

Agenda Item: 7.4
Prepared by: Jena Abel
April 28-29, 2011

**Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.5,
Pertaining to *Temporary License and Endorsement***

Summary of Request: Consider proposal of proposed amendments to 22 Tex. Admin. Code §217.5, Pertaining to *Temporary License and Endorsement*

At its January, 2009, meeting, the Board charged the Advisory Committee on Education and the Nursing Practice Advisory Committee (Committees) with the development of a rule related to failing to renew a license after a significant passage of time. The Committees convened on June 4, 2009, and May 17, 2010, to consider the Board's charge. The Committees focused their discussions on Board Rules 217.6, relating to *Failure to Renew License*, and 217.9, relating to *Inactive Status*, and the requirements related to refresher courses, extensive orientations to the practice of nursing, and nursing programs of study. Ultimately, the Committees recommended that all nurses seeking re-entry to practice should complete the online Texas Board of Nursing Jurisprudence Prep Course, the Texas Board of Nursing Jurisprudence and Ethics Workshop, or a Texas Board of Nursing approved Nursing Jurisprudence and Ethics Course and the Texas Nursing Jurisprudence Exam. Further, the Committees recommended a more stringent course content for refresher courses, extensive orientations, and nursing programs of study. Staff presented the Committee's recommendations to the Board at its July, 2010, meeting. In addition to the Committee's recommended changes, Board Staff also recommended clarifying certain portions of the rules. The Board approved the proposed amendments to Rules 217.6 and 217.9, and they were published in the *Texas Register* on August 20, 2010. The Board did not receive any written comments on the proposal or a request for a public hearing and the amendments became effective on October 11, 2010. A copy of Staff's report is attached hereto as Attachment "A" for reference.

Board Rule 217.5 was not amended at the same time Rules 217.6 and 217.9 were amended. However, Rule 217.5 incorporates the requirements of amended Rule 217.9 by reference¹. The applicability of the requirements of Rule 217.9 to endorsement applicants under Rule 217.5 has caused confusion among members of the public. As a result, Staff is recommending that Rule 217.5 be amended to clarify the specific requirements that apply to temporary licensure and licensure by endorsement. The proposed amendments to Rule 217.5 are attached hereto as Attachment "B". These amendments specify the requirements that apply to an applicant for temporary licensure and endorsement and are consistent with the adopted amendments to Rules 217.6 and 217.9.

¹ Section 217.5(b) states: A nurse who has not practiced . . . shall meet the requirements as stated in §217.9 of this title (relating to Inactive Status).

Board Action: Move to approve proposed amendments to 22 Tex. Admin. Code §217.5, Pertaining to *Temporary License and Endorsement*, 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 §217.5, Pertaining to *Temporary License and Endorsement*, as proposed.

Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.6, Pertaining to *Failure to Renew License*, and §217.9, Pertaining to *Inactive Status*

Summary of Request: Consider proposal of amendments to §217.6, Pertaining to *Failure to Renew License* and §217.9, Pertaining to *Inactive Status*.

Background: At its January, 2009, meeting, the Board charged the Advisory Committee on Education and the Nursing Practice Advisory Committee (Committees) with the development of a rule related to failing to renew a license after a significant passage of time. The Committees first convened via teleconference on June 4, 2009, to consider the Board's charge.

The Committees discussed concerns related to a nurse's return to active nursing practice after being away for an extended period of time. The Committees reviewed the Occupations Code §301.301(d), which authorizes the Board to set a length of time beyond which an expired license may not be renewed and to establish additional requirements that apply to the renewal of a license that has been expired for more than one year, but less than the time limit set by the Board beyond which a license may not be renewed. The Committees also considered information gathered by Board staff, which included a survey of other state boards of nursing and their treatment of renewal and re-entry to practice.

The Committees discussed the Board's requirements for completing a refresher course and whether those requirements sufficiently ensured a nurse's competency to re-enter practice. Several members suggested strengthening the Board's refresher course requirements in order to ensure public safety when nurses seek to re-enter the profession. Specifically, members discussed requiring nurses to demonstrate their knowledge, in combination with an exam. The members also discussed adding the Jurisprudence Exam to the refresher course requirements. Some members advocated specialized refresher programs for individuals desiring to work in practice specific areas, such as pediatrics, case management, school nursing, or public health, while other members stressed the importance of more generalized refresher courses. The Committees also discussed whether formal nursing re-education should be required if a nurse had been away from active practice for a very lengthy period of time, such as ten or fifteen years. The Committees also considered the requirements of other state boards of nursing for re-examination after a certain period of time. Following its discussions, however, the Committees were unable to reach a final decision and determined that they needed to discuss the issues further.

The Committees re-convened on May 17, 2010, to again consider the Board's charge. Because there was general agreement at the June, 2009, meeting that the Board's refresher course requirements should be strengthened to better ensure a nurse's competency to re-enter practice, the Committees focused their discussions on Board Rules 217.6, relating to *Failure to Renew License*, and 217.9, relating to *Inactive Status*, and the

requirements related to refresher courses, extensive orientations to the practice of nursing, and nursing programs of study. Specifically, the Committees discussed requiring all nurses seeking re-entry to practice to complete the online Texas Board of Nursing Jurisprudence Prep Course, the Texas Board of Nursing Jurisprudence and Ethics Workshop, or a Texas Board of Nursing approved Nursing Jurisprudence and Ethics Course and the Texas Nursing Jurisprudence Exam. Additionally, the Committees discussed recommendations for the specific course content of refresher courses, extensive orientations, and nursing programs of study. These recommendations specify a percentage of time that a nurse should devote to each content area, as well as a course description of the content area. Committee members suggested that Board staff clarify certain portions of the rules, but not change the intent of the rule language, and one member raised a question regarding the consistency among the two sections. Following its discussions, and with the understanding that Board staff would review the rule language to ensure consistency and clarity among the sections, the Committees voted to recommend the adoption of the proposed amendments to §217.6(a) - (h) and §217.9 to the Board. The Committees also voted to recommend the adoption of the recommendations contained in the refresher course, extensive orientation, and nursing program of study application and instruction packets, which are incorporated by reference in the proposed rule amendments, to the Board. A copy of the proposed amendments and the application and instruction packets are attached hereto as Attachments "A", "A-1", and "A-2".

Following the Committees' meeting, Board staff carefully reviewed the two sections and made further changes to §217.6(d) and (e) and §217.9(e), (f), and (h) to address the Committees' concerns, to ensure consistency among the sections, and to clarify any discrepancies or unaddressed issues in the sections. These recommended changes are also included in Attachment "A".

