approved by a nurse  
35 licensing board.

1 c. "Coordinated licensure information system" means an  
2 integrated process for collecting, storing, and sharing  
3 information on nurse licensure and enforcement activities  
4 related to nurse licensure laws, which is administered by a  
5 nonprofit organization composed of and controlled by state  
6 nurse licensing boards.

7 d. "Current significant investigative information" means  
8 either of the following:

9 1. Investigative information that a licensing board, after  
10 a preliminary inquiry that includes notification and an  
11 opportunity for the nurse to respond if required by state law,  
12 has reason to believe is not groundless and, if proved true,  
13 would indicate more than a minor infraction.

14 2. Investigative information that indicates that the nurse  
15 represents an immediate threat to public health and safety  
16 regardless of whether the nurse has been notified and had an  
17 opportunity to respond.

18 e. "Home state" means the party state which is the nurse's  
19 primary state of residence.

20 f. "Home state action" means any administrative, civil,  
21 equitable, or criminal action permitted by the home state's  
22 laws which are imposed on a nurse by the home state's  
23 licensing board or other authority, including actions against  
24 an individual's license such as revocation, suspension,  
25 probation, or any other action which affects a nurse's  
26 authorization to practice.

27 g. "Licensing board" means a party state's regulatory body  
28 responsible for issuing nurse licenses.

29 h. "Multistate licensure privilege" means current,  
30 official authority from a remote state permitting the practice  
31 of nursing as either a registered nurse or a licensed  
32 practical or vocational nurse in such party state. All party  
33 states have the authority, in accordance with existing state  
34 due process law, to take actions against the nurse's privilege  
35 such as revocation, suspension, probation, or any other action

1 which affects a nurse's authorization to practice.

2 i. "Nurse" means a registered nurse or licensed practical  
3 or vocational nurse, as those terms are defined by each  
4 party's state practice laws.

5 j. "Party state" means any state that has adopted this  
6 compact.

7 k. "Remote state" means a party state, other than the home  
8 state, where either of the following applies:

9 1. Where the patient is located at the time nursing care  
10 is provided.

11 2. In the case of the practice of nursing not involving a  
12 patient, in such party state where the recipient of nursing  
13 practice is located.

14 1. "Remote state action" means either of the following:

15 1. Any administrative, civil, equitable, or criminal  
16 action permitted by a remote state's laws which are imposed on  
17 a nurse by the remote state's licensing board or other  
18 authority, including actions against an individual's  
19 multistate licensure privilege to practice in the remote  
20 state.

21 2. Cease and desist and other injunctive or equitable  
22 orders issued by remote states or the licensing boards' remote  
23 states.

24 m. "State" means a state, territory, or possession of the  
25 United States, the District of Columbia, or the Commonwealth  
26 of Puerto Rico.

27 n. "State practice laws" means those individual party's  
28 state laws and regulations that govern the practice of  
29 nursing, define the scope of nursing practice, and create the  
30 methods and grounds for imposing discipline. "State practice  
31 laws" does not include the initial qualifications for  
32 licensure or requirements necessary to obtain and retain a  
33 license, except for qualifications or requirements of the home  
34 state.

35 ARTICLE III -- GENERAL PROVISIONS AND JURISDICTION

1 a. A license to practice registered nursing issued by a  
2 home state to a resident in that state will be recognized by  
3 each party state as authorizing a multistate licensure  
4 privilege to practice as a registered nurse in such party  
5 state. A license to practice licensed practical or vocational  
6 nursing issued by a home state to a resident in that state  
7 will be recognized by each party state as authorized a  
8 multistate licensure privilege to practice as a licensed  
9 practical or vocational nurse in such party state. In order  
10 to obtain or retain a license, an applicant must meet the home  
11 state's qualifications for licensure and license renewal as  
12 well as all other applicable state laws.

13 b. Party states may, in accordance with state due process  
14 laws, limit or revoke the multistate licensure privilege of  
15 any nurse to practice in their state and may take any other  
16 actions under their applicable state laws necessary to protect  
17 the health and safety of their citizens. If a party state  
18 takes such action, it shall promptly notify the administrator  
19 of the coordinated licensure information system. The  
20 administrator of the coordinated licensure information system  
21 shall promptly notify the home state of any such actions by  
22 remote states.

23 c. Every nurse practicing in a party state must comply  
24 with the state practice laws of the state in which the patient  
25 is located at the time care is rendered. In addition, the  
26 practice of nursing is not limited to patient care, but shall  
27 include all nursing practice as defined by the state practice  
28 laws of a party state. The practice of nursing subjects a  
29 nurse to the jurisdiction of the nurse licensing board and the  
30 courts, as well as the laws, in that party state.

31 d. This compact does not affect additional requirements  
32 imposed by states for advanced practice registered nursing.  
33 However, a multistate licensure privilege to practice  
34 registered nursing granted by a party state shall be  
35 recognized by other party states as a license to practice



1 registered nursing if one is required by state law as a  
2 precondition for qualifying for advanced practice registered  
3 nurse authorization.

4 e. Individuals not residing in a party state shall  
5 continue to be able to apply for nurse licensure as provided  
6 for under the laws of each party state. However, the license  
7 granted to these individuals will not be recognized as  
8 granting the privilege to practice nursing in any other party  
9 state unless explicitly agreed to by that party state.

