

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 610
Department or Agency: Alabama Board of Nursing
Rule No.: 610-X-4-.07
Rule Title: Licensure By Endorsement
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Handwritten signature and date 7/20/2023

REC'D & FILED

Date

JUL 20 2023

LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF NURSING

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 610-X-4-.07 Licensure By Endorsement

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:
Amend

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

The Board proposes to amend the rule to reduce the fee for a temporary permit to practice nursing by 50% and consolidate the temporary permit fee within the licensure application fee. Upon implementation, the Board will issue temporary permits to all first-time applicants. As a reduction in regulatory burden and an effort to expand access to care for Alabamians and promote the public health, the proposal is excepted from the provisions of Executive Order 735.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, September 4, 2023

CONTACT PERSON AT AGENCY:

Peggy Sellers Benson



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Licensure By Endorsement.

(1) The applicant for licensure by endorsement shall:

(a) Have been duly licensed as a registered nurse or licensed practical/vocational nurse under the laws of another state or territory and shall meet the requirements for the licensure examination.

1. The Board may deny consideration of an applicant who has a revoked license in another jurisdiction.

2. The Board may deny consideration of an applicant who has a suspended license in another jurisdiction.

(b) Provide for official verification of licensure from original state of licensure or from a board recognized primary source.

(c) Submit primary source evidence of completion of a nursing education program that included theoretical and clinical experience appropriate to the type of program. If the nursing education program did not include clinical experience, the applicant's continuing education and work experience in nursing may be considered at the discretion of the Board.

(d) Submit evidence of completion of twenty-four contact hours of approved continuing education. The Board shall not consider continuing education credits that were earned more than twenty-four months prior to application. Contact hours earned for initial licensure by endorsement may not be used toward the continuing education requirement for the next license renewal period.

(e) Submit a complete electronic application and required fees.

(f) Initial applicants for licensure by endorsement shall be referred to a local approved agency where fingerprint or other biometric-based information is collected for state and federal criminal background checks. The state and federal results are transmitted to the Board. The Board will participate in the Federal Bureau of Investigation Rap Back system, or an entity performing a similar function if available.

(2) The following a determination by Board staff that the first-time applicant for licensure by endorsement is eligible, the Board shall issue first-time applicant for single state licensure by endorsement

~~may request~~ a nonrenewable temporary permit to practice nursing. Temporary permits shall be valid in Alabama only.

(a) If the applicant has an active license issued by another state or territory, a notarized copy of the license or of primary source verification of the license is acceptable as initial proof of licensure to obtain a temporary permit.

(b) If the applicant was previously duly licensed by another state or a territory but at the time of application for licensure by endorsement into Alabama has a lapsed license, a temporary permit may not be issued.

(3) A licensed nurse licensed by endorsement during the continuing education earning period shall:

(a) Accrue for the first license renewal one contact hour for each calendar month remaining in the license period.

(b) Meet requirements for continuing education in accordance with other stipulations for license renewal set forth in these rules.

(4) If the applicant for licensure by endorsement is issued a license during the renewal period for that license type, the license shall expire at the end of the next license period.

(5) The applicant for multistate licensure shall provide evidence of legal residence in Alabama. This evidence may include, but is not limited to, a current:

(a) driver's license with a home address;

(b) voter registration card with a home address;

(c) federal income tax return with a primary state of residence declaration;

(d) military form no. 2058 (state of legal residence certificate); or

(e) W2 form from the United States government or any bureau, division, or agency thereof, indicating residence.

(6) A multistate licensed nurse who is changing primary state of residence to Alabama may continue to practice under the former home state's multistate license until he or she is issued an Alabama single state or multistate license.

Author: Alabama Board of Nursing

Statutory Authority: Code of Ala. 1975, §§34-21-21, 34-21-22.

History: **New Rule:** Filed May 29, 2001; effective July 3, 2001. **Repealed and New Rule:** Filed September 29, 2004; effective November 1, 2004. **Amended:** Filed November 26, 2007; effective December 31, 2007. **Amended:** Filed June 19, 2009; effective July 24, 2009. **Amended:** Filed November 19, 2010; effective December 24, 2010. **Amended:** Filed April 22, 2016; effective June 6, 2016. **Amended:** Filed November 21, 2016; effective January 5, 2017. **Amended:** Filed March 20, 2018; effective May 4, 2018. **Amended:** Filed July 20, 2018; effective September 3, 2018. **Amended:** Filed July 25, 2019; effective September 9, 2019; operative January 1, 2020.

~~**Ed. Note:** Rule 610 X 4 .06 was renumbered to 610 X 4 .07 and original Rule 610 X 4 .07, Temporary Permits, was repealed as per certification filed November 26, 2007; effective December 31, 2007.~~