

TITLE 140: COMMONWEALTH HEALTHCARE CORPORATION

SUBCHAPTER 140-60.2

COMMONWEALTH BOARD OF NURSE EXAMINERS RULES AND REGULATIONS

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Subchapter Authority: 3 CMC § 2315(a) (2004) (repealed by PL 14-64 (effective Mar. 31, 2005)).

Subchapter History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989); Amdts Adopted 10 Com. Reg. 5712 (Oct. 15, 1988); Amdts Proposed 10 Com. Reg. 5695 (Sept. 15, 1988); Amdts Adopted 9 Com. Reg. 4974 (May 15, 1987); Amdts Proposed 9 Com. Reg. 4914 (Mar. 16, 1987); Amdts Adopted 7 Com. Reg. 3973 (Sept. 16, 1985); Amdts Proposed 7 Com. Reg. 3955 (Aug. 15, 1985); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: PL 1-8, tit. 1, ch. 12, codified as amended at 1 CMC §§ 2601-2633, created the Department of Public Health and Environmental Services within the Commonwealth government. See 1 CMC § 2601.

PL 3-29 (effective Nov. 26, 1982), the “Nurse Practice Act of 1982,” formerly codified at 1 CMC § 2643 and 3 CMC §§ 2301-2372, created a Board of Nurse Examiners within the Department of Public Health and Environmental Services. Prior to March 31, 2005, former 3 CMC § 2315(a) empowered the Board to adopt rules and regulations consistent with the act and necessary to carry out its provisions.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles, and effected numerous other revisions. According to Executive Order 94-3 § 105:

Section 105. Department of Public Health.

The Department of Public Health and Environmental Services is re-designated the Department of Public Health.

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

PL 14-62 (effective Mar. 31, 2005), the “Nurse Practice Act of 2003,” repealed 1 CMC § 2643 and 3 CMC §§ 2301-2372 in their entirety and enacted new statutory provisions governing the nursing profession. PL 14-62 is codified at 3 CMC §§ 2301-2319.

3 CMC § 2305 establishes a Commonwealth Board of Nurse Examiners within the Department of Public Health, responsible for enforcing the act. 3 CMC § 2306 authorizes the Board to adopt, amend, repeal, and enforce administrative rules as necessary to administer and enforce the act and protect the public health. Numerous provisions of the regulations codified in this chapter are affected by the 2005 revision of the Nurse Practice Act.

Public Law 16-51 (effective Jan. 15, 2010), the “Commonwealth Healthcare Corporation Act of 2008,” codified at 3 CMC § 2801 et seq., established the Commonwealth Healthcare Corporation, which assumed the duties of the Department of Public Health as of January 15, 2011.

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Public Law 18-25, effective October 18, 2013, amended 3 CMC §§ 2305 and 2318, renaming the Commonwealth Board of Nurse Examiners to the Northern Mariana Islands Board of Nursing, changing the composition of the Board, and amending provisions regarding licensing fees. To the extent these regulations conflict with PL 18-25, they are superseded.

Part 001 - General Provisions

[Reserved.]

Part 100 - Requirements for Licensure as a Registered Professional Nurse, Hereinafter Referred to as “Registered Nurse”

§ 140-60.2-101 Definitions

As used in the regulations in this chapter, the following terms shall be defined as set forth in Public Law 3-29 [3 CMC §§ 2301-2372]:

- (a) Board
- (b) Continuing education
- (c) Practical nurse
- (d) Practical nursing
- (e) Practice of midwifery
- (f) Professional nursing
- (g) Registered nurse
- (h) Standardized procedures.

Modified, 1 CMC § 3806(d), (g).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: In subsection (h), the Commission inserted the final period. The Commission also created the section title.

§ 140-60.2-105 Licensure by Examination Procedure

- (a) Qualifications of applicants.
 - (1) Completion of high school or the equivalent, as approved by the Board, and
 - (2) Graduation from a recognized nursing program approved by the Board of Nurse Examiners. Instruction must include a minimum of four weeks of supervised training in each of

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the following areas of nursing: medical, surgical, obstetric, pediatric, and psychiatric.

(b) Application procedure for initial examination and re-examination.

(1) Submission of an application form provided by the Board of Nurse Examiners. Application must be notarized and be received by the Board of Nurse Examiners not less than 60 days before the scheduled date of the examination.

(2) The application form shall be accompanied by:

(i) High school transcript or the equivalent.

(ii) Two copies of a recent passport type photograph, 2 x 2 inches, in color, with signature and date on back.

(iii) Transcript forwarded directly from School of Nursing. In case of recent graduates, transcript may be forwarded after application deadline, but license will not be released until transcript has been received and examined.

(iv) Certificate of completion, on form provided by the Board of Nurse Examiners, from school of nursing for recent graduates whose transcript is not immediately available. Certificate of completion shall be forwarded directly from the school of nursing.

(v) Cashier's check or money order payable to CNMI Treasury for required fee. Fee is not refundable.

(3) Application is considered abandoned if the applicant has not taken the examination within two years from the date the application was filed. Applicant must re-submit another application with fees for the date of examination.

(c) Examination and re-examination procedure.

(1) An applicant whose admission to the examination has been approved will receive, by mail, an admission card at least seven days prior to the date of the examination. The admission card must be presented at the time of the examination.

(2) Beginning with July 1984, the current series of the National Council Licensure Examination for Registered Nurses (NCLEX-RN) shall be the official examination for registered nurse licensure. The NCLEX-RN exam will consist of four two-hour tests with a minimum standard score of 1600 (passed) for the total examination. Examinations will be conducted once or twice a year, in February and/or July, at the discretion of the Board.

(3) The Board of Nurse Examiners reserves the right to refuse an applicant admission to the examination if:

(i) The applicant has not submitted the required documents.

(ii) The application is received by the Board after the established deadline date.

(iii) The admission card is not presented at the time of the examination.

(iv) The applicant arrives at the examination site after the announced hour the examination is to begin.

(4) The Board of Nurse Examiners will respect the laws and regulations of another state or territory of the United States. However, an applicant who has taken the licensing examination in another state and has not passed that examination will be evaluated by the Board to determine eligibility for licensure according to Commonwealth laws.

(d) Failure and re-examination.

(1) An applicant may retake the licensing examination until he/she passes.

(2) If the applicant fails the examination three times, the Board of Nurse Examiners will

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review the applicant's record and make specific recommendations for additional preparation.

- (3) Re-examination must include all of the tests of the total examination.
- (e) Duplicate or lost license.
 - (1) Original registration will not be replaced.
 - (2) A renewal certificate shall suffice as proof of licensure.

Modified, 1 CMC § 3806(e), (f), (g).

