

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 610
Department or Agency: Alabama Board of Nursing
Rule No.: 610-X-4-.03
Rule Title: Licensure By Examination
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

Peggy Benson

Peggy Benson, AL

Date

Friday, November 15, 2024

REC'D & FILED

NOV 15, 2024

LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF NURSING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Nursing

RULE NO. & TITLE: 610-X-4-.03 Licensure By Examination

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board of Nursing proposes amending the subject rule to facilitate data sharing with other State entities for the purpose of optimizing the data's value in workforce development initiatives.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written or verbal comments will be accepted through 4:30 p.m. on Thursday, January 2, 2025, and may be directed to Peggy.Benson@abn.alabama.gov or (334) 293-5200.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 2, 2025

CONTACT PERSON AT AGENCY:

Peggy Sellers Benson

Peggy Benson

Peggy Benson, AL

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

610-X-4-.03

Licensure By Examination.

(1) The Board shall determine the official examination for licensure.

(2) Each individual seeking entry into practice as a licensed nurse in Alabama shall give official evidence of having met a passing standard on the Board-designated official licensing examination.

(3) Applicants for Alabama multistate licensure shall declare Alabama the home state of residence. Each such applicant must provide evidence of residence in Alabama.

(4) Examination performance for each applicant shall be measured as provided by the Board-approved testing service. In the event that examination data are lost or destroyed through circumstances beyond the control of the Board, the applicant shall be required to retake the examination in order to meet requirements for licensure.

(5) A Pass-Fail designation shall be recorded as the official result. An applicant who fails the licensing examination shall not be licensed and is not authorized to practice nursing in Alabama.

(6) Official results shall be released by the Board to the applicant and the program from which the applicant graduated. Results may be released electronically or by mail at the Board's discretion. The Board may also, at its discretion, enter into data sharing agreements with other entities of the State of Alabama. The Board shall not otherwise release individual examination results without written authorization from the applicant or licensee.

(7) An applicant who fails the licensing examination in another jurisdiction or territory shall not be eligible for licensure by examination in Alabama until eligibility has been established by the original jurisdiction or territory.

Author: Alabama Board of Nursing

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

History: Filed September 29, 1982. **Amended:** Filed February 17, 1984; effective March 24, 1984. **Amended:** Filed February 1, 1994; effective March 8, 1994. **Repealed and 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 November 21, 2016; effective January 5, 2017. **Amended:** Filed July 25, 2019; effective September 9, 2019; operative January 1, 2020. **Amended:** Published ; effective .