10 ARTICLE IV -- APPLICATIONS FOR LICENSURE IN A PARTY STATE

11 a. Upon application for a license, the licensing board in  
12 a party state shall ascertain, through the coordinated  
13 licensure information system, whether the applicant has ever  
14 held, or is the holder of, a license issued by any other  
15 state, whether there are any restrictions on the multistate  
16 licensure privilege, and whether any other adverse action by  
17 any state has been taken against the license.

18 b. A nurse in a party state shall hold licensure in only  
19 one party state at a time, issued by the home state.

20 c. A nurse who intends to change primary state of  
21 residence may apply for licensure in the new home state in  
22 advance of such change. However, new licenses will not be  
23 issued by a party state until after a nurse provides evidence  
24 of change in primary state of residence satisfactory to the  
25 new home state's licensing board.

26 d. 1. If a nurse changes primary state of residence by  
27 moving between two party states, and obtains a license from  
28 the new home state, the license from the former home state is  
29 no longer valid.

30 2. If a nurse changes primary state of residence by moving  
31 from a nonparty state to a party state, and obtains a license  
32 from the new home state, the individual state license issued  
33 by the nonparty state is not affected and will remain in full  
34 force if so provided by the laws of the nonparty state.

35 3. If a nurse changes primary state of residence by moving

1 from a party state to a nonparty state, the license issued by  
2 the prior home state converts to an individual state license,  
3 valid only in the former home state, without the multistate  
4 licensure privilege to practice in other party states.

5 ARTICLE V -- ADVERSE ACTIONS

6 In addition to the general provisions described in article  
7 III, the following provisions apply:

8 a. The licensing board of a remote state shall promptly  
9 report to the administrator of the coordinated licensure  
10 information system any remote state actions, including the  
11 factual and legal basis for such action, if known. The  
12 licensing board of a remote state shall also promptly report  
13 any significant current investigative information yet to  
14 result in a remote state action. The administrator of the  
15 coordinated licensure information system shall promptly notify  
16 the home state of any such reports.

17 b. The licensing board of a party state shall have the  
18 authority to complete any pending investigations for a nurse  
19 who changes primary state of residence during the course of  
20 such investigations. It shall also have the authority to take  
21 appropriate action and shall promptly report the conclusions  
22 of such investigations to the administrator of the coordinated  
23 licensure information system. The administrator of the  
24 coordinated licensure information system shall promptly notify  
25 the new home state of any such actions.

26 c. A remote state may take adverse action affecting the  
27 multistate licensure privilege to practice within that party  
28 state. However, only the home state shall have the power to  
29 impose adverse action against the license issued by the home  
30 state.

31 d. For purposes of imposing adverse action, the licensing  
32 board of the home state shall give the same priority and  
33 effect to reported conduct received from a remote state as it  
34 would if such conduct had occurred within the home state. In  
35 so doing, it shall apply its own state laws to determine

1 appropriate action.

2 e. The home state may take adverse action based on the  
3 factual findings of the remote state, so long as each state  
4 follows its own procedures for imposing such adverse action.

5 f. Nothing in this compact shall override a party state's  
6 decision that participation in an alternative program may be  
7 used in lieu of licensure action and that such participation  
8 shall remain nonpublic if required by the party state's laws.  
9 Party states must require nurses who enter any alternative  
10 programs to agree not to practice in any other party state  
11 during the term of the alternative program without prior  
12 authorization from such other party state.

13 ARTICLE VI -- ADDITIONAL AUTHORITIES INVESTED IN PARTY STATE  
14 NURSE LICENSING BOARDS

15 Notwithstanding any other powers, party state nurse  
16 licensing boards shall have the authority to do all of the  
17 following:

18 a. If otherwise permitted by state law, recover from the  
19 affected nurse the costs of investigations and disposition of  
20 cases resulting from any adverse action taken against that  
21 nurse.

22 b. Issue subpoenas for both hearings and investigations  
23 which require the attendance and testimony of witnesses, and  
24 the production of evidence. Subpoenas issued by a nurse  
25 licensing board in a party state for the attendance and  
26 testimony of witnesses or the production of evidence from  
27 another party state shall be enforced in the latter state by  
28 any court of competent jurisdiction, according to the practice  
29 and procedure of that court applicable to subpoenas issued in  
30 proceedings pending before it. The issuing authority shall  
31 pay any witness fees, travel expenses, mileage, and other fees  
32 required by the service statutes of the state where the  
33 witnesses or evidence is located.

34 c. Issue cease and desist orders or limit or revoke a  
35 nurse's authority to practice in the nurse's state.

1 d. Promulgate uniform rules and regulations as provided  
2 for in article VIII, section c.

3 ARTICLE VII -- COORDINATED LICENSURE INFORMATION SYSTEM

4 a. All party states shall participate in a cooperative  
5 effort to create a coordinated database of all licensed  
6 registered nurses and licensed practical or vocational nurses.  
7 This system will include information on the licensure and  
8 disciplinary history of each nurse, as contributed by party  
9 states, to assist in the coordination of nurse licensure and  
10 enforcement efforts.