History: Amdts Adopted 10 Com. Reg. 5712 (Oct. 15, 1988); Amdts Proposed 10 Com. Reg. 5695 (Sept. 15, 1988); Amdts Adopted 9 Com. Reg. 4974 (May 15, 1987); Amdts Proposed 9 Com. Reg. 4914 (Mar. 16, 1987); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The 1987 amendments amended subsection (b)(1). The 1988 amendments amended subsections (c)(2), (d)(1) and (d)(2).

In subsection (a)(2), the Commission corrected the spelling of "obstetric."

§ 140-60.2-110 Licensure by Endorsement of Licenses Issued by Any of the United States

- (a) Qualification of applicants.
 - (1) Completion of high school or the equivalent, as approved by the Board of Nurse Examiners, and
 - (2) Graduation from an approved school of nursing, as for candidates licensed solely by examination, and
 - (3) Passage of a licensing examination, with a current license to practice issued by another state or territory of the United States, or from another country at the discretion of the Board, and
 - (4) An inactive status license will be accepted, but the candidate must meet the same requirements for activation of license as all other inactive, status candidates.
- (b) Application procedure.
 - (1) Application procedures are the same for application for licensure by examination as set forth in § 140-60.2-105, with the exception of subsection (c).
 - (2) Endorsement fee is not refundable.
 - (3) Applicant must submit a verification of license by examination, in English, from the state or territory, or another country where licensed. Any fees required for verification shall be paid by the applicant.
 - (4) After application has been submitted and license has been examined, the applicant will be issued a temporary license pending receipt of all required documentation, as set forth in § 140-60.2-125.
- (c) After all documentation has been received and examined, a permanent license to practice as a registered nurse will be issued.

Modified, 1 CMC § 3806(c), (f).

History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560

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(Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989); Amdts Adopted 9 Com. Reg. 4974 (May 15, 1987); Amdts Proposed 9 Com. Reg. 4914 (Mar. 16, 1987); Amdts Adopted 7 Com. Reg. 3973 (Sept. 16, 1985); Amdts Proposed 7 Com. Reg. 3955 (Aug. 15, 1985); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The 1985 amendments amended subsections (a)(3) and (b)(3). The 1987 amendments amended subsection (b)(1). The 1989 amendments changed the title of this section.

§ 140-60.2-115 Licensure by Endorsement of Licenses Issued by a Foreign Country

(a) Qualifications of applicants.

(1) Completion of high school or the equivalent, as approved by the Board of Nurse Examiners; and

(2) Graduation from a nursing program approved by the Board of Nurse Examiners. Instruction must include, a minimum of four weeks in each of the following areas of nursing: medical, surgical, obstetrical, pediatric, and psychiatric nursing. Clinical experience must include a minimum of four weeks in each of the above areas; and

(3) Passage of a licensing examination, with a current, unrestricted and active license to practice issued by another country at the discretion of the Board. Applicants who have taken the National Council Licensure Examination (NCLEX) or State Board Test Pool Examination (SBTP) and failed will not be eligible for licensure by endorsement; and

(4) Licensure by endorsement of foreign licenses shall be limited to individuals who are CNMI residents, CNMI permanent residents as that term was used in CNMI Public Law No. 5-11, United States citizens, aliens lawfully residing in the CNMI, or individuals who have entered into a valid and lawful employment contract to work in the CNMI; and

(5) An applicant must have been actively engaged in the practice of nursing for nine of the twelve months immediately preceding the date of application for licensure by endorsement; and

(6) If an individual has been granted a license by endorsement and subsequently takes the National Council Licensure Examination (NCLEX) or State Board Test Pool Examination (SBTP) and fails such examination, the license by endorsement shall be subject to immediate revocation.

(b) Application procedure.

(1) Submission of an application form provided by the Board of Nurse Examiners. The application must be notarized.

(2) The application form shall be accompanied by:

(i) One copy of a recent passport type photograph, 2 x 2 inches, in color, with signature and date on the back;

(ii) Certified birth certification from official agency of country of birth;

(iii) Certified transcript forwarded directly by school of nursing;

(iv) Verification of licensure shall be forwarded directly by foreign licensing agency in country of origin;

(v) Letter from the applicant's employer or employers verifying applicant's employment for nine of the preceding twelve months;

(vi) A summary of all disciplinary action taken by the board or organization that issued the applicant's current license; and

(vii) Cashier's check or money order for required fee. The application fee is nonrefundable.

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(c) License and temporary license.

(1) Upon examination of initial documentation, including a copy of the birth certificate and license from country of origin, applicant may be issued a temporary license. (See § 140-60.2-125 on temporary license).

(2) The Board reserves the right to refuse to issue a temporary license until all documentation has been received and verified.

(3) If the applicant fails to complete the application process, or the Board determines that the applicant is ineligible for licensure by endorsement, the Board shall immediately terminate the temporary license and the temporary license shall be deemed null and void upon the Board's notice of termination. The applicant shall immediately return the license to the Board's office for disposal. No further temporary license shall be issued.

Modified, 1 CMC § 3806(c), (f).

History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989).

Commission Comment: The 1989 amendments added this new section and re-designated the remaining sections in this part accordingly.

§ 140-60.2-120 Licensure of Foreign Graduates

(a) Qualifications of applicants.

(1) Satisfactory completion of a basic nursing education program approved by official agencies in the country of original licensure.

(2) Licensure by examination in a province or country other than the United States.

(i) License must be current and valid.

(ii) License must not have been suspended, revoked or been the subject of probation.

(b) Application procedure.

(1) Completion of application form provided by the Board of Nurse Examiners.

(2) Application form shall be accompanied by:

(i) High school transcript or the equivalent.

(ii) Two copies of a recent passport type photograph, 2 x 2 inches, in color, with signature and date on back.

(iii) Certified birth certificate from official agency of country of birth.

(iv) Certified transcript forwarded directly by school of nursing.

(v) Verification of licensure shall be forwarded directly by foreign licensing agency in country of origin.

(vi) Cashier's check or money order for required fee. Fee is not refundable.

(3) Application form shall be notarized.

(c) License and temporary license.

(1) Upon examination of initial documentation, including copy of birth certificate and license from country of origin, applicant may be issued a temporary license. (See § 140-60-125 on temporary licensure).

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- (2) The Board reserves the right to refuse to issue a temporary license until all documentation has been received and verified.
- (3) After all documentation has been received and verified, the applicant will be issued an admission card for the next available licensing examination. The examination shall be the same as the examination required of Commonwealth citizens.
- (4) Licensure by examination for foreign graduates shall be guided by the same policies as for Commonwealth citizens.
- (5) If the applicant fails the licensing examination, the temporary license shall be deemed null and void and immediately returned to the Board's office for disposal. No further temporary license shall be issued.

