

Document: Proposed Rule, **Register Page Number:** 26 IR 2124

Source: March 1, 2003, Indiana Register, Volume 26, Number 6

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**TITLE 848 INDIANA STATE BOARD
OF NURSING**

Proposed Rule
LSA Document #02-247

DIGEST

Amends 848 IAC 1-1-2.1 concerning definitions. Amends 848 IAC 1-1-6 and 848 IAC 1-1-7 concerning requirements for licensure to practice nursing by examination or endorsement. Effective July 1, 2003.

848 IAC 1-1-2.1

848 IAC 1-1-6

848 IAC 1-1-7

SECTION 1. 848 IAC 1-1-2.1, AS READOPTED AT 25 IR 939, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

848 IAC 1-1-2.1 Definitions

Authority: IC 25-23-1-7

Affected: IC 25-23-1-1

Sec. 2.1. The following definitions apply throughout this article:

- (1) "Approved" or "accredited", terms used interchangeably, means those programs that have met requirements of the board. The term also includes approval granted by voluntary, regional, and other state agencies.
- (2) "Associate degree program" means a program leading to an associate degree in nursing, conducted by an educational unit in nursing, within the structure of a college or university.
- (3) "Audit" means attending a class or course without receiving credit.
- (4) "Baccalaureate degree program" means a program leading to a baccalaureate degree in nursing, conducted by an educational unit in nursing within the structure of a senior college or university.
- (5) "Board" means the Indiana state board of nursing.
- (6) "Clinical laboratory experience" means the learning experiences provided in facilities appropriate to the curriculum objectives.
- (7) "Clinical preceptor" means an individual employed by the cooperating agency who also has the responsibility to supervise a student in the clinical facility.
- (8) "Controlling organization" means the agency which assumes the responsibility for overall administration of the program.
- (9) "Cooperating agency" means an institution which cooperates with the nursing program to provide facilities for the clinical laboratory experiences of students.
- (10) "Curriculum" means the whole body of courses offered in the nursing program.
- (11) "Diploma program" means a program leading to a diploma in nursing, conducted by a school under the control of a hospital.
- (12) "Director" means the registered nurse who is delegated responsibility for the implementation and administration of the nursing program regardless of the official title in any specific institution.
- (13) "Enroll" means attending a class or course for the purpose of receiving credit.
- (14) "Faculty" means individuals employed to administer and to teach in the educational program.
- (15) "Failure rate" is calculated on the number of first time candidates who fail to be licensed and is computed annually from April 1 through March 31.
- (16) "May" indicates discretionary use.
- (17) "Practical nursing program" means a program leading to a diploma or certificate in practical nursing, conducted by an educational institution or hospital.
- (18) "Primary state of residence" means the state of an individual's declared fixed permanent and principal home for legal purposes; domicile.

~~(18)~~ (19) "Program" means the curriculum and all the supporting activities organized independently, under an educational institution or hospital, to prepare students for nursing licensure and the practice of nursing.

~~(19)~~ (20) "Rate of successful completion" means the annual number of first time candidates who successfully complete the National Council Licensure examination and is computed annually from April 1 through March 31.

~~(20)~~ (21) "Rule" or "requirement" means a mandatory standard which a program shall meet in order to be accredited.

~~(21)~~ (22) "Shall" indicates a mandatory rule, regulation, or requirement.

~~(22)~~ (23) "Should" indicates a recommendation.

~~(23)~~ (24) "Survey visit" means an on-site visit of a nursing program, including clinical facilities by a designated representative of the board for the purpose of evaluating the program of learning.

(Indiana State Board of Nursing; 848 IAC 1-1-2.1; filed Jul 30, 1998, 4:59 p.m.: 21 IR 4525; readopted filed Nov 6, 2001, 4:18 p.m.: 25 IR 939)

SECTION 2. 848 IAC 1-1-6, AS READOPTED AT 25 IR 1326, SECTION 2, IS AMENDED TO READ AS FOLLOWS:

848 IAC 1-1-6 Licensure by examination

Authority: IC 25-23-1-7

Affected: IC 25-23-1-11; IC 25-23-1-12

Sec. 6. (a) Any person who makes application to the board for a license shall submit to the board written evidence, verified by oath, that the registered nurse applicant meets IC 25-23-1-11 and the licensed practical nurse applicant meets IC 25-23-1-12.

(b) A copy of a marriage certificate or court order shall be submitted by a candidate who wishes to change her **or** his name after the application is filed.

(c) Candidates shall present the authorization to test and a photo identification for entrance to the testing center.

(d) The required Indiana passing criteria for the licensure examination is set by the National Council of State Boards of Nursing using the computerized adaptive testing methodology.

(e) An applicant may take the examination at any testing center in the United States approved by the National Council for State Boards of Nursing. An authorization to test must be provided by the Indiana board prior to testing.

(f) Graduates of foreign schools of nursing shall meet the following qualifications before being licensed in Indiana:

(1) Be licensed in the territory or country in which they graduated.

(2) Meet the qualifications required in Indiana as determined by the board.