11 b. Notwithstanding any other provision of law, all party  
12 states' licensing boards shall promptly report adverse  
13 actions, actions against multistate licensure privileges, any  
14 current significant investigative information yet to result in  
15 adverse action, denials of applications, and the reasons for  
16 such denials, to the coordinated licensure information system.

17 c. Current significant investigative information shall be  
18 transmitted through the coordinated licensure information  
19 system only to party state licensing boards.

20 d. Notwithstanding any other provision of law, all party  
21 states' licensing boards contributing information to the  
22 coordinated licensure information system may designate  
23 information that may not be shared with nonparty states or  
24 disclosed to other entities or individuals without the express  
25 permission of the contributing state.

26 e. Any personally identifiable information obtained by a  
27 party state's licensing board from the coordinated licensure  
28 information system shall not be shared with nonparty states or  
29 disclosed to other entities or individuals except to the  
30 extent permitted by the laws of the party state contributing  
31 the information.

32 f. Any information contributed to the coordinated  
33 licensure information system that is subsequently required to  
34 be expunged by the laws of the party state contributing that  
35 information shall also be expunged from the coordinated

1 licensure information system.

2 g. The compact administrators, acting jointly with each  
3 other and in consultation with the administrator of the  
4 coordinated licensure information system, shall formulate  
5 necessary and proper procedures for the identification,  
6 collection, and exchange of information under this compact.

7 ARTICLE VIII -- COMPACT ADMINISTRATION AND INTERCHANGE OF  
8 INFORMATION

9 a. The head of the nurse licensing board, or the head's  
10 designee, of each party state shall be the administrator of  
11 this compact for the head's state.

12 b. The compact administrator of each party state shall  
13 furnish to the compact administrator of each other party state  
14 any information and documents including, but not limited to, a  
15 uniform data set of investigations, identifying information,  
16 licensure data, and disclosable alternative program  
17 participation information to facilitate the administration of  
18 this compact.

19 c. Compact administrators shall have the authority to  
20 develop uniform rules to facilitate and coordinate  
21 implementation of this compact. These uniform rules shall be  
22 adopted by party states, under the authority invested under  
23 article VI, section d.

24 ARTICLE IX -- IMMUNITY

25 A party state or the officers or employees or agents of a  
26 party state's nurse licensing board who acts in accordance  
27 with the provisions of this compact shall not be liable on  
28 account of any act or omission in good faith while engaged in  
29 the performance of their duties under this compact. Good  
30 faith in this article shall not include willful misconduct,  
31 gross negligence, or recklessness.

32 ARTICLE X -- ENTRY INTO FORCE, WITHDRAWAL, AND AMENDMENT

33 a. This compact shall enter into force and become  
34 effective as to any state when it has been enacted into the  
35 laws of that state. Any party state may withdraw from this

1 compact by enacting a statute repealing the same, but such  
2 withdrawal shall not take effect until six months after the  
3 withdrawing state has given notice of the withdrawal to the  
4 executive heads of all other party states.

5 b. Withdrawal shall not affect the validity or  
6 applicability by the licensing boards of states remaining  
7 party to the compact of any report of adverse action occurring  
8 prior to the withdrawal.

9 c. This compact shall not be construed to invalidate or  
10 prevent any nurse licensure agreement or other cooperative  
11 arrangement between a party state and a nonparty state that is  
12 made in accordance with the other provisions of this compact.

13 d. This compact may be amended by the party states. An  
14 amendment to this compact shall not become effective and  
15 binding upon the party states unless and until it is enacted  
16 into the laws of all party states.

17 ARTICLE XI -- CONSTRUCTION AND SEVERABILITY

18 a. This compact shall be liberally construed so as to  
19 effectuate the purposes thereof. The provisions of this  
20 compact shall be severable and if any phrase, clause,  
21 sentence, or provision of this compact is declared to be  
22 contrary to the constitution of any party state or of the  
23 United States or the applicability thereof to any government,  
24 agency, person, or circumstance is held invalid, the validity  
25 of the remainder of this compact and the applicability thereof  
26 to any government, agency, person, or circumstance shall not  
27 be affected thereby. If this compact shall be held contrary  
28 to the constitution of any party state, the compact shall  
29 remain in full force and effect as to the remaining party  
30 states and in full force and effect as to the party state  
31 affected as to all severable matters.

32 b. 1. In the event party states find a need for settling  
33 disputes arising under this compact, the party states may  
34 submit the issues in dispute to an arbitration panel which  
35 shall be comprised of an individual appointed by the compact

1 administrator in the home state, an individual appointed by  
2 the compact administrator in the remote state or states  
3 involved, and an individual mutually agreed upon by the  
4 compact administrators of all the party states involved in the  
5 dispute.

6 2. The decision of a majority of the arbitrators shall be  
7 final and binding.

8 Sec. 9. NEW SECTION. 152E.2 COMPACT ADMINISTRATOR.

9 The executive director of the board of nursing, as provided  
10 for in section 152.2, shall serve as the compact administrator  
11 identified in article VIII, section a, of the nurse licensure  
12 compact contained in section 152E.1.