Additionally, Board staff is recommending the inclusion of new §217.6(i) in the proposed rule amendments in order to prevent individuals with serious and potentially disqualifying histories from renewing delinquent licenses and practicing nursing in Texas while the Board investigates and moves to take action against their licenses. This proposed new section only applies in situations where a statute requires the revocation or denial of a license/renewal¹ or where the Board's policies would normally dictate the revocation or denial of a license/renewal. Proposed new §217.6(i) is also included in Attachment "A".

Board Action: Move to approve the proposed amendments to 22 Tex. Admin. Code §217.6, Pertaining to *Failure to Renew License*, and §217.9, Pertaining to *Inactive Status*, which incorporate the refresher course, extensive orientation, and nursing program of study application and instruction packets, and authorize Staff to publish the proposal in the *Texas Register* for a 30-day comment period, 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 the proposed amendments to 22 Tex. Admin. Code

¹ The Occupations Code §53.021(b) and §301.4535.

§217.6, Pertaining to *Failure to Renew License*, and §217.9, Pertaining to *Inactive Status*, which incorporate the refresher course, extensive orientation, and nursing program of study application and instruction packets, as proposed.

Attachment "A"

§217.6. Failure to Renew License.

(a) A nurse who is not practicing nursing in Texas and who fails to maintain a current Texas license for a period of time less than four years may bring his or her license up-to-date by filing such forms as the Board [~~board~~] may require, showing evidence of having completed 20 contact hours of acceptable continuing education that meets the requirements of Chapter 216 of this title (relating to Continuing Competency) within the two years immediately preceding the application for reactivation [~~relicensure~~], and paying the current licensure fee plus a late fee and any applicable fines, which are not refundable.

(b) A nurse who is not practicing nursing and who fails to maintain a current license from any licensing authority for four or more years will be required to:

(1) complete a refresher course, ~~[or]~~ extensive orientation to the practice of nursing, or ~~[completion of]~~ a nursing program of study that meets the requirements prescribed by the Board. The applicant must [~~will~~] submit an application to the Board for a temporary permit for the limited purpose of completing a refresher course, extensive orientation to the practice of nursing, or a nursing program of study;

(2) submit to the Board evidence of the successful completion of the requirements of paragraph (1) of this subsection;

(3) submit to the Board a course completion form from one of the following:

(A) the online Texas Board Of Nursing Jurisprudence Prep Course;

(B) the Texas Board of Nursing Jurisprudence and Ethics Workshop;

or

(C) a Texas Board of Nursing approved Nursing Jurisprudence and

Ethics course:

~~[(3) submit a completed reactivation application;]~~

(4) submit to the Board a certificate of completion from the Texas Nursing

Jurisprudence Exam:

~~[(4) submit the current non-refundable licensure fee, plus a late fee and any applicable fines which are not refundable; and]~~

(5) submit to the Board a completed reactivation application;

~~[(5) submit evidence of completion of 20 contact hours of acceptable continuing education for the two years immediately preceding the application for relicensure.]]~~

(6) submit to the Board the current, non-refundable licensure fee, plus a late fee and any applicable fines which are not refundable; and

(7) submit to the Board evidence of completion of 20 contact hours of acceptable continuing education for the two years immediately preceding the application for reactivation that meets the requirements of Chapter 216 of this title.

(c) The Board adopts by reference the following forms, which comprise the instructions and requirements for a refresher course, extensive orientation to the practice of nursing, and a nursing program of study required by this section, and which are available at <http://www.bon.state.tx.us/olv/forms.html>:

(1) Application for Six Month Temporary Permit (RN); and

(2) Application for Six Month Temporary Permit (LVN).

~~[(c) A nurse who fails to maintain a current Texas license for four years or more and who is licensed and has practiced in another state during the previous four years preceding the application for relicensure in Texas, shall be exempt from requirements of subsection~~

~~(b)(1) and (2) of this section.]~~

(d) A nurse who fails to maintain a current Texas license for four years or more and who is licensed and has practiced in another state during the previous four years preceding the application for reactivation in Texas must comply with the requirements of subsection (b)(3) - (b)(7) of this section.

~~[(d) The issuance of a license renewal may be refused to an individual who:]~~

~~[(1) fails to submit an application for renewal; or]~~

~~[(2) submits an application which:]~~

~~[(A) is incomplete;]~~

~~[(B) does not show that the person meets the requirements for renewal; or]~~

~~[(C) is not accompanied by the correct fee(s).]~~

(e) The issuance of a license reactivation may be refused to an individual who:

(1) fails to submit an application for reactivation; or

(2) submits an application which:

(A) is incomplete;

(B) does not show evidence that the person meets the requirements for reactivation; or

(C) is not accompanied by the correct fee(s).

~~[(e) The refusal to renew the license for reasons in subsection (d)(1) and (2) of this section does not entitle the individual to a hearing.]]~~

(f) The Board's refusal to reactivate a license for the reasons specified in subsection (e) of this section does not entitle an individual to a hearing at the State Office of Administrative Hearings.

~~[(f) The individual refused a license renewal who wishes to reactivate his or her license will be required to:]~~

~~[(1) correctly complete the reactivation application form;]~~

~~[(2) show evidence of meeting all current requirements for licensure, including 20 contact hours of continuing education according to requirements in Chapter 216 of this title (relating to Continuing Education); and]~~

~~[(3) submit payment of the correct non-refundable reactivation fee as follows:]~~

~~[(A) if the license has been delinquent less than 90 days, the required fee will equal the renewal fee plus one-half the examination fee (see §223.1), plus any applicable fines; or]~~

~~[(B) if the license has been delinquent for more than 90 days, the required fee will equal the renewal fee plus the full examination fee (see §223.1), plus any applicable fines:]~~

(g) An individual who is refused a license reactivation and who wishes to reactivate his or her license will be required to:

(1) correctly complete the reactivation application;

(2) show evidence of meeting all the requirements for reactivation, including completion of 20 contact hours of continuing education that meets the requirements of Chapter 216 of this title; and

(3) submit payment of the correct, non-refundable reactivation fee as follows:

(A) if the license has been delinquent less than 90 days, the required fee will equal the renewal fee plus one-half the examination fee (see §223.1 of this title, relating to Fees), plus any applicable fines; or

(B) if the license has been delinquent for more than 90 days, the required fee will equal the renewal fee plus the full examination fee (see §223.1 of this title), plus any applicable fines.

