

**Consideration of Proposed Amendments to 22 Tex. Admin. Code §221.6,
Pertaining to *Interim Approval***

Summary of Request: Consider proposal of proposed amendments to 22 Tex. Admin. Code §221.6, pertaining to *Interim Approval*.

Existing Board Rule 221.6 currently allows an applicant for advanced practice registered nurse licensure, including new graduates of advanced practice registered nursing education programs, to practice (without prescriptive authority) while the applicant's application is being reviewed for final approval. This "interim approval" permits a new graduate to practice prior to sitting for his/her national certification exam. However, an applicant must successfully pass an appropriate national certification exam before becoming permanently licensed as an advanced practice registered nurse in this state.

Under the current rule, an applicant's "interim approval" expires immediately upon notice that the applicant has failed his/her national certification examination. Further, the applicant is required to immediately notify the Board of the certification examination results. Despite these requirements, however, many applicants fail to promptly notify the Board of their examination results. Further, with the exception of one certifying body, the Board is not notified of examination results by national certifying bodies. As a result, Board Staff may not learn that an applicant has failed his/her national certification exam until 9 - 12 months after the fact. Meanwhile, the applicant has continued to practice under his/her "interim approval". These situations create a risk to the public health and safety.

This issue was considered by the Advanced Practice Nursing Advisory Committee (Committee) at its October 4, 2010, and December 13, 2010, meetings. Following its discussion of the issue, the Committee unanimously voted to recommend the elimination of "interim approval" for new graduates who had not taken a national certification exam. The proposed amendments are attached hereto as Attachment "A". Under the proposed amendments, "interim approval" would still be available to new graduates who successfully pass a national certification exam, but are awaiting proper documentation for final approval and endorsement applicants who have national certifications.

Board Action: Move to approve proposed amendments to 22 Tex. Admin. Code §221.6, pertaining to *Interim Approval*, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt proposed amendments to 22 Tex. Admin. Code §221.6, pertaining to *Interim Approval*, as proposed.

Attachment "A"

§221.6. Interim Approval.

(a) Interim approval is a time-limited permit to practice nursing in a specific advanced practice role and population-focus area. The Board may grant interim approval to eligible advanced practice registered nurse applicants.

(b) [~~Interim approval may be granted to eligible applicants.~~] Interim approval permits the advanced practice registered nurse applicant to practice without prescriptive authority while the application is reviewed.

(1) The advanced practice registered nurse applicant who meets all requirements and applies for interim approval must complete documents provided by the Board [~~board~~] attesting that:

(A) He/She meets all requirements for full licensure in an advanced practice registered nurse role and population-focus area in the state of Texas; and[;]

(B) Has completed and submitted the appropriate documents to the advanced practice nursing educational program or designated organization for completion.

(2) Unless otherwise indicated in this chapter, evidence of current national certification in the advanced practice role and population focus area shall be provided before interim approval may be granted.

~~[(2) An applicant for licensure as an advanced practice registered nurse who is a new graduate of an advanced practice registered nursing education program may be eligible for interim approval.]~~

~~[(A) The graduate advanced practice registered nurse applicant must apply for interim approval within six months of the program completion date.]~~

~~[(B) The graduate advanced practice registered nurse applicant must provide verification that he/she is approved by a national certifying body to sit for the national certification~~

examination recognized by the Board for the advanced practice role and population focus area that is congruent with his/her advanced practice nursing educational preparation.]

~~[(C) The graduate advanced practice registered nurse shall notify the board of the official national certification examination results.]~~

~~[(D) Interim approval to practice as a graduate advanced practice registered nurse shall expire immediately when the applicant receives notice from the national certifying body that he/she has failed the national certification examination.]~~

~~[(i) Failure to pass the certification examination on the first attempt immediately renders the applicant ineligible to practice in the advanced practice role or utilize that advanced practice registered nurse title or titles that imply the bearer is an advanced practice registered nurse.]~~

~~[(ii) The applicant must immediately notify the board of the examination results and return the original interim approval document to the board's office accompanied by a photocopy of the examination results. Upon notification of the examination failure, the board will issue written notification that the interim approval to practice is rescinded and the application for advanced practice registered nurse licensure is denied.]~~

~~[(iii) An applicant who fails to pass the certification examination may continue to practice as a registered nurse.]~~

(3) Interim approval may be granted for a period of up to 120 days. An eligible applicant may be granted interim approval one time only per role and population-focus area. Extensions or renewals of the interim approval period shall not be granted.

~~[(4) The Board grants interim approval to eligible advanced practice registered nurse applicants.]~~

(c) - (d) (No change.)