13 Sec. 10. Section 272C.3, subsection 2, paragraph a, Code  
14 1999, is amended to read as follows:

15 a. Revoke a license, or suspend a license either until  
16 further order of the board or for a specified period, upon any  
17 of the grounds specified in section 147.55, 148.6, 148B.7,  
18 152.10, 153.34, 154A.24, 169.13, 542B.21, 542C.21, 543B.29,  
19 544A.13, 544B.15, or 602.3203 or chapter 151, 155, 507B or  
20 522, as applicable, or upon any other grounds specifically  
21 provided for in this chapter for revocation of the license of  
22 a licensee subject to the jurisdiction of that board, or upon  
23 failure of the licensee to comply with a decision of the board  
24 imposing licensee discipline;

25 Sec. 11. Section 272C.4, subsection 6, Code 1999, is  
26 amended to read as follows:

27 6. Define by rule acts or omissions which are grounds for  
28 revocation or suspension of a license under section 147.55,  
29 148.6, 148B.7, 152.10, 153.34, 154A.24, 169.13, 455B.191,  
30 542B.21, 542C.21, 543B.29, 544A.13, 544B.15, or 602.3203 or  
31 chapter 151, 155, 507B or 522, as applicable, and to define by  
32 rule acts or omissions which constitute negligence, careless  
33 acts or omissions within the meaning of section 272C.3,  
34 subsection 2, paragraph "b", which licensees are required to  
35 report to the board pursuant to section 272C.9, subsection 2;

1 Sec. 12. Section 272C.5, subsection 2, paragraph c, Code  
2 1999, is amended to read as follows:

3 c. Shall state whether the procedures are an alternative  
4 to or an addition to the procedures stated in sections 147.58  
5 to 147.71, 148.6 to 148.9, 152.10 and 152.11, 153.23 to  
6 153.30, 153.33, and 154A.23, 542B.22, 542C.23, 543B.35,  
7 543B.36, 544B.16.

8 Sec. 13. Section 272C.6, subsection 4, unnumbered  
9 paragraph 1, Code 1999, is amended to read as follows:

10 In order to assure a free flow of information for  
11 accomplishing the purposes of this section, and  
12 notwithstanding section 622.10, all complaint files,  
13 investigation files, other investigation reports, and other  
14 investigative information in the possession of a licensing  
15 board or peer review committee acting under the authority of a  
16 licensing board or its employees or agents which relates to  
17 licensee discipline are privileged and confidential, and are  
18 not subject to discovery, subpoena, or other means of legal  
19 compulsion for their release to a person other than the  
20 licensee and the boards, their employees and agents involved  
21 in licensee discipline, and are not admissible in evidence in  
22 a judicial or administrative proceeding other than the  
23 proceeding involving licensee discipline. However,  
24 investigative information in the possession of a licensing  
25 board or its employees or agents which relates to licensee  
26 discipline may be disclosed to appropriate licensing  
27 authorities within this state, the appropriate licensing  
28 authority in another state, the coordinated licensure  
29 information system provided for in the nurse licensure compact  
30 contained in section 152E.1, the District of Columbia, or a  
31 territory or country in which the licensee is licensed or has  
32 applied for a license. If the investigative information in  
33 the possession of a licensing board or its employees or agents  
34 indicates a crime has been committed, the information shall be  
35 reported to the proper law enforcement agency. However, a



1 final written decision and finding of fact of a licensing  
2 board in a disciplinary proceeding, including a decision  
3 referred to in section 272C.3, subsection 4, is a public  
4 record.

5

## EXPLANATION

6 This bill provides for the adoption of the nurse licensure  
7 compact. The compact facilitates the mutual recognition of a  
8 nursing license issued by a nurse's home state by all states  
9 which are party states to the compact.

10 The compact is divided into several articles. Article I  
11 provides statements of findings and declarations of purpose.  
12 The health and safety of the public necessitating a high  
13 degree of compliance with nurse state licensure laws and  
14 related enforcement activities, the expanded mobility of  
15 nurses and the use of advanced communication technologies as  
16 part of the nation's health care delivery system, new practice  
17 modalities and technology rendering compliance with individual  
18 state licensure laws more difficult, and the cumbersome and  
19 redundant nature of the current system of duplicative  
20 licensure for nurses practicing in multiple states are factors  
21 cited in support of a multistate licensure compact. The  
22 purposes of the compact are stated as being to facilitate the  
23 states' responsibility to protect the public's health and  
24 safety, to encourage cooperation of party states regarding  
25 nurse licensure and regulation, to facilitate the exchange of  
26 information between party states, to promote compliance with  
27 laws governing the practice of nursing among the party states,  
28 and to invest party states with the authority to hold nurses  
29 accountable for meeting all state practice laws in the state  
30 in which the nurse is rendering care.

31 Article II of the compact provides a definition section.

32 Article III contains general provisions relating to the  
33 multistate licensure privileges among party states, providing  
34 that a license issued in a registered or licensed practical  
35 nurse's home state will be recognized by each party state.

1 The jurisdiction of party states related to adverse action  
2 taken against a nurse practicing in that state is addressed.  
3 Additionally, it is noted that existing licensure laws for  
4 nurses not residing in a party state will not be impacted by  
5 the compact.