Modified, 1 CMC § 3806(c), (f).

History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-125 Temporary Licensure

- (a) The purpose of a temporary license is to permit an applicant who has already been licensed in another jurisdiction to practice nursing pending completion of requirements for licensure as a registered nurse in the Commonwealth.
- (b) A temporary license shall be valid for 90 days from the date of issuance or until a permanent license is issued, whichever comes first.
- (c) A temporary license limits the applicant to the practice of nursing under nursing supervision in a hospital or health agency which has an organized nursing service.
- (d) The temporary license must be surrendered to the Board of Nurse Examiners upon demand by the Board for any reason.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-130 Renewal of License

- (a) The license for a registered nurse is valid for two years from the date of issuance, and shall expire on June 30th of the year of expiration.
- (b) An application for renewal of license shall be mailed to each currently licensed registered nurse not less than 90 days prior to the expiration date. The Board of Nurse Examiners is responsible for mailing only to the last address provided by the applicant.
- (c) The completed renewal application shall be returned to the Board of Nurse Examiners not

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later than 60 days prior to the license expiration date.

(d) Renewal application shall be accompanied by proof of completion of not less than 30 hours of approved continuing education for the two years immediately preceding the expiration date of the current license.

(e) The application for renewal shall be accompanied by a money order, check or cashier's check for the renewal fee. The fee is non-refundable.

(f)(1) After verification of renewal application information, the Board shall issue a license for a two year period; provided however that a license issued by endorsement of license issued by a foreign country shall be limited to two years from the date of issuance, and shall expire on June 30th of the year of expiration. A license issued by endorsing a license issued by a foreign country may be renewed for one additional two year period, at the discretion of the Board of Nurse Examiners, on the following terms and conditions in addition to those stated above:

(2) The renewal application shall be accompanied by a performance evaluation satisfactory to the Board which evaluates the applicant's performance as a nurse, and is prepared by one of the applicant's clinical coordinators, or one of the coordinators of the unit where the applicant worked, or the applicant's direct supervisor, any of whom must have had the opportunity to directly supervise the applicant for not less than six months.

(g) A license issued by endorsing a license issued by a foreign country shall only be renewed once.

Modified, 1 CMC § 3806(c), (f), (g).

History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The original paragraphs of subsection (f) were not designated. The Commission designated subsections (f)(1) and (f)(2).

The 1989 amendments deleted former subsection (g), added new subsections (f)(2) and (g) and amended subsections (a), (e), and (f)(1).

In subsection (f)(1), the Commission changed "be" to "by" to correct a manifest error.

§ 140-60.2-135 Inactive Status

(a) Any licensee who is not engaged in the practice of nursing shall not be required to renew his/her license or pay the renewal fee. Such person shall notify the Board, in writing, of his/her inactive status and shall request placement on the inactive list prior to the expiration date of his/her current license.

(b)(1) Prior to resumption of practice, a person on the inactive list shall request reinstatement of an active license by completion of a reinstatement form provided by the Board of Nurse Examiners.

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(2) Reinstatement form shall be accompanied by proof of completion of a refresher course approved by the Board of Nurse Examiners.

History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-140 Lapsed License

(a) Any person who has failed to pay renewal fees within 60 days of expiration date of a valid license shall be considered unlicensed. Payment of a late fee will not suffice for reinstatement.

(b) Reinstatement of a license to practice as a registered nurse shall require filing of a reinstatement form provided by the Board of Nurse Examiners, and such other information as the Board of Nurse Examiners shall require.

(c) At the discretion of the Board of Nurse Examiners, the person whose license has lapsed may be required to complete additional education, such as a refresher course.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-145 Licensure by Waiver of Qualifications

If a licensee who has been licensed by a waiver of qualifications under 1 CMC § 2323 or 2332, subsequently takes and fails the National Council Licensure Examination (NCLEX) or State Board Test Pool Examination (STBP), the Board shall immediately revoke such licensee's license.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 11 Com. Reg. 6713 (Dec. 15, 1989); Amdts Emergency and Proposed 11 Com. Reg. 6560 (Oct. 15, 1989) (effective for 120 days from Sept. 19, 1989).

Part 200 - Requirements for Licensure as a Licensed Practical Nurse

§ 140-60.2-201 Licensure by Examination Procedure

(a) Qualifications of applicants.

(1) Completion of high school or its equivalent as evidenced by an education department equivalency diploma.

(2) Has graduated from a program for practical nurses which meets the educational standards of the Board of Nurse Examiners.

(3) Completion of at least 2 years of study in an approved educational program preparing

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registered nurses which the Board of Nurse Examiners approves as equivalent to an approved practical nursing program.

(b) Application.

(1) Submission of an application form provided by the Board of Nurse Examiners. Application must be notarized and be received by the Board of Nurse Examiners not less than 30 days before the scheduled date of the examination.

(2) Application form shall be accompanied by:

(i) High school transcript or the equivalent.

(ii) Two copies of a recent passport type photograph, 2 x 2 inches, in color, with signature and date on back.

(iii) Certified transcript forwarded directly from school of nursing. Any fees required for transcripts will be paid by the applicant.

(iv) Cashier's check or money order for required fee. Fee is not refundable.

(3) Abandoned applications are handled the same as for abandoned registered nurse applications as set forth in § 140-60.2-105.

(c) Examination and re-examination. The procedures for examinations for practical nurses are the same as for registered nurses except the current series for testing will be the National Council Licensure Examinations for Practical Nurses (NCLEX-PN) for official nurse licensure. The NCLEX-PN exam will consist of two two-hour tests with a minimum standard score of 350 (passed) for the total examination. Examinations will be conducted once or twice a year, in April and/or October, at the discretion of the Board.

Modified, 1 CMC § 3806(c), (f), (g).

History: Amdts Adopted 10 Com. Reg. 5712 (Oct. 15, 1988); Amdts Proposed 10 Com. Reg. 5695 (Sept. 15, 1988); Amdts Adopted 9 Com. Reg. 4974 (May 15, 1987); Amdts Proposed 9 Com. Reg. 4914 (Mar. 16, 1987); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The 1987 and 1988 amendments amended subsection (c).

In subsection (b)(1), the Commission corrected the spelling of "notarized." In subsection (c), the Commission changed "test" to "tests" to correct a manifest error.

§ 140-60.2-205 Licensure by Endorsement

Conditions for endorsement for practical nurses are identical with registered nurses except applied to practical nurses.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-210 Licensure of Foreign Graduates

Conditions for licensing foreign graduates as practical nurses is the same as registered nurses except applied to practical nurses.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-215 Temporary Licensure

Conditions for temporary licensure for practical nurses is the same as for registered nurses.

