



PUBLIC POLICY AGENDA

2014 – 2016 EDITION



NCSBN

National Council of State Boards of Nursing



NCSBN offers education, information and resources for boards of nursing, and tracks legislation at both the state and federal level.



National Council of State Boards of Nursing (NCSBN®)

There are 59 state boards of nursing (BONs) in the U.S. and its territories. These BONs represent the 50 states; District of Columbia; four U.S. territories (Guam, the Northern Mariana Islands, American Samoa and the U.S. Virgin Islands); three states, California, Louisiana, and West Virginia, that have separate registered nurse (RN) and licensed practical/vocational nursing (LPN/VN) BONs; and one state, Nebraska, that has separate RN and advanced practice registered nurse (APRN) BONs. Nursing leaders and public members in each jurisdiction comprise the BONs whose mission is to ensure the public is receiving safe and competent nursing care. This vital charge distinguishes BONs from nursing organizations that act on behalf of the interests of the profession.

NCSBN is the organization that represents these 59 BONs. NCSBN provides a variety of services and resources to BONs; the most prominent are the NCLEX® Examinations, which are administered in every U.S. jurisdiction to more than 200,000 new graduates of RN and LPN/VN programs (first-time, U.S. educated) each year. These exams ensure that every licensed nurse has met state education requirements and is competent to practice nursing safely.

In addition to the NCLEX, NCSBN offers education, information and resources for BONs, and tracks legislation at both the state and federal levels. Legislative resources such as talking points and FAQs, nursing data, and consultation are available to the BONs, the nursing profession, legislators and other policymakers, and consumers. NCSBN serves as a resource to both Congressional and state legislators requesting education and information on nursing regulatory issues. NCSBN has model legislative language available for bills that deal directly with laws and regulations pertaining to a state nurse practice act.

The following is NCSBN's public policy agenda for 2014–16. Although it is anticipated that additional issues will emerge, the following sets the stage for legislative efforts in the next few years. This agenda supports NCSBN's mission and strategic plan.



NCSBN supports state-based licensure and the power granted to the states by the U.S. Constitution to formulate their own state laws and rules related to health care regulation.

Support for State-based Licensure

- State-based licensure affords the greatest protection for the public. It also allows for mobility of nurses and access to care for patients. BONs provide thorough assessments of applicants for licensure qualifications, ensure that foreign-educated nurses meet U.S. standards and act quickly to investigate a complaint of incompetent practice or unprofessional conduct of a nurse. The vigilant and careful monitoring provided by BONs makes the state-based system integral to public protection. Therefore, NCSBN supports state-based licensure and the power granted to the states by the U.S. Constitution to formulate their own state laws and rules related to health care regulation. NCSBN opposes federal preemption of state laws related to nursing regulation.
- Two models of nurse licensure exist in the U.S.: the historical single-state licensure model and the Nurse Licensure Compact (NLC), first implemented in 2000. The NLC, an interstate compact agreement among participating states, allows for the mobility of nurses and practice across state lines. A license is issued in the jurisdiction of the nurse's state of residence, granting the nurse a privilege to practice in all other states participating in the NLC. Currently, 24 states belong to NLC.
- Both NLC states and single states support telehealth nursing practice. Single-state licensure models facilitate telehealth by issuing a single-state license. The NLC allows nurses to practice telehealth across state lines by issuing one license recognized by all participating states. Recognizing the growing need for telehealth services and the changes in the health care environment, BONs are working cooperatively and collectively to facilitate borderless delivery.



NCSBN supports the right of consumers to easily obtain information about the license of a nurse and any discipline associated with it.



Practice Occurs at the Location of the Patient

- Both the NLC and single-state licensure models consider practice to take place where the patient is located. The public protection mandate through licensure is based on a consumer/patient-centered model and is the most effective way to protect health care consumers. Health care consumers have a right to believe that a nurse is qualified and safe to practice when administering care. Consumers have a right to contact their BON to easily obtain information about the license of a nurse and any discipline associated with it. If a consumer wishes to file a complaint against a nurse for harm or other violations of the nurse practice act, the consumer can contact their BON, which will investigate and take action if necessary.

The state-based nurse licensure models in the U.S., the District of Columbia, and U.S. territories, as well as those of all other health care disciplines, are based on practice occurring where the patient is located.



NCSBN supports federal and state legislation that will help veterans safely and competently enter civilian careers in nursing.

A Bridge Between Military and Nursing Careers

- The 2013 White House report, *The Fast Track to Civilian Employment: Streamlining Credentialing and Licensing for Service Members, Veterans and Their Spouses*, encourages states to support legislative efforts that will transition veterans into the civilian workplace. NCSBN wholeheartedly joins these efforts valuing the contributions veterans have made in the military by acknowledging their training and experience. NCSBN supports federal and state legislation that will help veterans safely and competently enter civilian careers in nursing.
- Recently, there has been an emphasis placed on transitioning military medics, corpsmen and airmen to civilian roles as LPN/VNs. NCSBN staff, with consultation from leading experts in the areas of nursing and military education, conducted an in-depth analysis of the health care specialist (medic), corpsman and airman curricula, and compared these with a standard LPN/VN curriculum. The following are key findings and recommendations that will be helpful for policymakers introducing legislation related to this topic.