~~[(g) Special Reactivation Provisions for Actively Deployed Nurses.]~~

~~[(1) If a nurse's license lapses and becomes delinquent while serving in the military whenever the United States is engaged in active military operations against any foreign power, the license may be reactivated without penalty or payment of the reactivation late renewal fee(s) under the following conditions:]~~

~~[(A) The license was active at the time of deployment.]~~

~~[(B) The application for reactivation is made while still in the armed services or no later than three months after discharge from active service or return to inactive military status.]~~

~~[(C) A copy of the military activation orders or other proof of active military service accompanies the application;]~~

~~[(D) The renewal fee is paid; and]~~

~~[(E) If the required continuing education contact hours were not earned for renewal during the earning period, the nurse shall be required to complete the required continuing education hours needed for renewal no later than three months after discharge from active service, return to inactive military status, or return to the United States from an active war zone.]~~

~~[(2) The continuing education contact hours used for reactivation may not be used for the next license renewal.]~~

~~[(3) The continuing education contact hours for the next license renewal following reactivation may not be prorated.]~~

(h) Special Reactivation Provisions for Actively Deployed Nurses.

(1) If a nurse's license lapses and becomes delinquent while serving in the military whenever the United States is engaged in active military operations against any foreign power, the license may be reactivated without penalty or payment of the late renewal fee(s) under the following conditions:

(A) The license was active at the time of deployment;

(B) The application for reactivation is made while still in the armed services or no later than three months after discharge from active service or return to inactive military status;

(C) A copy of the military activation orders or other proof of active military service accompanies the application;

(D) The renewal fee is paid; and

(E) If the required continuing education contact hours were not earned for reactivation during the earning period, the nurse shall be required to complete the required continuing education hours needed for reactivation no later than three months after discharge from active service, return to inactive military status, or return to the United States from an active war zone.

(2) The continuing education contact hours used for reactivation may not be used for the next license renewal.

(3) The continuing education contact hours for the next license renewal following reactivation may not be prorated.

(i) A nurse whose license has been expired for more than one year and who has been initially or finally convicted of, or has entered a plea of guilty or nolo contendere for, an offense specified in the Occupations Code §301.4535(a); surrendered a license or a

privilege in another state or had a license or privilege revoked, suspended, or denied in another state; or been imprisoned following a felony conviction, felony community supervision revocation, revocation of parole, or revocation of mandatory supervision may not renew the license until the Board has completed an investigation and reached a final resolution of the matter.

§217.9. Inactive Status.

(a) A nurse who elects to change from active licensure status to inactive status must:

(1) submit a written request to the Board [~~board~~] prior to the expiration of his/her license;

(2) designate "inactive" on the renewal form if at the time of renewal.

(b) - (d) (No change).

(e) A nurse who has not practiced nursing in Texas and whose license has been in an inactive status for less than four years may reactivate the license by completing the reactivation application form, paying the required reactivation fee and the current licensure fee which are non-refundable, and submitting verification of completion of 20 contact hours of continuing education that meets the requirements of [~~in compliance with~~] Chapter 216 of this title (relating to Continuing Competency) within the two years immediately preceding the application for reactivation.

(f) A nurse who has not practiced [~~professional~~] nursing [~~in Texas~~] and whose license has been in an inactive status for four or more [~~than four~~] years must submit to the Board:

(1) a completed reactivation application [~~form~~];

(2) verification of completion of a refresher course, extensive orientation to

the practice of nursing, or a nursing program of study that [which] meets the [board's] requirements prescribed by the Board [and was completed within the last year]. The nurse must submit an application to the Board for a temporary permit for the limited purpose of completing a refresher course, extensive orientation to the practice of nursing, or a nursing program of study;

(3) evidence of completion of 20 contact hours of acceptable continuing education for the two years immediately preceding the application for reactivation that meets the requirements of Chapter 216 of this title [CE in compliance with Chapter 216];

(4) a course completion form from one of the following:

(A) the online Texas Board Of Nursing Jurisprudence Prep Course;

(B) the Texas Board of Nursing Jurisprudence and Ethics Workshop;

or

(C) a Texas Board of Nursing approved Nursing Jurisprudence and Ethics course;

~~[(4) the required reactivation fee plus the current licensure fee, which are non-refundable.]~~

(5) a certificate of completion from the Texas Nursing Jurisprudence Exam;
and

(6) the required reactivation fee, plus the current licensure fee, which are non-refundable.

(g) The Board adopts by reference the following forms, which comprise the instructions and requirements for a refresher course, extensive orientation to the practice of nursing, and a nursing program of study required by this section, and which are available at <http://www.bon.state.tx.us/olv/forms.html>;

(1) Application for Six Month Temporary Permit (RN); and

(2) Application for Six Month Temporary Permit (LVN).

~~[(g) A nurse who has not practiced nursing in Texas or another jurisdiction within the last four years and has not participated in a refresher course within the last year must submit:]~~

~~[(1) an application for a six month temporary permit to be used only for completion of a refresher course, extensive orientation to the practice of nursing or program of study which meets the board's requirements; and]~~

~~[(2) the required six-month temporary permit fee which is non-refundable.]~~

(h) A nurse whose license has been in an inactive status for four years of more and who is licensed and has practiced in another state during the previous four years preceding the application for reactivation in Texas must comply with the requirements of subsection (f)(1) and (f)(3) - (f)(6) of this section.

~~[(h) A nurse completing refresher course requirements in another jurisdiction is exempt from requirements of subsection (g)(1) and (2) of this section.]~~

~~[(i) Upon completion of the refresher course, extensive orientation to the practice of nursing, or program of study which meets the board's requirements, the nurse shall then comply with subsection (f) of this section.]~~

APPLICATION FOR SIX MONTH TEMPORARY PERMIT

(You may only exclude Class C misdemeanor traffic violations.)

NOTE: Expunged and Sealed Offenses: While expunged or sealed offenses, arrests, tickets, or citations need not be disclosed, it is your responsibility to ensure the offense, arrest, ticket or citation has, in fact, been expunged or sealed. It is recommended that you submit a copy of the Court Order expunging or sealing the record in question to our office with your application. Failure to reveal an offense, arrest, ticket, or citation that is not in fact expunged or sealed, will at a minimum, subject your license to a disciplinary fine. Non-disclosure of relevant offenses raises questions related to truthfulness and character.

NOTE: Orders of Non-Disclosure: Pursuant to Tex. Gov't Code § 552.142(b), if you have criminal matters that are the subject of an order of non-disclosure you are not required to reveal those criminal matters on this form. However, a criminal matter that is the subject of an order of non-disclosure may become a character and fitness issue. Pursuant to other sections of the Gov't Code chapter 411, the Texas Nursing Board is entitled to access criminal history record information that is the subject of an order of non-disclosure. If the Board discovers a criminal matter that is the subject of an order of non-disclosure, even if you properly did not reveal that matter, the Board may require you to provide information about any conduct that raises issues of character.