Modified, 1 CMC § 3806(f).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission created the section title.

§ 140-60.2-220 License Renewal

Conditions for renewal of licenses for practical nurses is the same as for registered nurses except applied to practical nurses.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission created the section title.

§ 140-60.2-225 Inactive Status

Conditions for inactive status for practical nurses is the same as for registered nurses except applied to practical nurses.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission created the section title.

§ 140-60.2-230 Lapsed Licenses

Conditions for lapsed license for practical nurses is the same as for registered nurses except applied to practical nurses.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission created the section title.

Part 300 - Requirements for Licensure as a (Nurse) Midwife

§ 140-60.2-301 Authorized Practices

(a) The certificate to practice nurse-midwifery authorizes the holder under the supervision of a licensed physician and surgeon, to attend cases of normal childbirth and to provide prenatal, intrapartum, and postpartum care, including family planning care, for the mother, and immediate care for the newborn.

(b) The practice of nurse-midwifery constitutes the furthering or undertaking by any certified

person, under the supervision of a licensed physician and surgeon who has current practice or training in obstetrics, to assist a woman in childbirth so long as progress meets criteria accepted as normal. All complications shall be referred to a physician immediately. The practice of nurse-midwifery does not include the assisting of childbirth by any artificial, forcible, or mechanical means, nor the performance of any version.

(c) Written protocols shall be developed by the nurse-midwife and agreed upon by the physician or protocols may be jointly developed by the nurse-midwife and the physician.

Modified, 1 CMC § 3806(g).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The original paragraphs were not designated. The Commission designated subsections (a) through (c). This section was originally the introduction to section III. The Commission created the section title.

In subsections (a) and (b), the Commission corrected the spelling of “childbirth.” In subsection (b), the Commission corrected the spelling of “criteria.”

§ 140-60.2-305 Qualifications of Applicants

(a) Completion of high school or the equivalent, as approved by the Board of Nurse Examiners.

(b) Satisfactory completion of a basic nursing education program approved by the Board of Nurse Examiners.

(c) Shall be a registered nurse.

(d) Shall be a graduate of an approved school for certified nurse midwives.

Modified, 1 CMC § 3806(f).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-310 Application

(a) Application forms and instructions for filing are available from the Board of Nurse Examiners. Application fee is not refundable.

(b) Application forms must be:

(1) Completed in full.

(2) Notarized.

(3) Have attached a recent (taken within the last two years) passport type photograph, 2 x 2 inches, in color, with signature and date on back.

(4) Accompanied by a sealed copy of birth certificate.

(5) Accompanied by required fee. Fee is not refundable.

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- (c) Request the school of nursing and certified nurse midwifery program to submit certified transcripts directly to the Board of Nurse Examiners.
- (d) Request the licensing agency in the country of original license to submit a verification of license.
- (e) The Board of Nurse Examiners will respect the laws and regulations of another state or territory of the United States. However, an applicant who has taken the licensing examination in another state and has not passed those examinations shall be evaluated by the Board of Nurse Examiners to determine eligibility under Commonwealth laws and regulations, at the discretion of the Board.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 7 Com. Reg. 3973 (Sept. 16, 1985); Amdts Proposed 7 Com. Reg. 3955 (Aug. 15, 1985); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The 1985 amendments amended subsection (e).

§ 140-60.2-315 Renewal of License

- (a) The license for a nurse midwife is valid for two years, ending on June 30 of the year of expiration.
- (b) An application for renewal of license shall be mailed to each currently licensed nurse midwife not less than 90 days prior to June 30 at the last known address.
- (c) The completed renewal application shall be returned to the Board of Nurse Examiners not later than 60 days after the year of expiration.
- (d) The application shall include the required non-refundable fee.
- (e) After the Board of Nurse Examiners has verified the renewal application, a license for the current 2 years shall be mailed to the applicant.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-320 Lapsed License

- (a) A license is lapsed if not renewed by June 30 of the year of expiration.
- (b) Reinstatement requires a written explanation, satisfactory to the Board of Nurse Examiners of the reason for failure to renew and must pay the required reinstatement fee after one year.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

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§ 140-60.2-325 Inactive Status

(a) Any licensee who is not engaged in the practice of nursing shall not be required to renew his/her license or pay the renewal fee. Such person shall notify the Board, in writing, of his/her inactive status and shall request placement on the inactive list prior to the expiration date of his/her current license.

(b) Prior to resumption of practice, a person on the inactive list shall request reinstatement of an active license by completion of a reinstatement form provided by the Board of Nurse Examiners.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Part 400 - Required Fees

§ 140-60.2-401 Registered Nurse

(a)	Initial license and examination	\$80.00
(b)	Re-examination	80.00
(c)	Endorsement	60.00
(d)	Renewal	20.00
(e)	Late renewal	30.00
(f)	Reinstatement	40.00

Modified, 1 CMC § 3806(f).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-405 Licensed Practical Nurse

(a)	Initial license and examination	\$60.00
(b)	Re-examination	60.00
(c)	Endorsement	40.00
(d)	Renewal	15.00
(e)	Late renewal	25.00
(f)	Reinstatement	30.00

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Modified, 1 CMC § 3806(f).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-410 Other Fees

(a)	Temporary license (endorsement)	\$10.00
(b)	Waiver	
	-Registered nurse	20.00
	-Licensed practical nurse	10.00
(c)	Special services	5.00
(d)	Continuing education application fee	75.00
(e)	Continuing education application renewal	75.00
(g)	Verification of license fee	10.00

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 9 Com. Reg. 4974 (May 15, 1987); Amdts Proposed 9 Com. Reg. 4914 (Mar. 16, 1987); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The 1987 amendments added subsections (d) through (g). The Commission created the section title.

Part 500 - Standards for Educational Programs in Nursing

§ 140-60.2-501 Philosophy Governing Approval of Schools of Nursing

(a) While the Board of Nurse Examiners herein has established minimum standards for approved schools of nursing, it believes that each school of nursing should have flexibility in developing and implementing its philosophy, purposes, and objectives. Such development and implementation should be based not only upon the minimum standards for approved schools of nursing, but also upon sound educational and professional principles for the preparation of registered nurses to meet current and future nursing needs of the public.

(b) The Board of Nurse Examiners believes that there must be congruence between the total program activities of the school of nursing and its stated philosophy, purposes, and objectives.