6 Article IV deals with applications for licensure, providing  
7 that an application shall be acted upon based on information  
8 collected within a coordinated licensure information system.  
9 The coordinated licensure information system is defined in the  
10 bill as an integrated process for collecting, storing, and  
11 sharing information on nurse licensure and enforcement  
12 activities related to nurse licensure laws. A nurse shall  
13 only be required to be licensed in one state -- the nurse's  
14 home state of residence -- with that license recognized in the  
15 other party states. Provisions for changes in primary state  
16 of residence are set forth.

17 Article V of the compact relates to adverse actions,  
18 addressing the reporting of adverse actions impacting a  
19 nurse's licensure to the coordinated licensure information  
20 system and indicating that while party states may take action  
21 regarding the multistate licensing privileges of a nurse, only  
22 the home state may take action directly impacting the nurse's  
23 home state licensure. Provisions regarding home and party  
24 state action based on proceedings in another party state are  
25 specified.

26 Article VI relates to the authority of party state nurse  
27 licensing boards with regard to adverse actions against  
28 licensed nurses.

29 Article VII addresses the operation of the coordinated  
30 licensure information system.

31 The remaining articles primarily address administrative and  
32 procedural aspects of the compact's operation, and provide  
33 effective and withdrawal date provisions and provisions for  
34 amendment by an individual party state.

35 The bill makes conforming changes in the Code chapters

1 dealing with health profession regulation and licensure, the  
2 practice of nursing, and general professional regulation and  
3 licensure.

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rule acts or omissions which constitute negligence, careless acts or omissions within the meaning of section 272C.3, subsection 2, paragraph "b", which licensees are required to report to the board pursuant to section 272C.9, subsection 2;

Sec. 12. Section 272C.5, subsection 2, paragraph c, Code 1999, is amended to read as follows:

c. Shall state whether the procedures are an alternative to or an addition to the procedures stated in sections 147.58 to 147.71, 148.6 to 148.9, 152.10 and 152.11, 153.23 to 153.30, 153.33, and 154A.23, 542B.22, 542C.23, 543B.35, 543B.36, 544B.16.

Sec. 13. Section 272C.6, subsection 4, unnumbered paragraph 1, Code 1999, is amended to read as follows:

In order to assure a free flow of information for accomplishing the purposes of this section, and notwithstanding section 622.10, all complaint files, investigation files, other investigation reports, and other investigative information in the possession of a licensing board or peer review committee acting under the authority of a licensing board or its employees or agents which relates to licensee discipline are privileged and confidential, and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the licensee and the boards, their employees and agents involved in licensee discipline, and are not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline. However, investigative information in the possession of a licensing board or its employees or agents which relates to licensee discipline may be disclosed to appropriate licensing authorities within this state, the appropriate licensing authority in another state, the coordinated licensure information system provided for in the nurse licensure compact contained in section 152E.1, the District of Columbia, or a territory or country in which the licensee is licensed or has

applied for a license. If the investigative information in the possession of a licensing board or its employees or agents indicates a crime has been committed, the information shall be reported to the proper law enforcement agency. However, a final written decision and finding of fact of a licensing board in a disciplinary proceeding, including a decision referred to in section 272C.3, subsection 4, is a public record.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2105, Seventy-eighth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved March 16, 2000

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THOMAS J. VILSACK  
Governor

a. This compact shall enter into force and become effective as to any state when it has been enacted into the laws of that state. Any party state may withdraw from this compact by enacting a statute repealing the same, but such withdrawal shall not take effect until six months after the withdrawing state has given notice of the withdrawal to the executive heads of all other party states.

b. Withdrawal shall not affect the validity or applicability by the licensing boards of states remaining party to the compact of any report of adverse action occurring prior to the withdrawal.

c. This compact shall not be construed to invalidate or prevent any nurse licensure agreement or other cooperative arrangement between a party state and a nonparty state that is made in accordance with the other provisions of this compact.

d. This compact may be amended by the party states. An amendment to this compact shall not become effective and binding upon the party states unless and until it is enacted into the laws of all party states.

ARTICLE XI -- CONSTRUCTION AND SEVERABILITY

a. This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

b. 1. In the event party states find a need for settling disputes arising under this compact, the party states may submit the issues in dispute to an arbitration panel which shall be comprised of an individual appointed by the compact administrator in the home state, an individual appointed by the compact administrator in the remote state or states involved, and an individual mutually agreed upon by the compact administrators of all the party states involved in the dispute.

2. The decision of a majority of the arbitrators shall be final and binding.

Sec. 9. NEW SECTION. 152E.2 COMPACT ADMINISTRATOR.

The executive director of the board of nursing, as provided for in section 152.2, shall serve as the compact administrator identified in article VIII, section a, of the nurse licensure compact contained in section 152E.1.