- 2) No Yes Are you currently the target or subject of a grand jury or governmental agency investigation?
- 3) No Yes Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?
- 4) No Yes *Within the past five (5) years have you been addicted to and/or treated for the use of alcohol or any other drug?
- 5) No Yes *Within the past five (5) years have you been diagnosed with, treated, or hospitalized for schizophrenia and/or psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?

If "YES" indicate the condition: schizophrenia and/or psychotic disorders,
 bipolar disorder, paranoid personality disorder,
 antisocial personality disorder, borderline personality disorder

*Pursuant to the Occupations Code §301.207, information regarding a person's diagnosis or treatment for a physical condition, mental condition, or chemical dependency is confidential to the same extent that information collected as part of an investigation is confidential under the Occupations Code §301.466.

If you answer "YES" to one or more of the questions 1-5, you must attach a letter of explanation indicating the circumstance(s) you are reporting to the Board of Nursing (BON). The document must be signed and dated. If it is determined that the issue being reported to the BON meets the criteria for opening a case according to our current rules, you will be required to pay a \$150.00 review fee. Once we have a complete application, required documents and the fee, if applicable, your file will be transferred to our Enforcement Department for review. This review may take a minimum of three months. The BON will not approve an applicant for licensure or issue a temporary permit until a decision has been rendered by our Enforcement Department.

ATTESTATION STATEMENT

I, the Nurse Applicant whose name appears within this Application, acknowledge this is a legal document. I understand that no one else may submit this form on my behalf and that I am accountable and responsible for the accuracy of any answer or statement on this form. I understand that it is a violation of the 22 Texas Administrative Code, §§ 217.12 (6)(I) and the Penal Code, sec 37.10, to submit a false statement to a government agency; and I consent to release of confidential information to the Texas Board of Nursing and further authorize the Board to use and to release said information as needed for the evaluation and disposition of my application. I understand that if I have any questions regarding this affidavit I should contact an attorney or the appropriate professional health provider. I will immediately notify the Board if at any time after signing this affidavit I no longer meet the eligibility requirements.

Applicant's Signature: _____

Date: _____ / _____ / _____

TEXAS BOARD OF NURSING
333 Guadalupe #3-460, Austin, Texas 78701
(512) 305-7400

**INSTRUCTIONS FOR SIX MONTH TEMPORARY PERMIT
TO COMPLETE REFRESHER COURSE, EXTENSIVE ORIENTATION, OR NURSING PROGRAM OF
STUDY IN VOCATIONAL NURSING**

Six-month temporary permits are issued to nurses who have not been employed as a Licensed Vocational Nurse during the past four years and are used for the purpose of completing a refresher program, extensive orientation, or a nursing program of study under the supervision of an RN Instructor. In order to renew or be issued a license, you must successfully completed **ONE** of the following:

- (a) A refresher course, which is defined as an organized course for Vvocational Nnurses designed to update nursing knowledge, and which meets all content criteria as indicated on the attached form;
- (b) An extensive orientation to the practice of vocational nursing which meets all content criteria as indicated on the attached form; or
- (c) Academic nursing course(s), in an approved vocational nursing education program, which meets all the content criteria as indicated on the attached form.

The temporary permit will be valid for six-months from the date of issuance. The permit cannot be extended! **Please be sure that you are prepared to begin and complete the course, orientation, or nursing program of study within the required time limit.**

Upon completion of the refresher course, orientation, or program of study, the attached Verification of Successful Completion form must be completed and mailed by the instructor and submitted to the Board, to the attention of the Licensing Department. A permanent license **will not** be issued until the verification of successful completion is received in the Board's office and all other requirements set forth in Board Rules 217.6 or 217.9, as applicable, are met.

- (1) Complete the "Application for Six-Month Temporary Permit" and return to the Texas Board of Nursing, 333 Guadalupe #3-460, Austin, Texas 78701.
- (2) Attach a \$25.00 fee (check drawn on a U.S. Bank, U.S. Money Order or Canadian Postal Money Order - no Cash), payable to the Texas Board of Nursing. The fee is non-refundable.

Processing the of application can take up to ten (10) working days after receipt of the completed application and fee. The temporary permit will be mailed to the address listed on the application. Upon completion of the refresher program, extensive orientation, or program of study and subsequent receipt of the Verification of Successful Completion form, you may complete a reactivation and/or endorsement application.

**Verification of Successful Completion of
VN/PN Refresher Course/Extensive Orientation/Academic Nursing Course(s) for the Texas Board of Nursing**

Name: _____ LVN Lic# _____ SS# _____

Didactic Content Course Dates: _____

Precepted Clinical Learning Experience Dates: _____

Knowledge/Skill Verified *Attach additional teaching materials, objectives, skills check off sheets, etc.	Date of Verification (mm/dd/yy)	Instructor/Preceptor Initials
1) Review of NPA, Rules, Position Statements		
2) Determining Individual Scope of Practice and role in patient safety		
3) Review of the clinical problem solving process for the provision of individualized, goal directed nursing care to include:		
(a) Collecting data & performing focused nursing assessments;		
(b) Participating in the planing of nursing care needs for clients;		
(c) Participating in the development & modification of the comprehensive nursing care plan for assigned clients;		
(d) Implementing appropriate aspects of care within the LVN's scope of practice;		
(e) Assisting in the evaluation of the client's responses to nursing interventions and the identification of client needs.		
4) Pharmacology Review		
5) Medication Administration		
6) Documentation principles/practices		
8 7) Documentation of current CPR certification <u>prior to beginning precepted clinical experience</u>		
7 8) Supervised clinical experience providing patient care (minimum of 80 hours)		
9) <u>Documentation of successful completion of refresher course</u>		

I attest that the vocational/practical nurse named above, has participated and successfully completed all requirements for a refresher course/extensive orientation or academic course as documented above, and has demonstrated clinical practice that meets minimum standards of nursing competence in compliance with the Nursing Practice Act and the Rules & Regulations of for the Texas Board of Nursing. I understand that no one else may submit this form on my behalf and that I am accountable and responsible for the accuracy of any answer or statement on this form. Furthermore, I acknowledge this is a legal document and understand that it is a violation of the 22 Texas Administrative Code, §§ 217.12 (6)(l) and the Penal Code, sec 37.10, to submit a false statement to a government agency.