(c) The Board further believes that the minimum standards for approved schools of nursing can be useful to schools of nursing by promoting self-evaluation which may lead to program development and improvement.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-505 Purposes of Board of Nurse Examiners Approval of Schools of Nursing

The Board of Nurse Examiners approves schools of nursing for the following purposes:

- (a) To insure the safe practice of nursing by setting minimum standards for schools of nursing preparing persons for licensure as registered or practical nurses.
- (b) To provide the public and prospective students with a list of schools of nursing that meet the minimum standards.
- (c) To safeguard the educational preparation of the students.
- (d) To assure the graduates of approved schools of their eligibility for admission to the licensing examination for registered or practical nurses.
- (e) To facilitate interested endorsement of graduates from Board of Nurse Examiners approved schools of nursing.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-510 Purpose, Philosophy, and Objectives for Approved Schools of Nursing

- (a) The purpose, philosophy, and objectives of the school shall be stated clearly and shall be available in written form. They shall be consistent with the definition of nursing practice.
- (b) The school shall have a statement of philosophy that is consistent with the philosophy of the college or university.
- (c) The objectives shall be consistent with the philosophy and shall describe the cognitive, affective and psychomotor capabilities of the graduate.
- (d) The philosophy and objectives shall be used by the faculty in planning, implementing and evaluating the total program.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission inserted a comma after the word “philosophy” in the section title and subsection (a) pursuant to 1 CMC § 3806(g).

§ 140-60.2-515 Organization and Administration for Approved Schools of Nursing

- (a) Accreditation of colleges and universities and of extended learning sites:
 - (1) Colleges and universities which sponsor a school of nursing shall be accredited by their appropriate accrediting bodies.
 - (2) Extended learning sites shall be accredited or approved by the appropriate body.

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- (b) There shall be adequate financial support to provide stability for the development and continuation of the school of nursing.
- (c) School of nursing organization and administration.
 - (1) Administration of the school of nursing shall be the responsibility of a nurse administrator.
 - (2) There shall be an organizational chart showing lines of authority, formal communication and cooperative relationships among the school of nursing and the educational, administrative and support service units of the college or university.
 - (3) Administrative policies shall be stated clearly and be available in written form.
 - (4) Administrative records shall be maintained and shall include general, school records, faculty vitae, minutes of faculty and committee meetings, and reports to the college or university.
 - (5) The nurse administrator of the school of nursing shall be responsible for preparing budget recommendations and for budget administration.
 - (6) Allocation of the school budget shall reflect the purpose, philosophy, and objectives of the school.
 - (7) A current school bulletin shall be available and shall provide an accurate description of the school of nursing and its program.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission inserted a comma after the word “philosophy” in subsection (c)(5) pursuant to 1 CMC § 3806(g).

§ 140-60.2-520 Resources, Facilities, and Services for Approved Schools of Nursing

- (a) Classrooms, laboratories, and conference rooms shall be available and shall be adequate in size, number, and type according to the number of students and the educational purposes for which, the rooms are to be used.
- (b) Offices shall be available and adequate in size, number, and type to provide faculty with opportunity for uninterrupted work and privacy for conferences with students. Offices shall have adequate space for clerical staff, records, files, and other equipment.
- (c) Extended learning sites.
 - (1) A variety of sites may be utilized for student experience. These may include, but need not be limited to, hospitals, clinics, nursery schools, elementary and secondary schools, mental health clinics, and public health departments.
 - (2) Extended learning sites shall provide learning experiences of sufficient number and variety for student achievement of the course/curriculum objectives.
 - (3) Written agreement shall be maintained between the school and the extended learning sites. Such agreement shall be reviewed periodically and shall state the responsibilities and privileges of each party, which shall include a termination clause.
 - (4) Extended learning sites shall be approved by the Board of Nurse Examiners for their educational use.
- (d) Library facilities shall be provided for use by the faculty and students. Physical

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arrangement, usefulness, scope and currency of books, periodicals, and hours shall be appropriate for the purpose, of the school and the number of faculty and students.

(e) Secretarial and support services shall be adequate to meet the needs of the nursing school.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission inserted commas after the words “laboratory” and “number” in subsection (a), “number” and “files” in subsection (b), and “clinics” in subsection (c)(1) pursuant to 1 CMC § 3806(g).

§ 140-60.2-525 Nurse Administrator for Approved School of Nursing

(a) Nurse administrator shall have the following qualifications:

- (1) A current license to practice as a registered nurse in the Commonwealth.
- (2) A baccalaureate degree in nursing and a master’s degree with a major in nursing or education from an accredited college or university.
- (3) A minimum of five years of professional experience as a registered nurse which includes two years teaching in an approved school of nursing.
- (4) Exceptions shall be justified to and approved by the Board of Nurse Examiners.

(b) Nurse administrators are responsible for the following functions:

- (1) Create and maintain an environment conducive to teaching and learning.
- (2) Serve as liaison with the central administration and other units of the college or university.
- (3) Organize and administer the nursing program.
- (4) Provide educational leadership for the faculty and students of the school.
- (5) Facilitate recruitment, selection, and development of qualified faculty.
- (6) Recommend faculty for appointment, promotion, tenure, and retention.
- (7) Facilitate recruitment, selection, and development of qualified faculty.
- (8) Plan and administer the budget.
- (9) Facilitate arrangements for all necessary resources and services.
- (10) Facilitate peer and student evaluation of teaching effectiveness.
- (11) Facilitate development of long range goals and objectives for the nursing program.
- (12) Facilitate the recruitment, selection and retention of students.
- (13) Assure that the minimum rules and regulations of the Board of Nurse Examiners are effectively implemented.

(c) The nurse administrator shall have sufficient time provided for carrying out administrative responsibilities. Instructional responsibilities of the nurse administrator shall be consistent with the scope of the administrative responsibility.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission inserted commas after the words “selection” in subsections (b)(5), (b)(7), and (b)(12), and “tenure” in subsection (b)(6) pursuant to 1 CMC § 3806(g).

§ 140-60.2-530 Faculty for Approved Schools of Nursing

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- (a) Faculty shall have the following qualifications:
 - (1) A current license to practice as a registered nurse in the United States or U.S. territory, and the Commonwealth of the Northern Marianas.
 - (2) The baccalaureate degree in nursing shall be the minimum requirement for faculty appointment and a master's degree with a major in nursing or education from an accredited college or university.
 - (3) Exceptions shall be justified to and approved by the Board of Nurse Examiners.

