

### **The Nurse Licensure Compact and Rulemaking**

House Bill (HB) 2950 was enacted by the 85<sup>th</sup> Texas Legislature and became effective September 1, 2017. HB 2950 enacts the Nurse Licensure Compact, which currently includes twenty six (26) states. Texas was a member of the original Compact, which was enacted in 2007 and was codified as Texas Occupations Code Chapter 304. The newly enacted Nurse Licensure Compact (Enhanced NLC) will take the place of the original Nurse License Compact. The Enhanced NCL allows registered nurses and licensed vocational nurses to utilize one multi-state license to practice in other states belonging to the compact, without the necessity of obtaining separate licenses in each compact state.

The Enhanced NLC is governed by the Interstate Commission of Nurse Licensure Compact Administrators (Commission). The Commission is tasked with drafting rules and policies to govern the operations and implementation of the Enhanced NLC. Pursuant to Article VIII of the Enhanced NLC legislation, the Commission has proposed uniform rules. The proposed rules are necessary to effectuate the implementation of the Enhanced NLC and provide proper guidance and clarification to licensees and applicants of the party states that will promote compliance with the Enhanced NLC. The Commission will hold a hearing on the proposed rules, via teleconference, at 2:00 p.m. (Central Standard Time) on December 8, 2017, at the National Council of State Boards of Nursing headquarters.

The Commission's rulemaking procedures are independent of state rulemaking procedures. Parallel state rulemaking procedures may need to accompany the rulemaking procedures of the Commission so as to effectuate enhanced notice of these new rulemaking procedures and further ensure enforceability of the Commission's rules. Board Staff are currently working with the Attorney General's Office to determine the most appropriate action in this regard. To the extent that parallel state rulemaking procedures may be determined to be necessary, Staff seeks approval from the Board to authorize Staff to publish any necessary rules in the *Texas Register* for proposal and adoption.

**Board action:** Move to authorize Board Staff to publish proposed rules in the *Texas Register* pursuant to state rulemaking procedures as may be necessary to effectuate the enforceability of the Commission's rules.