Sec. 10. Section 272C.3, subsection 2, paragraph a, Code 1999, is amended to read as follows:

a. Revoke a license, or suspend a license either until further order of the board or for a specified period, upon any of the grounds specified in section 147.55, 148.6, 148B.7, 152.10, 153.34, 154A.24, 169.13, 542B.21, 542C.21, 543B.29, 544A.13, 544B.15, or 602.3203 or chapter 151, 155, 507B or 522, as applicable, or upon any other grounds specifically provided for in this chapter for revocation of the license of a licensee subject to the jurisdiction of that board, or upon failure of the licensee to comply with a decision of the board imposing licensee discipline;

Sec. 11. Section 272C.4, subsection 6, Code 1999, is amended to read as follows:

6. Define by rule acts or omissions which are grounds for revocation or suspension of a license under section 147.55, 148.6, 148B.7, 152.10, 153.34, 154A.24, 169.13, 455B.191, 542B.21, 542C.21, 543B.29, 544A.13, 544B.15, or 602.3203 or chapter 151, 155, 507B or 522, as applicable, and to define by

pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses or evidence is located.

c. Issue cease and desist orders or limit or revoke a nurse's authority to practice in the nurse's state.

d. Promulgate uniform rules and regulations as provided for in article VIII, section c.

ARTICLE VII -- COORDINATED LICENSURE INFORMATION SYSTEM

a. All party states shall participate in a cooperative effort to create a coordinated database of all licensed registered nurses and licensed practical or vocational nurses. This system will include information on the licensure and disciplinary history of each nurse, as contributed by party states, to assist in the coordination of nurse licensure and enforcement efforts.

b. Notwithstanding any other provision of law, all party states' licensing boards shall promptly report adverse actions, actions against multistate licensure privileges, any current significant investigative information yet to result in adverse action, denials of applications, and the reasons for such denials, to the coordinated licensure information system.

c. Current significant investigative information shall be transmitted through the coordinated licensure information system only to party state licensing boards.

d. Notwithstanding any other provision of law, all party states' licensing boards contributing information to the coordinated licensure information system may designate information that may not be shared with nonparty states or disclosed to other entities or individuals without the express permission of the contributing state.

e. Any personally identifiable information obtained by a party state's licensing board from the coordinated licensure information system shall not be shared with nonparty states or disclosed to other entities or individuals except to the extent permitted by the laws of the party state contributing the information.

f. Any information contributed to the coordinated licensure information system that is subsequently required to be expunged by the laws of the party state contributing that information shall also be expunged from the coordinated licensure information system.

g. The compact administrators, acting jointly with each other and in consultation with the administrator of the coordinated licensure information system, shall formulate necessary and proper procedures for the identification, collection, and exchange of information under this compact.

ARTICLE VIII -- COMPACT ADMINISTRATION AND INTERCHANGE OF INFORMATION

a. The head of the nurse licensing board, or the head's designee, of each party state shall be the administrator of this compact for the head's state.

b. The compact administrator of each party state shall furnish to the compact administrator of each other party state any information and documents including, but not limited to, a uniform data set of investigations, identifying information, licensure data, and disclosable alternative program participation information to facilitate the administration of this compact.

c. Compact administrators shall have the authority to develop uniform rules to facilitate and coordinate implementation of this compact. These uniform rules shall be adopted by party states, under the authority invested under article VI, section d.

ARTICLE IX -- IMMUNITY

A party state or the officers or employees or agents of a party state's nurse licensing board who acts in accordance with the provisions of this compact shall not be liable on account of any act or omission in good faith while engaged in the performance of their duties under this compact. Good faith in this article shall not include willful misconduct, gross negligence, or recklessness.

ARTICLE X -- ENTRY INTO FORCE, WITHDRAWAL, AND AMENDMENT

2. If a nurse changes primary state of residence by moving from a nonparty state to a party state, and obtains a license from the new home state, the individual state license issued by the nonparty state is not affected and will remain in full force if so provided by the laws of the nonparty state.

3. If a nurse changes primary state of residence by moving from a party state to a nonparty state, the license issued by the prior home state converts to an individual state license, valid only in the former home state, without the multistate licensure privilege to practice in other party states.

ARTICLE V -- ADVERSE ACTIONS

In addition to the general provisions described in article III, the following provisions apply:

a. The licensing board of a remote state shall promptly report to the administrator of the coordinated licensure information system any remote state actions, including the factual and legal basis for such action, if known. The licensing board of a remote state shall also promptly report any significant current investigative information yet to result in a remote state action. The administrator of the coordinated licensure information system shall promptly notify the home state of any such reports.

b. The licensing board of a party state shall have the authority to complete any pending investigations for a nurse who changes primary state of residence during the course of such investigations. It shall also have the authority to take appropriate action and shall promptly report the conclusions of such investigations to the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any such actions.

c. A remote state may take adverse action affecting the multistate licensure privilege to practice within that party state. However, only the home state shall have the power to impose adverse action against the license issued by the home state.

d. For purposes of imposing adverse action, the licensing board of the home state shall give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state. In so doing, it shall apply its own state laws to determine appropriate action.

e. The home state may take adverse action based on the factual findings of the remote state, so long as each state follows its own procedures for imposing such adverse action.

f. Nothing in this compact shall override a party state's decision that participation in an alternative program may be used in lieu of licensure action and that such participation shall remain nonpublic if required by the party state's laws. Party states must require nurses who enter any alternative programs to agree not to practice in any other party state during the term of the alternative program without prior authorization from such other party state.