- (b) Principal functions of the faculty shall include but not be limited to:
 - (1) Develop, implement and evaluate the philosophy, and objectives of the program.
 - (2) Construct, implement, evaluate, and revise the curriculum.
 - (3) Develop and evaluate policies and standards for the selection admission, promotion, and graduation of nursing students within the framework of the policies of the college or university.
 - (4) Evaluate student achievement in terms of course and program objectives, assign grades for courses according to policies, and recommend successful candidates for the degree or diploma.
 - (5) Develop, implement, and evaluate statements of policy necessary for the operation of the program, and participate in appropriate activities of the college or university.
 - (6) Participate in academic counseling of students.
 - (7) Provide for peer and student evaluation of teaching effectiveness.
 - (8) Participate in periodic review of the total nursing program.
 - (9) Participate in the overall faculty activities of the college or university, e.g. governance, interdepartmental teaching, and research.

- (c) A nursing faculty organization, with delineated policies and procedures, shall be established in harmony with the policies of the college or university.
 - (1) All faculty shall participate in the activities of the faculty organization in ways consistent with their position and responsibilities.
 - (2) Committees shall be established as necessary to effectively carry out the functions of the faculty. The purposes and membership of each committee shall be defined clearly.
 - (3) Meetings shall be held on a regular basis.
 - (4) Minutes, including faculty action, shall be recorded in writing and kept on file for ready reference.

- (d) Faculty/student ratio.
 - (1) Faculty shall be provided in adequate number and kind to meet the purposes and objectives of the program.
 - (2) Twelve students is the maximum a faculty member shall be responsible for at any one time in the clinic area. A lower ratio may apply to students in initial or highly complex learning situations. Factors to be considered in determining the ratio are:
 - (i) The preparation and expertise of the faculty member.
 - (ii) The objectives to be achieved.
 - (iii) The level of students.
 - (iv) The number, type, and conditions of patients.
 - (v) The number, type, location, and physical layout of clinical facilities.

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History: Amdts Adopted 7 Com. Reg. 3973 (Sept. 16, 1985); Amdts Proposed 7 Com. Reg. 3955 (Aug. 15, 1985); Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The 1985 amendments amended subsection (a)(1).

The Commission inserted commas after the words “promotion” in subsection (b)(3), “implement” in subsection (b)(5), and “location” in subsection (d)(2)(v) pursuant to 1 CMC § 3806(g).

§ 140-60.2-535 Curriculum for Approved Schools of Nursing

- (a) The basic curriculum shall not be less than two academic years.
- (b) The length, organization, content, instruction methods, and placement of courses shall be consistent with the philosophy and objectives of the school and of the college or university.
- (c) The curriculum shall reflect faculty-wide participation in its planning, implementation, and evaluation.
- (d) The curriculum shall, include:
 - (1) Instruction in the physical and biological sciences and shall include content drawn from the areas of anatomy and physiology, physics, chemistry, microbiology, pharmacology, and nutrition, which may be integrated, combined, or presented as separate courses;
 - (2) Instruction in the social and behavioral sciences and shall include content drawn from the areas of psychology, sociology, and which may be integrated, combined or presented as separate courses;
 - (3) Theory and clinical experiences in the areas of medical nursing, surgical nursing, obstetric nursing, nursing of children, and psychiatric nursing which may be integrated, combined, or presented as separate courses;
 - (4) History, trends, and legal and ethical issues pertaining to the nursing profession which may be integrated, combined, or presented as separate courses. Baccalaureate programs shall include study of research principles;
 - (5) Opportunities for the student to learn assessment of needs, planning, implementation, and evaluation of nursing care for diverse individuals and groups.
 - (6) Clinical experiences in the care of persons at each state of the human life cycle. These experiences shall include opportunities for the student to learn and provide nursing care in the areas of acute and chronic illnesses, promotion and maintenance of wellness, prevention of illness, and rehabilitation. The emphasis placed on these areas, the scope encompassed, and other allied experiences offered shall be in keeping with the purpose, philosophy, and objectives of the program.
- (e) Provision shall be made for a systematic and periodic evaluation of the curriculum by faculty and students.
- (f) Any proposed major curriculum revision, such as changes affecting the philosophy and objectives, significant course content changes, or changes in the length of the program, shall be presented to the Board at least three months prior to implementation and in accordance with procedures outlined by the Board.

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History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission inserted commas after the words “implementation” in subsection (c), “pharmacology” and “combined” in subsection (d)(1), “children” and “combined” in subsection (d)(3), “combined” in subsection (d)(4), “implementation” in subsection (d)(5), and “illness” and “philosophy” in subsection (d)(6) pursuant to 1 CMC § 3806(g).

§ 140-60.2-540 Students in Approved Schools of Nursing

(a) Policies and procedures for selection, admission, promotion, graduation, withdrawal, and dismissal shall be consistent with the policies of the college or university, and shall be available in written form.

(b) Students who seek admission by transfer from another approved school of nursing, or readmission for completion of the program, shall meet the equivalent of the school’s current standards required of those regularly enrolled.

(c) A comprehensive system of student records shall be maintained and shall include:

(1) Application for admission which shall include, but not be limited to the following: completed application form, official transcript of completion of high school or equivalent GED, and/or college work. A physical examination and report on health status is required.

(2) Performance evaluation reports, which shall be completed at systematic intervals in keeping with the objectives of the program.

(3) Course and clinical experience records.

(4) A summary record completed on graduation. Such record will be turned over to the Board of Nurse Examiners if school ceases to exist.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission inserted a comma after the word “withdrawal” in subsection (a) pursuant to 1 CMC § 3806(g).

§ 140-60.2-545 Program Evaluation by Approved Schools of Nursing

There shall be a systematic, ongoing, written plan for evaluation of the program, with evidence of its implementation, that is directed toward the improvement of the program. The plan shall include, but not be limited to:

(a) Purpose, philosophy, and objectives.

(b) Organization and administration.

(c) Resources, facilities, and services.

(d) Faculty.

(e) Curriculum.

- (f) Students.
- (g) Evaluation of student achievement and performance, including performance on the National Council of licensure examination.
- (h) Follow-up studies on performance of graduates.

Modified, 1 CMC § 3806(g).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: For consistency in the punctuation of this section, the Commission inserted the final periods in subsections (a) through (f) and (h). The Commission inserted commas after the words “philosophy” in subsection (a) and “facilities” in subsection (c) pursuant to 1 CMC § 3806(g).

§ 140-60.2-550 Reports to the Board of Nurse Examiners by Approved Schools of Nursing

- (a) One month following spring graduation, an annual report concerning the program and progress of the school shall be submitted by each school on forms supplied by the Board of Nurse Examiners.
- (b)(1) Written notification shall be sent to the Board of Nurse Examiners regarding major changes related, but not limited to, the following:
 - (i) Change in the nurse administrator
 - (ii) Organizational change
 - (iii) Changes in the program of study
 - (iv) Changes in extended learning sites
 - (v) License numbers of new nursing faculty.
- (2) The information submitted to the Board of Nurse Examiners shall include the rationale for the proposed change with comparison to the present situation.
- (c) The Board may require such additional reports as it deems necessary.