Instructor's Name (Please print legibly): _____

_____, RN
Instructor's Signature

____/____/____
Date

Clinical Preceptor's Name, if applicable _____

_____, LVN/RN _____ / _____ / _____
Clinical Preceptor's Signature Date

Vocational Nursing (VN/PN) Refresher Course/Extensive Orientation/Academic Nursing Course(s) Overview of Requirements

General Requirements: Each content area indicated below will have: course description, goals and objectives, resources to be utilized, break-down of didactic and clinical content, and methods to be used to determine successful completion of the course. Total didactic and clinical hours should be based on individual need and comprehensive assessment of the competency level of the nurse. The Differentiated Competencies of Graduates of Texas Nursing Programs, ~~Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs (September 2002)~~, <http://www.bon.state.tx.us/about/pdfs/del-comp.pdf>, should serve as the guideline for the evaluation of competency. Didactic review must be completed by an RN Instructor. Clinical review can be performed by an LVN or RN preceptor in collaboration with the RN Instructor and must be a minimum of 80 hours in direct patient-care hours. Home study and/or video-based programs are not acceptable as the primary or sole means of instruction.

1) Review of NPA, Rules, Position Statements

Must include Standards of Nursing Practice, Misconduct Rules, Eligibility Requirements relating to good professional character and ethical conduct, including professional boundaries, Peer Review (incident-based and safe harbor), ~~delegation rules~~, CE requirements, and licensure renewal requirements. It is recommended that this content constitutes 15% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

2) Determining Individual Scope of Practice

~~Must include application of Standards of Nursing Practice, Decision-Making Model for Determining Nursing Scope of Practice, evidenced-based best practices for practice setting focus, and, if available, other current reference material relevant to the nurse's practice.~~

Must include a review of all the scope of practice documents on the Board's website, listed under "Nursing Practice", then under "Scope of Practice", including identification of Standards of Nursing Practice, Decision-Making Model for Determining Nursing Scope of Practice, evidenced-based best practices for practice setting focus, and other current reference material relevant to patient safety and the nurse's practice. It is recommended that this content constitutes 5% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

3) Review of the clinical problem solving process (systematic approach) for the provision of individualized, goal directed nursing care

Must include both didactic and clinical practice related to data collection (including physical assessment to cover all body systems), planning, implementation and evaluation. The content must reflect the Standards Specific to LVNs identified in Rule 217.11(2). It is recommended that this content constitutes 30% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

4) Pharmacology Review

Must include a didactic component; content must cover all major drug classifications and their physiological and therapeutic effects, dosages, administration, precautions, contraindications, side effects/adverse reactions and nursing implications. Courses focusing exclusively on drugs for specific disease processes shall not count. In addition, specific courses focusing on emergency management of certain conditions, such as Advanced Cardiac Life Support shall not count. It is recommended that this content constitutes 20% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

5) Medication Administration

Must include both a didactic (excluding home study) and clinical application components. Content must include review of proper administration procedures for all standard routes, computation of drug dosages, 5 rights of medication administration, factors influencing the choice of route, and possible adverse effects resulting from improper administration. If proficiency in administration of drugs by intravenous routes is to be covered, this content must be in addition to the above required didactic and clinical minimum hours, and shall be in alignment with currently accepted course content and clinical practice hours established by national specialty nursing organizations and/or vocational nursing education programs. Must also include current information on national patient safety initiatives and recommendations for safe medication administration practices. It is recommended that this content constitutes 20%

of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

6) Documentation, quality assurance and legal implications for nursing practice.

Must include a didactic component. Content must include nursing standards related to accurate and complete documentation, legal guidelines for recording information into records pertaining to clients, methods and processes of recording, methods of alternative record keeping, including computerized documentation, acceptable methods of making late entries, and documentation practices considered to be unethical/illegal. Discussion should include basic principles and concepts of quality assurance. Evaluation of the ability to document care effectively must be included in clinical portion of refresher. It is recommended that this content constitutes 10% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

7) Documentation of current CPR certification prior to beginning clinical experience

Must complete a cardio-pulmonary resuscitation (CPR) certification course and provide a copy to the preceptor/instructor prior to beginning the precepted clinical learning experience. A copy of the CPR certificate should be maintained in personal files.

7 8) Supervised clinical experience providing patient care

Must include information on types of clients, disease processes, medications, treatment, and/or procedures performed during supervised/precepted clinical experiences and evaluation methods/comments of instructor/preceptor. Clinical practicum should be a minimum of 80 hours in direct patient-care hours. Clinical experiences are faculty planned and guided learning activities designed to assist students in meeting stated outcomes and to apply knowledge and skills to ensure the provision of safe nursing care to clients. Additional ~~The~~ clinical experiences may occur in nursing skills and computer laboratories; in simulated clinical settings; in a variety of affiliating agencies or clinical practice settings. ~~The amount of the simulated clinical experiences must meet the role expectation of the vocational nurse.~~

9) Documentation of refresher course completion

Must submit a copy of the Refresher Course/Extensive Orientation/Academic Nursing Course(s) completion certificate with the Refresher Course/Extensive Orientation/Academic Nursing Course(s) Verification of Successful Completion form.

TEXAS BOARD OF NURSING
333 Guadalupe #3-460, Austin, Texas 78701
(512) 305-7400

APPLICATION FOR SIX MONTH TEMPORARY PERMIT
TO COMPLETE REFRESHER COURSE, EXTENSIVE ORIENTATION, OR NURSING PROGRAM OF STUDY
IN **PROFESSIONAL REGISTERED NURSING**

First Name	Middle Name	Last Name	
Address	City	State/Province/Territory	Zip Code
All Previous Names Used _____		Social Security/ Insurance Number _____	

Applicants for six month temporary permit must have received passing results on one of the examinations listed below and must have obtained RN licensure in Texas or another State, Province or Territory.

Check the one applicable:

- ____ a. State Board Test Pool Examination (SBTPE).
____ b. National Council Licensure Examination for Registered Nurses (NCLEX-RN).

Date: _____ Location: _____

State/Province/Territory of RN Licensure _____ License No. _____ Expiration Date: _____

Indicate the month and year you last practiced as a Registered Nurse: _____

Have you ever held a license as a Registered Nurse in the State of Texas? ____ Yes ____ No

If yes, provide Texas RN License Number _____

Have you ever held a license as a Registered Nurse in any state? ____ Yes ____ No

If yes, provide State(s) and License Number(s) _____

Eligibility Questions

- 1) No Yes For any criminal offense, including those pending appeal, have you:
- A. been convicted of a misdemeanor?
 - B. been convicted of a felony?
 - C. pled nolo contendere, no contest, or guilty?
 - D. received deferred adjudication?
 - E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
 - F. been sentenced to serve jail or prison time? court-ordered confinement?
 - G. been granted pre-trial diversion?
 - H. been arrested or have any pending criminal charges?
 - I. been cited or charged with any violation of the law?
 - J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?