ARTICLE VI -- ADDITIONAL AUTHORITIES INVESTED IN PARTY STATE NURSE LICENSING BOARDS

Notwithstanding any other powers, party state nurse licensing boards shall have the authority to do all of the following:

a. If otherwise permitted by state law, recover from the affected nurse the costs of investigations and disposition of cases resulting from any adverse action taken against that nurse.

b. Issue subpoenas for both hearings and investigations which require the attendance and testimony of witnesses, and the production of evidence. Subpoenas issued by a nurse licensing board in a party state for the attendance and testimony of witnesses or the production of evidence from another party state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall

nursing, define the scope of nursing practice, and create the methods and grounds for imposing discipline. "State practice laws" does not include the initial qualifications for licensure or requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.

#### ARTICLE III -- GENERAL PROVISIONS AND JURISDICTION

a. A license to practice registered nursing issued by a home state to a resident in that state will be recognized by each party state as authorizing a multistate licensure privilege to practice as a registered nurse in such party state. A license to practice licensed practical or vocational nursing issued by a home state to a resident in that state will be recognized by each party state as authorized a multistate licensure privilege to practice as a licensed practical or vocational nurse in such party state. In order to obtain or retain a license, an applicant must meet the home state's qualifications for licensure and license renewal as well as all other applicable state laws.

b. Party states may, in accordance with state due process laws, limit or revoke the multistate licensure privilege of any nurse to practice in their state and may take any other actions under their applicable state laws necessary to protect the health and safety of their citizens. If a party state takes such action, it shall promptly notify the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the home state of any such actions by remote states.

c. Every nurse practicing in a party state must comply with the state practice laws of the state in which the patient is located at the time care is rendered. In addition, the practice of nursing is not limited to patient care, but shall include all nursing practice as defined by the state practice laws of a party state. The practice of nursing subjects a

nurse to the jurisdiction of the nurse licensing board and the courts, as well as the laws, in that party state.

d. This compact does not affect additional requirements imposed by states for advanced practice registered nursing. However, a multistate licensure privilege to practice registered nursing granted by a party state shall be recognized by other party states as a license to practice registered nursing if one is required by state law as a precondition for qualifying for advanced practice registered nurse authorization.

e. Individuals not residing in a party state shall continue to be able to apply for nurse licensure as provided for under the laws of each party state. However, the license granted to these individuals will not be recognized as granting the privilege to practice nursing in any other party state unless explicitly agreed to by that party state.

#### ARTICLE IV -- APPLICATIONS FOR LICENSURE IN A PARTY STATE

a. Upon application for a license, the licensing board in a party state shall ascertain, through the coordinated licensure information system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any restrictions on the multistate licensure privilege, and whether any other adverse action by any state has been taken against the license.

b. A nurse in a party state shall hold licensure in only one party state at a time, issued by the home state.

c. A nurse who intends to change primary state of residence may apply for licensure in the new home state in advance of such change. However, new licenses will not be issued by a party state until after a nurse provides evidence of change in primary state of residence satisfactory to the new home state's licensing board.

d. 1. If a nurse changes primary state of residence by moving between two party states, and obtains a license from the new home state, the license from the former home state is no longer valid.



ARTICLE II -- DEFINITIONS

As used in this compact:

- a. "Adverse action" means a home or remote state action.
- b. "Alternative program" means a voluntary, nondisciplinary monitoring program approved by a nurse licensing board.
- c. "Coordinated licensure information system" means an integrated process for collecting, storing, and sharing information on nurse licensure and enforcement activities related to nurse licensure laws, which is administered by a nonprofit organization composed of and controlled by state nurse licensing boards.
- d. "Current significant investigative information" means either of the following:
  1. Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the nurse to respond if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.
  2. Investigative information that indicates that the nurse represents an immediate threat to public health and safety regardless of whether the nurse has been notified and had an opportunity to respond.
- e. "Home state" means the party state which is the nurse's primary state of residence.
- f. "Home state action" means any administrative, civil, equitable, or criminal action permitted by the home state's laws which are imposed on a nurse by the home state's licensing board or other authority, including actions against an individual's license such as revocation, suspension, probation, or any other action which affects a nurse's authorization to practice.
- g. "Licensing board" means a party state's regulatory body responsible for issuing nurse licenses.

- h. "Multistate licensure privilege" means current, official authority from a remote state permitting the practice of nursing as either a registered nurse or a licensed practical or vocational nurse in such party state. All party states have the authority, in accordance with existing state due process law, to take actions against the nurse's privilege such as revocation, suspension, probation, or any other action which affects a nurse's authorization to practice.
  - i. "Nurse" means a registered nurse or licensed practical or vocational nurse, as those terms are defined by each party's state practice laws.
  - j. "Party state" means any state that has adopted this compact.
  - k. "Remote state" means a party state, other than the home state, where either of the following applies:
    1. Where the patient is located at the time nursing care is provided.
    2. In the case of the practice of nursing not involving a patient, in such party state where the recipient of nursing practice is located.
  - l. "Remote state action" means either of the following:
    1. Any administrative, civil, equitable, or criminal action permitted by a remote state's laws which are imposed on a nurse by the remote state's licensing board or other authority, including actions against an individual's multistate licensure privilege to practice in the remote state.
    2. Cease and desist and other injunctive or equitable orders issued by remote states or the licensing boards' remote states.
  - m. "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.
  - n. "State practice laws" means those individual party's state laws and regulations that govern the practice of

conditions specified which indicate that the licensee meets all the qualifications required under section 152.7. If a foreign license is recognized, the board may issue a license by endorsement without an examination being required. Recognition shall be based on whether the foreign licensee is qualified to practice nursing. The board may issue a temporary license to a natural person who has completed the requirements of and applied for licensure by endorsement. The board shall determine the length of time a temporary license shall remain effective.