Modified, 1 CMC § 3806(g).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The original paragraphs of subsection (b) were not designated. The Commission designated subsections (b)(1) and (b)(2).

In subsection (b)(1)(v), the Commission inserted the final period.

§ 140-60.2-555 Survey Visits

- (a) The Board of Nurse Examiners, through its authorized representative, shall survey each approved school of nursing at least every four years. Full approval is for a four-year period, however, approval may carry recommendations for continued improvements.

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- (b) The survey visit to the program shall be scheduled on dates mutually acceptable to the Board and to the school.
- (c) The Board shall require a comprehensive self-evaluation report by the nurse administrator and the faculty of the school of nursing based on the rules and regulations for approval of schools and in accordance with guidelines and forms provided by the Board of Nurse Examiners.
- (d) Four copies of the self-evaluation report shall be submitted to the Board of Nurse Examiners at least one month prior to the scheduled visit.
- (e) The self-evaluation report prepared for the national nursing accreditation body may be substituted in lieu of the Board of Nurse Examiners survey report for that year if a national accreditation survey is scheduled for that year.
- (f) The authorized representative of the Board of Nurse Examiners shall prepare a report of the survey visit to be submitted to the Board of Nurse Examiners. The school shall receive a copy of the report. If the school is in disagreement with any portion of the report, it may furnish written materials regarding its disagreement to be presented to the Board of Nurse Examiners for its consideration.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-560 Board of Nurse Examiners Action Following Survey Visits

- (a) Whenever a matter directly concerning a school of nursing is being considered by the Board of Nurse examiners, any Board member who is associated with the school of nursing shall not participate in the deliberation or decision-making action of the Board of Nurse Examiners.
- (b) Each school shall be evaluated in terms of its total program.
- (c) The Board of Nurse Examiners shall give written notice to the college or university and the nurse administrator of the school of nursing regarding its decision on the school's approval status.
- (d) Full approval shall be granted a school of nursing that meets the requirements of the law and the rules and regulations of the Board of Nurse Examiners. Full approval may carry recommendations for continued improvements.
- (e)(1) Conditional approval shall be granted a school that has failed to meet the minimum standards contained in the law and the rules and regulations of the Board of Nurse Examiners. Conditions that must be met within a designated time period shall be specified in writing.
 - (2) A conditionally approved school shall be reviewed at the end of the designated time period. Such review shall result in one of the following actions:
 - (i) Restoration of full approval;

- (ii) Continuation of conditional approval for a specified period of time; or
- (iii) Removal of approval.

(f) Approval shall be removed if a school of nursing fails to meet conditions established by the Board of Nurse Examiners.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-565 Restoration of Approval

A school of nursing may petition the Board of Nurse Examiners for restoration of approval by submitting evidence to the Board of Nurse Examiners for restoration of approval by standards for schools of nursing.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-570 Appeal of Board of Nurse Examiners Decisions

A school of nursing deeming itself aggrieved by a decision of the Board affecting its approval status shall have the right to appeal the Board of Nurse Examiners' decision to the Board.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-575 Consultation Services

Consultation will be provided by the Board of Nurse Examiners at the request of a school of nursing. A request for consultation shall be in writing and shall include the purpose and objectives for the visit.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-580 Closure of an Approved School of Nursing

(a) When an organization has decided to discontinue its school of nursing, it should immediately send written notification of its plans to the Board of Nurse Examiners.

(b) A school in the process of closing shall remain approved, until the enrolled students have been graduated, provided that the minimum standards are maintained.

(c) Upon graduating all students, the Board of Nurse Examiners approval of the school of nursing shall be terminated.

(d) An organization closing a school of nursing shall provide for safe storage of vital school records and shall confer with the Board concerning the matter.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

§ 140-60.2-585 Establishment of a New School of Nursing

(a) Application

(1) An organization desiring to establish a Board approved school of nursing shall submit an application in the form requested by the Board. It is recommended that the organization seek consultation from the Board of Nurse Examiners in the initial planning of the program.

(2) The organization shall submit a statement that addresses the need for program and the size and type of the program proposed in relation to the nursing needs of the geographical area to be served. The statement also shall include information on the potential students, the potential impact on other schools of nursing in the geographical area, the availability of learning experiences, anticipated human and material resources, community support, relationship of school to parent organization, purposes and accreditation status of the sponsoring organization, and a tentative timetable for initiating the program.

(3) Supplementary information may be sought by the Board through a site visit.

(4) If the Board's review of the statement and any supplementary information provided results in approval of the plan, the organization shall be notified that program development may proceed.

(b) Program development.

(1) At least one year in advance of the anticipated admission of students, the organization shall appoint a qualified nurse administrator to develop a tentative program. The tentative program plan shall include:

(i) Purpose, philosophy, and objectives

(ii) Organization and administration

(iii) Budget

(iv) Resources, facilities, and services

(v) Provisions for faculty, including qualifications, functions, organization, and faculty/student ratio.

(vi) Curriculum, including course descriptions

(vii) Policies and procedures for student selection

(viii) Sample form of written agreements between the school and extended learning sites

(ix) Projected plans for the orderly expansion of the program.

(2) The nurse administrator shall submit to the Board of Nurse Examiners a written report of the tentative program plan at least five weeks prior to the scheduled Board of Nurse Examiners' meeting at which the plan is to be reviewed. This review shall take place six months prior to the scheduled opening date of the program.

(3) The nurse administrator of the program and other administrative officers of the organization shall meet with the Board of Nurse Examiners to present the formal application and clarify and amplify materials included in the written report.

(4) The Board of Nurse Examiners shall grant or withhold initial approval of the proposed nursing program.

(5) Schools receiving initial approval shall:

(i) Submit course outlines to the Board for review and approval at least three months prior to offering the course, and

(ii) Submit progress reports as requested by the Board of Nurse Examiners.

(6) Survey visits shall be scheduled when deemed necessary by the Board during the period

of initial approval.

(c) A school shall be surveyed to assess its eligibility for full approval at least four months prior to graduation of the first class.

Modified, 1 CMC § 3806(g).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: In subsection (a)(2), the Commission corrected the spelling of “geographical.” The Commission inserted commas after the words “philosophy” in subsection (b)(1)(i), “facilities” in subsection (b)(1)(iv), and “organization” in subsection (b)(1)(v) pursuant to 1 CMC § 3806(g).

§ 140-60.2-590 Criteria for Approved Refresher Course

(a) Philosophy, purpose, and objectives.

(1) Philosophy, purpose, and objectives of the course shall be clearly stated and available in written form. They shall be consistent with the definition of nursing.