Applicant's Signature: _____ Date: ____ / ____ / ____

APPLICATION FOR SIX MONTH TEMPORARY PERMIT

(You may only exclude Class C misdemeanor traffic violations.)

NOTE: Expunged and Sealed Offenses: While expunged or sealed offenses, arrests, tickets, or citations need not be disclosed, it is your responsibility to ensure the offense, arrest, ticket or citation has, in fact, been expunged or sealed. It is recommended that you submit a copy of the Court Order expunging or sealing the record in question to our office with your application. Failure to reveal an offense, arrest, ticket, or citation that is not in fact expunged or sealed, will at a minimum, subject your license to a disciplinary fine. Non-disclosure of relevant offenses raises questions related to truthfulness and character.

NOTE: Orders of Non-Disclosure: Pursuant to Tex. Gov't Code § 552.142(b), if you have criminal matters that are the subject of an order of non-disclosure you are not required to reveal those criminal matters on this form. However, a criminal matter that is the subject of an order of non-disclosure may become a character and fitness issue. Pursuant to other sections of the Gov't Code chapter 411, the Texas Nursing Board is entitled to access criminal history record information that is the subject of an order of non-disclosure. If the Board discovers a criminal matter that is the subject of an order of non-disclosure, even if you properly did not reveal that matter, the Board may require you to provide information about any conduct that raises issues of character.

- 2) No Yes Are you currently the target or subject of a grand jury or governmental agency investigation?
- 3) No Yes Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?
- 4) No Yes *Within the past five (5) years have you been addicted to and/or treated for the use of alcohol or any other drug?
- 5) No Yes *Within the past five (5) years have you been diagnosed with, treated, or hospitalized for schizophrenia and/or psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?

If "YES" indicate the condition:

<input type="checkbox"/> schizophrenia and/or psychotic disorders,	<input type="checkbox"/> schizophrenia and/or psychotic disorders,
<input type="checkbox"/> bipolar disorder,	<input type="checkbox"/> paranoid personality disorder,
<input type="checkbox"/> antisocial personality disorder,	<input type="checkbox"/> borderline personality disorder

*Pursuant to the Occupations Code §301.207, information regarding a person's diagnosis or treatment for a physical condition, mental condition, or chemical dependency is confidential to the same extent that information collected as part of an investigation is confidential under the Occupations Code §301.466.

If you answer "YES" to one or more of the questions 1-5, you must attach a letter of explanation indicating the circumstance(s) you are reporting to the Board of Nursing (BON). The document must be signed and dated. If it is determined that the issue being reported to the BON meets the criteria for opening a case according to our current rules, you will be required to pay a \$150.00 review fee. Once we have a complete application, required documents and the fee, if applicable, your file will be transferred to our Enforcement Department for review. This review may take a minimum of three months. The BON will not approve an applicant for licensure or issue a temporary permit until a decision has been rendered by our Enforcement Department.

ATTESTATION STATEMENT

I, the Nurse Applicant whose name appears within this Application, acknowledge this is a legal document. I understand that no one else may submit this form on my behalf and that I am accountable and responsible for the accuracy of any answer or statement on this form. I understand that it is a violation of the 22 Texas Administrative Code, §§ 217.12 (6)(I) and the Penal Code, sec 37.10, to submit a false statement to a government agency; and I consent to release of confidential information to the Texas Board of Nursing and further authorize the Board to use and to release said information as needed for the evaluation and disposition of my application. I understand that if I have any questions regarding this affidavit I should contact an attorney or the appropriate professional health provider. I will immediately notify the Board if at any time after signing this affidavit I no longer meet the eligibility requirements.

Applicant's Signature: _____

Date: _____ / _____ / _____

TEXAS BOARD OF NURSING
333 Guadalupe #3-460, Austin, Texas 78701
(512) 305-7400

**INSTRUCTIONS FOR SIX-MONTH TEMPORARY PERMIT
TO COMPLETE REFRESHER COURSE, EXTENSIVE ORIENTATION, OR NURSING PROGRAM OF
STUDY IN PROFESSIONAL REGISTERED NURSING**

Six-month temporary permits are issued to nurses who have not been employed as a Registered Nurse during the past four years and are used for the purpose of completing a refresher program, extensive orientation to the practice of nursing, or a nursing program of study under the supervision of an RN Instructor. In order to reactivate or be issued a license, you must successfully complete **ONE** of the following:

- (a) A refresher course, which is defined as an organized course for Registered Nurses designed to update nursing knowledge, and which meets all content criteria as indicated on the attached form;
- (b) An extensive orientation to the practice of Registered Nursing which meets all content criteria as indicated on the attached form; or
- (c) Academic nursing course(s), in an approved Registered Nursing education program, which meets all the content criteria as indicated on the attached form.

The temporary permit will be valid for six-months from the date of issuance. The permit cannot be extended! **Please be sure that you are prepared to begin and complete the course, orientation, or program of study within the required time limit.**

Upon completion of the refresher course, orientation, or program of study, the attached Verification of Successful Completion form must be completed and mailed by the instructor and submitted to the Board, to the attention of the Licensing Department. A permanent license **will not** be issued until the verification of successful completion is received in the Board's office and all other requirements set forth in Board Rules 217.6 or 217.9, as applicable, are met.

- (1) Complete the "Application for Six-Month Temporary Permit" and return to the Texas Board of Nursing, 333 Guadalupe #3-460, Austin, Texas 78701.
- (2) Attach a \$25.00 fee (check drawn on a U.S. Bank, U.S. Money Order or Canadian Postal Money Order - no Cash), payable to the Texas Board of Nursing. The fee is non-refundable.

Processing the of application can take up to ten (10) working days after receipt of the completed application and fee. The temporary permit will be mailed to the address listed on the application. Upon completion of the refresher program, extensive orientation, or program of study and subsequent receipt of the Verification of Successful Completion form, you may complete a reactivation and/or endorsement application.