(3) Obtain the official records from the territory or country in which the applicant graduated verifying academic qualifications, or be referred to state accredited nursing programs to establish the necessary credits if the original records are unobtainable.

(4) Show evidence of having passed the examination prepared by the commission on graduates of foreign nursing schools.

(5) Pass the appropriate nurse licensing examination in Indiana.

(g) Requirements for unsuccessful candidates are as follows:

(1) Any candidate who fails the Indiana licensing examination shall not be licensed until she or he has passed the licensing examination.

(2) A complete application shall be submitted each time an examination is taken.

(3) The full examination fee shall be charged for each reexamination.

(4) A candidate who has failed the licensing examination (in any jurisdiction) should undertake a special study program before retaking the examination. This study program may include one (1) or all of the following:

(A) Auditing nursing courses at an approved program in nursing.

(B) Self-study program, such as review of course work or professional reading.

(C) Tutoring.

(D) Reenrollment in a state-accredited program of nursing.

(h) Written informed consent from the candidate is necessary before individual licensing examination scores are released to anyone other than the candidate.

(i) Candidates applying for the licensing examination shall be required to meet the board's curricular requirements for the program in nursing as stated in the rules in effect at the time of their graduation.

(j) An applicant shall produce evidence of the applicant's primary state of residence. Such evidence shall include a declaration signed by the applicant and the following:

(1) Either of the following requirements of evidence must be provided:

(A) Current driver's license with the applicant's home address.

(B) Other state or federal issued identification card that includes the applicant's home address.

(2) At least one (1) of the following documents must be provided:

(A) Voter registration card displaying a home address.

(B) A federal income tax return declaring the primary state of residence.

(C) Such other evidence of residence as deemed acceptable by the board.

(Indiana State Board of Nursing; Reg 6; filed Mar 1, 1978, 8:51 a.m.: Rules and Regs. 1979, p. 162; filed Mar 18, 1980, 4:00 p.m.: 3 IR 961; filed Feb 18, 1982, 2:18 p.m.: 5 IR 735; filed Mar 29, 1985, 10:43 a.m.: 8 IR 1026; filed Sep 12, 1985, 3:27 p.m.: 9 IR 287; readopted filed Nov 21, 2001, 10:23 a.m.: 25 IR 1326)

SECTION 3. 848 IAC 1-1-7, AS READOPTED AT 25 IR 1327, SECTION 3, IS AMENDED TO READ AS FOLLOWS:

848 IAC 1-1-7 Licensure by endorsement

Authority: IC 25-23-1-7

Affected: IC 25-23-1-11; IC 25-23-1-12

Sec. 7. (a) An applicant who was originally licensed by the National Council Licensing Examination (NCLEX®) or an equivalent examination in another jurisdiction will be accepted for registration in Indiana by endorsement from the board that granted the original license if the applicant meets the following qualifications:

(1) Is of good moral character.

(2) Has graduated from high school or the equivalent thereof.

(3) Has graduated from a state approved program in nursing.

(b) Applicants who are graduates of foreign schools of nursing are eligible for Indiana licensure by endorsement providing the following conditions are met:

(1) Have written and passed the National Council Licensing Examination (NCLEX®) or an equivalent examination in another jurisdiction or country.

(2) Have achieved Indiana's passing scores in all areas.

(3) Submit copies of all scholastic records.

(4) Submit proof of good moral character.

(5) Submit proof of high school graduation or equivalent thereof.

(6) Submit proof of having graduated from a program in nursing with concurrent theory and clinical experience in all areas.

(c) The completed application accompanied by the fee, photograph, and proof of current licensure in another jurisdiction shall be submitted to the Indiana board of nursing. The fee is nonrefundable.

(d) An applicant shall produce evidence of the applicant's primary state of residence. Such evidence shall include a declaration signed by the applicant and the following:

(1) Either of the following requirements of evidence must be provided:

(A) Current driver's license with the applicant's home address.

(B) Other state or federal issued identification card that includes the applicant's home address.

(2) At least one (1) of the following documents must be provided:

(A) Voter registration card displaying a home address.

(B) A federal income tax return declaring the primary state of residence.

(C) Such other evidence of residence as deemed acceptable by the board.

(Indiana State Board of Nursing; Reg 7; filed Mar 1, 1978, 8:51 a.m.: Rules and Regs. 1979, p. 165; filed Mar 18, 1980, 4:00 p.m.: 3 IR 963; filed Mar 29, 1985, 10:43 a.m.: 8 IR 1028; readopted filed Nov 21, 2001, 10:23 a.m.: 25 IR 1327)

SECTION 4. SECTIONS 1 through 3 of this document take effect July 1, 2003.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on April 17, 2003 at 9:15 a.m., at the Indiana Government Center-South, 302 West Washington Street, Auditorium, Indianapolis, Indiana the Indiana State Board of Nursing will hold a public hearing on proposed amendments concerning definitions and requirements for licensure to practice nursing by examination or endorsement. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes
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Health Professions Bureau