(2) Objectives reflecting the philosophy of the school shall be stated in behavioral terms and describe the capabilities and competencies of the graduate.

(b) Nurse faculty.

(1) All faculty shall hold a current license to practice as a registered nurse in the Commonwealth.

(2) All faculty shall be qualified academically and professionally for their respective areas of responsibility.

(3) There shall be an adequate number of qualified faculty to develop and implement the program and to achieve the stated objectives. The maximum faculty/student ratio in the clinical area shall be 1 to 12. Exceptions shall be justified to and approved by the Board of Nurse Examiners.

(c) Course content.

(1) The course content, length, methods of instruction, and learning experiences shall be consistent with the philosophy and objectives of the course. Outlines and descriptions of all learning experiences shall be available in writing.

(2) The course content shall include, but not be limited to, a minimum of eighty hours of theory in current basic concepts of:

(i) Nursing process

(ii) Pharmacology

(iii) Review of the concepts in the areas of:

(A) Contemporary nursing including legal expectations; and

(B) Basic communications and observational practices needed for identification, reporting, and recording patient needs; and

(C) Basic physical, biological, and social sciences necessary for practice.

(iv) Reviewing and updating basic nursing knowledge necessary for assisting people with:

(A) Maintenance of physical and mental health throughout life span; and

(B) Medical/surgical problems; and

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- (C) Behavioral problems; and
 - (D) Problems of development and aging.
 - (3) The course shall include a minimum of one hundred hours of clinical practice in the areas listed in subsection (c)(2) above. Exceptions shall be justified to and approved by the Board.
 - (4) Examinations shall be given to measure knowledge of content.
 - (5) Methods shall be used to measure the student's achievement of the stated clinical objectives.
- (d) The course shall be periodically evaluated by faculty and students.
- (e) Admission requirements.
- (1) Requirements for admission shall be available in writing.
 - (2) All students shall hold a current valid limited educational license, approved by the Board of Nurse Examiners.
- (f) Refresher courses taken outside the Commonwealth shall be reviewed individually for approval by the Board of Nurse Examiners.

Modified, 1 CMC § 3806(c).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: The Commission inserted commas after the words "purpose" in subsection (a)(1), "instruction" in subsection (c)(1), and "biological" in subsection (c)(2)(iii)(c) pursuant to 1 CMC § 3806(g).

§ 140-60.2-595 Requirements Relative to Continuing Education for Nurses

To obtain an active license for the next renewal period, the licensee shall be required to submit documentation, using the renewal application form, that the requirements for continuing education as prescribed by the Board of Nurse Examiners have been met.

- (a) Continuing education to be counted for license renewal purpose must have been completed by April 30 of the year of license expiration.
- (b) All continuing education to be used for license renewal purposes must have been conducted by a Board of Nurse Examiners approved provider. Such provider must meet the criteria below.
 - (1) Definitions:
 - (i) Program: Several related courses with the overall objective of preparation or continuing education of nurses who will be capable of functioning safely in practice.
 - (ii) Course: A series of class sessions devoted to one specific subject area, e.g. administration of oral medications. Each course may include a number of specific topics that must be taught.
 - (iii) Course outline: The general, overall description of a total course, plus outlines of specific segments of a course devoted to specific topics.
 - (iv) Provide: The individual, groups of individuals, or agency conducting a training program or course and offering such course to legitimate candidates.
 - (v) Continuing education hour: For continuing education purposes an hour shall refer to:

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- (A) Fifty minutes of lecture or equivalent classroom presentation or activity.
- (B) Three hours of clinical practice or laboratory activity.
- (2) Administration of provider agency.
 - (i) The institution or agency conducting the training program or course shall have a sound organizational pattern that allows for the implementation of the objectives of the program.
 - (ii) Financial support shall be adequate to provide for the full achievement of the stated objectives.
 - (iii) Provider shall maintain records of educational offerings and shall provide candidate with certificate or other evidence of having satisfactorily achieved learning objectives of the program course.
- (3) Instructional staff.
 - (i) The number and qualifications of the instructional staff shall be such as to ensure effective performance of their functions, as defined by the requirements of the program, course, or series of courses.
 - (ii) Nursing courses shall be taught by qualified nursing instructors, with specialized preparation in the subject specified by the objectives.
- (4)(i) To qualify as a Board provider, such provider must request approval from the Board of Nurse Examiners using a form provided by the Board.
- (ii) The Board of Nurse Examiners, at its discretion, may approve continuing education offerings already approved by other official agencies, such as other state boards of nursing or the American Nurses Association.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Commission Comment: In subsection (b), the Commission corrected the spelling of “criteria.”

§ 140-60.2-597 Requirements Relating to Continuing Education for Nurses

- (a) To obtain an active license for the next renewal period, the licensee shall be required to submit documentation on the renewal application form that the requirements prescribed by the Board of Nurse Examiners have been met by an approved provider. All continuing education requirements must be completed by April 30 of the license expiration year.
- (b) Criteria for courses that require Board of Nurse Examiners approval.
 - (1) Definitions.
 - (i) Program - a program consists of several related courses and has as its objective the preparation of nurses who will be capable of functioning safely as a nurse.
 - (ii) Course - a course consists of a series of class sessions devoted to one specific subject area, e.g. administration of oral medications. Each course may include a number of specific topics that must be taught.
 - (iii) Course outline - course outline may refer to the general, overall description of the total course, or it may refer to the outline for a segment of the course that is devoted to a specific topic.
 - (2) Accreditation or approval by other organizations. The institution or agency conducting the training program or course, as well as the institutions or agencies cooperating with the

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program, shall be licensed or approved by the Board of Nurse Examiners.

(3) Administration.

(i) The institution or agency conducting the training program or course shall have a sound organizational pattern that allows for the implementation of the objectives of the program.

(ii) Financial support shall be adequate to provide for the full achievement of the stated objectives.

(iii) The administrative control of the training program or course shall be centered in the registered nurse director.

(4) Instructional staff.

(i) The director of the training program or course shall be a registered nurse who is qualified through academic preparation and experience for the responsibilities of the position. The director must be currently licensed to practice as a registered nurse in the Commonwealth.

(ii) The number and qualifications of the instructional staff shall be such as will ensure effective performance of their functions and the achievement of the objectives of the program or course. Registered nurses shall serve as instructors.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).

Part 600 - Disciplinary Actions and Violations of Law & Penalties

§ 140-60.2-601 Disciplinary Actions and Violations of Law & Penalties

The statement of the law is sufficiently clear without further elaboration.

History: Adopted 6 Com. Reg. 2557 (Jan. 15, 1984); Proposed 5 Com. Reg. 2513 (Dec. 15, 1983).