**Verification of Successful Completion of
Professional Registered Nursing Refresher Course/Extensive Orientation/Academic Nursing Course(s)
for the Texas Board of Nursing**

Name: _____ RN Lic# _____ SS# _____

Didactic Content Course Dates: _____

Precepted Clinical Learning Experience Observation Dates: _____

Knowledge/Skill Verified *Attach additional teaching materials, objectives, skills check off sheets, etc.	Date of Verification (mm/dd/yy)	Instructor/ Preceptor Initials
1) Review of NPA, Rules, Position Statements		
2) <u>Determination of Individual Scope of Practice and role in patient safety</u>		
3) Review of the nursing process to include assessment, planning, implementation and evaluation		
4) Pharmacology review		
5) Medication administration		
6) Documentation, quality assurance, and legal implication for nursing practice		
7) <u>Documentation of current CPR certification prior to beginning precepted clinical learning experience</u>		
8) <u>Supervised clinical experience providing client care (minimum of 80 hours)</u>		
9) <u>Documentation of successful completion of refresher course</u>		

ATTESTATION STATEMENT

I attest that the registered nurse named above, has participated and successfully completed all requirements for a refresher course/extensive orientation or academic course as documented above, and has demonstrated clinical practice that meets minimum standards of nursing competence in compliance with the Nursing Practice Act and Rules & Regulations of the Texas Board of Nursing. I understand that no one else may submit this form on my behalf and that I am accountable and responsible for the accuracy of any answer or statement on this form. Furthermore, I acknowledge this is a legal document and understand that it is a violation of the 22 Texas Administrative Code, §§ 217.12 (6)(I) and the Penal Code, sec 37.10, to submit a false statement to a government agency.

Instructor's Name (Please print legibly): _____

_____, RN
Instructor's Signature

_____/_____/_____
Date

Clinical Preceptor's Name, if applicable _____

_____, RN
Clinical Preceptor's Signature

_____/_____/_____
Date

Professional Registered Nursing Refresher Course/Extensive Orientation/Academic Nursing Course(s) Overview of Requirements

General Requirements: Each content area indicated below must [with] have: course description, goals and objectives, resources to be utilized, break-down of didactic and clinical content, and methods to be used to determine successful completion of the course. Total didactic and clinical hours should be based on individual need and comprehensive assessment of the competency level of the nurse. The Differentiated Competencies of Graduates of Texas Nursing Programs ~~Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs (September 2002)~~, <http://www.bon.state.tx.us/about/pdfs/del-comp.pdf>, should serve as the guideline for the evaluation of competency. Didactic review must be completed by a RN Instructor. Clinical review can be performed by an RN preceptor in collaboration with the RN Instructor and must be a minimum of 80 hours in direct patient-care hours. Home study and/or video-based programs are not acceptable as the primary or sole means of instruction.

1) Review of NPA, Rules, Position Statements

Must include Standards of Nursing Practice, Misconduct Rules, Eligibility Requirements relating to good professional character and ethical conduct, including professional boundaries, Peer Rreview (incident-based and safe harbor), Delegation Rules, CE requirements, and licensure renewal requirements. It is recommended that this content constitutes 15% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

2) ~~Determining~~ Individual Scope of Practice

~~Must include application of Standards of Nursing Practice, Decision-Making Model for Determining Nursing Scope of Practice, evidenced-based best practices for practice setting focus, and, if available, other current reference material relevant to the nurse's practice.~~

Must include a review of all the scope of practice documents on the Board's website, listed under "Nursing Practice", then under "Scope of Practice", including identification of Standards of Nursing Practice, Decision-Making Model for Determining Nursing Scope of Practice, evidenced-based best practices for practice setting focus, and other current reference material relevant to patient safety and the nurse's practice. It is recommended that this content constitutes 5% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

3) Review of the nursing process to include assessment, planning, implementation and evaluation.

Must include both a didactic (excluding home study) and clinical application component. Critical thinking skills must be [are] discussed and incorporated in all steps of the nursing process. The content must reflect the Standards Specific to RNs identified in Rule 217.11(3). It is recommended that this content constitutes 30% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

4) Pharmacology Review

Must include both a didactic component; content must cover all major drug classifications and their physiological and therapeutic effects, dosages, administration, precautions, contraindications, side effects/adverse reactions and nursing implications. Courses focusing exclusively on drugs for specific disease processes shall not count. In addition, specific courses focusing on emergency management of certain conditions, such as Advanced Cardiac Life Support shall not count. It is recommended that this content constitutes 20% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

5) Medication Administration

Must include both a didactic (excluding home study) and clinical application components. Content must include review of proper administration procedures for all standard routes, computation of drug dosages, 5 rights of medication administration, factors influencing the choice of route, and possible adverse effects resulting from improper administration. Proficiency in administration of drugs by intravenous routes is to be covered. This content must be in addition to the above required didactic and clinical minimum hours, and shall be in alignment with currently accepted course content and clinical practice hours established by national specialty nursing organizations and/or professional nursing education programs. Must also include current information on national patient safety initiatives and recommendations for safe medication administration practices. It is recommended that this content constitutes 20% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

6) Documentation, quality assurance and legal implications for nursing practice.

Must include a didactic component. Content must include nursing standards related to accurate and complete documentation, legal guidelines for recording information into records pertaining to clients, methods and processes of recording, methods of alternative record keeping, including computerized documentation, acceptable methods of making late entries, and documentation practices considered to be unethical/illegal. Discussion should include basic principles and concepts of quality assurance. Evaluation of the ability to document care effectively must be included in clinical portion of refresher. It is recommended that this content constitutes 10% of Refresher Course/Extensive Orientation/Academic Nursing Course(s) time.

7) Documentation of current CPR certification prior to beginning clinical experience

Must complete a cardio-pulmonary resuscitation (CPR) certification course and provide a copy to the preceptor/instructor prior to beginning the precepted clinical learning experience. A copy of the CPR certificate should be maintained in personal files.

78) Supervised clinical experience providing patient care

Must include information on types of clients, disease processes, medications, treatment, and/or procedures performed during supervised/precepted clinical experiences and evaluation methods/comments of instructor/preceptor. Clinical practicum should be a minimum of 80 hours in direct patient-care hours. Clinical experiences are faculty planned and guided learning activities designed to assist students in meeting stated outcomes and to apply knowledge and skills to ensure the provision of safe nursing care to clients. Additional ~~The~~ clinical experiences may occur in nursing skills and computer laboratories; in simulated clinical settings; in a variety of affiliating agencies or clinical practice settings. ~~The amount of the simulated clinical experiences must meet the role expectation of the professional nurse.~~

9) Documentation of refresher course completion

Must submit a copy of the Refresher Course/Extensive Orientation/Academic Nursing Course(s) completion certificate with the Refresher Course/Extensive Orientation/Academic Nursing Course(s) Verification of Successful Completion form.

Attachment “B”

§217.5. Temporary License and Endorsement.