2. A license possessed by an applicant and issued by a state which has adopted the nurse licensure compact contained in section 152E.1 shall be recognized pursuant to the provisions of that section.

Sec. 7. Section 152.10, subsection 2, paragraph d, Code 1999, is amended to read as follows:

d. (1) Having a license to practice nursing as a registered nurse or licensed practical nurse revoked or suspended, or having other disciplinary action taken by a licensing authority of another state, territory, or country. A certified copy of the record or order of suspension, revocation, or disciplinary action is prima facie evidence of such fact.

(2) Having a license to practice nursing as a registered nurse or licensed practical nurse revoked or suspended, or having other disciplinary action taken, by a licensing authority in another state which has adopted the nurse licensure compact contained in section 152E.1 and which has communicated information relating to such action pursuant to the coordinated licensure information system established by the compact. If the action taken by the licensing authority occurs in a jurisdiction which does not afford the procedural protections of chapter 17A, the licensee may object to the communicated information and shall be afforded the procedural protections of chapter 17A.

Sec. 8. NEW SECTION. 152E.1 FORM OF COMPACT.

The nurse licensure compact is entered into and enacted into law with all jurisdictions legally joining therein, in the form substantially as follows:

ARTICLE I -- FINDINGS AND PURPOSE

a. The party states find all of the following:

1. The health and safety of the public are affected by the degree of compliance with and the effectiveness of enforcement activities related to state nurse licensure laws.

2. Violations of nurse licensure and other laws regulating the practice of nursing may result in injury or harm to the public.

3. The expanded mobility of nurses and the use of advanced communication technologies as part of our nation's health care delivery system require greater coordination and cooperation among states in the areas of nurse licensure and regulation.

4. New practice modalities and technology make compliance with individual state nurse licensure laws difficult and complex.

5. The current system of duplicative licensure for nurses practicing in multiple states is cumbersome and redundant to both nurses and states.

b. The general purposes of this compact are to:

1. Facilitate the states' responsibility to protect the public's health and safety.

2. Ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation.

3. Facilitate the exchange of information between party states in the areas of nurse regulation, investigation, and adverse actions.

4. Promote compliance with the laws governing the practice of nursing in each jurisdiction.

5. Invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses.

HOUSE FILE 2105

AN ACT  
ADOPTING THE NURSE LICENSURE COMPACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 147.2, Code 1999, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of this section, a person who is licensed in another state and recognized for licensure in this state pursuant to the nurse licensure compact contained in section 152E.1 shall be considered to have obtained a license to practice nursing from the department.

Sec. 2. Section 147.5, Code 1999, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. This section shall not apply to a person who is licensed in another state and recognized for licensure in this state pursuant to the nurse licensure compact contained in section 152E.1.

Sec. 3. Section 147.7, Code 1999, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. This section shall not apply to a person who is licensed in another state and recognized for licensure in this state pursuant to the nurse licensure compact contained in section 152E.1. A person licensed in another state and recognized for licensure in this state pursuant to the compact shall, however, maintain a copy of a license issued by the person's home state available for inspection when engaged in the practice of nursing in this state.

Sec. 4. Section 152.6, Code 1999, is amended to read as follows:

152.6 LICENSES -- PROFESSIONAL ABBREVIATIONS.

The board may license a natural person to practice as a registered nurse or as a licensed practical nurse. However, only a person currently licensed as a registered nurse in this state may use that title and the abbreviation "RN" after the person's name and only a person currently licensed as a licensed practical nurse in this state may use that title and the abbreviation "LPN" after the person's name. For purposes of this section, "currently licensed" includes persons licensed in another state and recognized for licensure in this state pursuant to the nurse licensure compact contained in section 152E.1.

Sec. 5. Section 152.7, Code 1999, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of licensure pursuant to the nurse licensure compact contained in section 152E.1, the compact administrator may refuse to accept a change in the qualifications for licensure as a registered nurse or as a licensed practical or vocational nurse by a licensing authority in another state which is a party to the compact which substantially modifies that state's qualifications for licensure in effect on July 1, 2000. A refusal to accept a change in a party state's qualifications for licensure may result in submitting the issue to an arbitration panel or in withdrawal from the compact, in the discretion of the compact administrator.

Sec. 6. Section 152.8, Code 1999, is amended by striking the section and inserting in lieu thereof the following:

152.8 RECIPROCITY.

Notwithstanding the provisions of sections 147.44 through 147.54, the following shall apply regarding applicants for nurse licensure possessing a license from another state:

1. A license possessed by an applicant from a state which has not adopted the nurse licensure compact contained in section 152E.1 shall be recognized by the board under