LPN/VN education is different than the training received by health care specialists (medics), corpsmen or airmen. NCSBN encourages legislation that supports the development of LPN/VN bridge programs allowing health care specialists (medics), corpsmen and airmen to receive credit for the knowledge, skills, and abilities they acquired in the military, and recommends focusing content on gaps in knowledge, the nursing process, and differences between the military and LPN/VN roles and scope of practice.

NCSBN and BONs are working with many groups to address different aspects of this project and should be involved in any discussions regarding this endeavor so that it can assist in assuring that veterans have a safe and smooth transition into a career in nursing.



NCSBN encourages state and federal legislation that promotes and complies with the recommendations in the Consensus Model for APRN Regulation.



Promoting Solutions for Borderless Care

Consensus Model for APRN Regulation

- With the advent of the Affordable Care Act and other initiatives to improve the health of the nation, NCSBN encourages state and federal legislation that promotes and complies with the recommendations in the Consensus Model for APRN Regulation. This model contains education, accreditation, licensure and certification requirements for all four categories of APRNs in the U.S. These national standards will increase mobility for APRNs, increase access to care, help fill gaps in areas that need health care providers, and assure the public that every APRN has met the same standards and is competent and safe to practice.
- Given the evidence provided by numerous studies on the safety of APRNs and the growing need for their services, NCSBN supports legislation that encourages independent practice and prescriptive authority of these practitioners. Since the role of BONs is public protection, they are best suited to regulate APRNs. The authority to monitor and discipline APRNs must remain with the BONs.

Criminal Background Checks (CBCs)

- State and federal biometric (primarily fingerprinting) CBCs are the best way of ensuring that nurses have no history of criminal behavior. They are inexpensive, easy to conduct and place little burden on the nurse. A positive CBC does not necessarily preclude a nurse from licensure. BONs take into account the type of violation, time lapse since the violation and many other factors. CBCs are a tool that provides the BON with important information to make an informed decision to protect the public.
- While most BONs conduct CBCs on all applicants for initial licensure, some BONs do not. While these BONs have made attempts to introduce CBC legislation, it failed to be enacted for various political reasons. For the welfare and safety of the public, NCSBN strongly encourages legislation in all states requiring a minimum of a CBC at the time of initial licensure.
- NCSBN has a variety of resource materials available for any policymaker wishing to know more about this important initiative, including a resolution passed by the Council of State Governments supporting CBCs for nurses.



NCSBN supports workforce initiatives that encourage entry into the profession and the advancement of education for nurses.

Assisting in Workforce Data Collection

- With the changes in health care, the need for nurses will be greater than ever in the coming years. NCSBN supports workforce initiatives that encourage entry into the profession.
- NCSBN is assisting BONs in the collection of workforce data by helping BONs acquire workforce data, analyze it and store national data in NCSBN's central workforce data repository. Jurisdictions are encouraged to contribute to the collection of these much needed data.

Support for Distance Education in Nursing

- NCSBN supports the advancement of education for nurses. Cognizant of the changes in nursing education and the growing number of distance nursing education programs, NCSBN is working with BONs to reduce barriers and assist states in becoming more uniform in their requirements for distance education programs.

The Role of Assistive Personnel

(Nursing Assistants, Medical Assistants, Patient Care Technicians, Community Health Workers and Medication Aides)

- With the expansion of health insurance coverage for all Americans, an increased need for providers is anticipated. Often, during periods of nursing shortages, questions arise as to whether assistive personnel can substitute for LPN/VNs and/or RNs. While there is definitely a role for assistive personnel in today's health care models, before introducing legislation related to the use of assistive personnel, legislators should consult their BON regarding safe and appropriate roles and functions for these individuals.
- NCSBN supports consistent and comprehensive education of assistive personnel that is geared toward their roles, certification and testing with psychometrically sound exams, and regulation by BONs.



NCSBN supports trade agreements that align with current licensure standards in the U.S.



Support for Trade Agreements

- NCSBN works with nurse regulators around the world both formally and informally. NCSBN is a member of the International Nurse Regulator Collaborative, working towards common licensure standards. Additionally NCSBN is accredited by the American National Standards Institute as a Standards Development Organization, building common licensure standards through inclusivity and a consensus building process.
- NCSBN supports trade agreements that align with current licensure standards in the U.S.

Support for the Institute of Medicine (IOM) Future of Nursing Recommendations

- NCSBN supports nursing initiatives that are related to the recommendations outlined in the Robert Wood Johnson Foundation's 2010 report, *The Future of Nursing: Leading Change, Advancing Health*, which encouraged the pursuit of higher education and utilization of the full scope of practice for LPN/VNs, RNs and APRNs.
- NCSBN supports the work of action coalitions and encourages the involvement of BONs in these groups.

Inclusion of Nurse Regulators in Health Policy Discussions

- NCSBN encourages local, state and the federal government to include nurse regulators in health policy discussions. NCSBN recommends inclusion of nurse regulators at tables where discussions are focused on health care education, practice and delivery. NCSBN staff and BONs can serve as a resource to legislators and their staff when issues arise related to nursing licensure, education and practice.
- NCSBN staff and BONs are available to answer questions or provide assistance to any policymaker that is interested in learning more about nursing regulation and/or any of the organization's initiatives. Visit the NCSBN website at www.ncsbn.org to learn more.



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