(a) A nurse who has practiced nursing in another state within the four years immediately preceding a request for temporary licensure and/or permanent licensure by endorsement may obtain a non-renewable temporary license, which is valid for 120 days, and/or a permanent license for endorsement by meeting the following requirements:

(1) Graduation from an approved nursing education program;

(2) Satisfactory completion of the licensure examination according to Board established minimum passing scores:

(A) Vocational Nurse Licensure Examination:

(i) Prior to April 1982--a score of 350 on the SBTPE;

(ii) Beginning October 1982 to September 1988--a score of 350 on the NCLEX-PN; and

(iii) October 1988 and after, must have achieved a passing report on the NCLEX-PN; and

(B) Registered Nurse Licensure Examination:

(i) Prior to July 1982--a score of 350 on each of the five parts of the SBTPE;

(ii) Prior to February 1989--a minimum score of 1600 on the NCLEX-RN; and

(iii) February 1989 and after, must have achieved a passing

report on the NCLEX-RN;

(3) Licensure by another U.S. jurisdiction;

(4) For an applicant who has graduated from a nursing education program outside of the United States or National Council jurisdictions--verification of LVN licensure as required in §217.4(a)(1) of this chapter or verification of RN licensure must be submitted from the country of education or as evidenced in a Credential Evaluation Service (CES) Full Education Course-by-Course Report from the Commission on Graduates of Foreign Nursing Schools (CGFNS), Educational Records Evaluation Service (ERES), or the International Education Research Foundation (IERF), as well as meeting all other requirements in paragraphs (2) - (3) of this subsection;

(5) Filing a completed "Application for Temporary License/Endorsement" containing:

(A) personal identification and verification of required information in paragraphs (1) - (3) of this subsection; and

(B) attestation that the applicant meets current Texas licensure requirements and has never had disciplinary action taken by any licensing authority or jurisdiction in which the applicant holds, or has held licensure and attestation that all information contained in, or referenced by, the application is complete and accurate and is not false or misleading;

(6) the required application processing licensure fee, which is not refundable;

(7) submitting fingerprints for a complete criminal background check; and

(8) a passing score on the jurisprudence exam approved by the Board,

effective September 1, 2008.

~~[(a) The requirements to obtain a non-renewable temporary license which is valid for 120 days, or a permanent license for endorsement are as follows:]~~

~~[(1) Graduation from an approved nursing education program.]~~

~~[(2) Satisfactory completion of the licensure examination according to board established minimum passing scores:]~~

~~[(A) Vocational Nurse Licensure Examination:]~~

~~[(i) Prior to April 1982--a score of 350 on the SBTPE;]~~

~~[(ii) Beginning October 1982 to September 1988--a score of 350 on the NCLEX-PN; and]~~

~~[(iii) October 1988 and after, must have achieved a passing report on NCLEX-PN.]~~

~~[(B) Registered Nurse Licensure Examination:]~~

~~[(i) Prior to July 1982--a score of 350 on each of the five parts of the SBTPE;]~~

~~[(ii) Prior to February 1989--a minimum score of 1600 on NCLEX-RN; and]~~

~~[(iii) February 1989 and after, must have achieved a passing report on NCLEX-RN.]~~

~~[(3) Licensure by another U.S. jurisdiction.]~~

~~[(4) For an applicant who has graduated from a nursing education program~~

~~outside of the United States or National Council jurisdictions--verification of LVN licensure as required in §217.4(a)(1) or verification of RN licensure must be submitted from their country of education or as evidenced in a Credential Evaluation Service (CES) Full Education Course-by-Course Report from the Commission on Graduates of Foreign Nursing Schools (CGFNS), Educational Records Evaluation Service (ERES), or the International Education Research Foundation (IERF), as well as meeting all other requirements in paragraphs (2) - (3) of this subsection.]~~

~~[(5) Filing a completed "Application for Temporary License/Endorsement" containing]:~~

~~[(A) personal identification and verification of required information in paragraphs (1) - (3) of this subsection;]~~

~~[(B) attestation that the applicant meets current Texas licensure requirements and has never had disciplinary action taken by any licensing authority or jurisdiction in which the applicant holds, or has held licensure and attestation that all information contained in, or referenced by, the application is complete and accurate and is not false or misleading;]~~

~~[(C) a recent, fade-proof passport sized identification photograph, properly identified;]~~

~~[(6) the required application processing licensure fee, which is not refundable; and]~~

~~[(7) applicants must submit FBI fingerprint cards provided by the Board for a complete criminal background check; and]~~

~~[(8) a passing score on the jurisprudence exam approved by the board, effective September 1, 2008.]~~

(b) A nurse who has not practiced nursing in another state within the four years immediately preceding a request for temporary licensure and/or permanent licensure by endorsement will be required to:

(1) complete a refresher course, extensive orientation to the practice of nursing, or a nursing program of study that meets the requirements prescribed by the Board. The nurse must submit an Application for Six Month Temporary Permit (RN) or an Application for Six Month Temporary Permit (LVN), as applicable, to the Board for the limited purpose of completing a refresher course, extensive orientation to the practice of nursing, or a nursing program of study;

(2) submit to the Board evidence of the successful completion of the requirements of paragraph (1) of this subsection;

(3) submit to the Board a course completion form from one of the following:

(A) the online Texas Board of Nursing Jurisprudence Prep Course;

(B) the Texas Board of Nursing Jurisprudence and Ethics Workshop;

or

(C) a Texas Board of Nursing approved Nursing Jurisprudence and Ethics course; and

(4) after completing the requirements of paragraphs (1) - (3) of this subsection, submit to the Board verification of the completion of the requirements of paragraphs (1) - (8) of subsection (a) of this section.

~~[(b) A nurse who has not practiced nursing within the four years immediately~~

~~preceding the request for temporary licensure, shall meet the requirements as stated in §217.9 of this title (relating to Inactive Status).]~~

(c) The Board adopts by reference the following forms, which comprise the instructions and requirements for a refresher course, extensive orientation to the practice of nursing, and a nursing program of study required by this section, and which are available at <http://www.bon.state.tx.us/olv/forms.html>:

(1) Application for Six Month Temporary Permit (RN); and

(2) Application for Six Month Temporary Permit (LVN).

~~(d)~~(e) A nurse who has had disciplinary action at any time by any licensing authority is not eligible for temporary licensure until completion of the eligibility determination.

~~(e)~~(d) Upon initial licensure by endorsement, the license is issued for a period ranging from six months to 29 months depending on the birth month. Licensees born in even-numbered years shall renew their licenses in even-numbered years; licensees born in odd-numbered years shall renew their licenses in odd-numbered years.

~~(f)~~(e) Should it be ascertained from the application filed, or from other sources, that the applicant should have had an eligibility issue determined by way of a petition for declaratory order pursuant to the Occupations Code §301.257, then the application will be treated and processed as a petition for declaratory order under §213.30 of this title (relating to Declaratory Order of Eligibility for Licensure), and the applicant will be treated as a petitioner under that section and will be required to pay the non-refundable fee required by that section.