

# House Bill 3340

Sponsored by Representative BENTZ; Representatives GARRARD, JENSON, NATHANSON, OLSON, ROBLAN, Senators BOQUIST, FERRIOLI, JOHNSON, MORRISETTE

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates limited license for nurses licensed in Idaho, California, Washington or Nevada who intend to work in certain rural Oregon settings.

## A BILL FOR AN ACT

1  
2 Relating to nurses; amending ORS 678.050.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 678.050 is amended to read:

5 678.050. (1) Examinations for the licensing of applicants under ORS 678.010 to 678.445 shall be  
6 held at least once a year, and at such times and places as the Oregon State Board of Nursing may  
7 determine. Notice of the examination dates shall be given by mail to all accredited nursing educa-  
8 tion programs in Oregon. The board shall issue a wallet sized license as evidence of current  
9 licensure. The applicant shall be required to pass an examination in such subjects relating to nurs-  
10 ing at the practical or registered level as the board may determine necessary to protect the public  
11 health and welfare.

12 (2) All duly qualified applicants who pass the examination and meet other standards established  
13 by the board shall be issued the license provided for in ORS 678.010 to 678.445 according to the  
14 nature of the license for which application is made and examination taken and passed.

15 (3)(a) The board may issue a license by indorsement to an applicant qualified as provided in ORS  
16 678.040 who has passed the examination used by the Oregon State Board of Nursing and meets other  
17 standards established by the board. The board may also require evidence of competency to practice  
18 nursing at the level for which application is made.

19 (b) For the purposes of the licensing procedure, the board shall not accept monetary assistance  
20 from anyone except the nurse applying for licensure by indorsement.

21 (c) The board shall process in order applications for licensure by indorsement of qualified ap-  
22 plicants and immediately issue licenses or license memoranda when the applications are received  
23 and review of supportive documentation is completed. However, this paragraph does not prohibit  
24 the board from immediately issuing a license out of order to applicants appearing in person.

25 (d) The provisions of paragraphs (b) and (c) of this subsection do not prohibit the board from  
26 processing requests to employ nurses to meet temporary staffing shortages, as described in ORS  
27 678.031 or 678.034, in facilities in this state not involved in labor disputes.

28 (4) Subject to such terms and conditions as the board may impose, the board may issue a limited  
29 license to practice registered or practical nursing:

30 (a) To a graduate of an accredited nursing education program at the appropriate level upon the  
31 applicant's filing for the first examination to be given following the applicant's graduation. The li-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 cense issued under this paragraph expires when the results of the examinations are received by the  
 2 applicant. The board may extend the limited license if the applicant shows to the satisfaction of the  
 3 board that an emergency situation has prevented the applicant from taking or completing the first  
 4 examination administered following graduation. The extension expires when the results of the next  
 5 examination are received by the applicant or on the filing date of the next examination if the ap-  
 6 plicant has not reapplied.

7 (b) To an applicant whose license has become void by reason of nonpayment of fees at either  
 8 level and who otherwise meets the requirements of the board. The board may, in issuing a limited  
 9 license, require the applicant to demonstrate ability to give safe nursing care by undergoing a  
 10 supervised experience in nursing practice as shall be designated by the board, or by satisfactorily  
 11 completing a continuing education program as approved by the board. The license issued under this  
 12 paragraph expires on the date set in the license by the board. Upon satisfactorily completing the  
 13 board's requirements, and payment of the renewal fee and delinquency fee, the board shall issue to  
 14 the applicant a license to practice nursing.

15 (c) To an applicant who has not practiced nursing in any state for a period of five years, but  
 16 has maintained a current license by the payment of fees. Such applicant shall not practice nursing  
 17 in Oregon unless an application is made to the board for a limited license and it is issued to the  
 18 applicant. The board, in issuing such limited license, may require the applicant to demonstrate  
 19 ability to give safe nursing care by undergoing a supervised experience in nursing practice as shall  
 20 be designated by the board, or by satisfactorily completing a continuing education program approved  
 21 or designated by the board. No person shall be issued a license if, in the judgment of the board, the  
 22 person's conduct has been such, during absence from practice, that the applicant would be denied  
 23 a license if applying for an initial license to practice nursing in this state.

24 (d) To a licensee who has been placed on probation or has been otherwise subjected to disci-  
 25 plinary action by the board.

26 (e) To any of the following persons if the person is affiliated with a planned program of study  
 27 in Oregon consistent with the standards and requirements established by the board:

- 28 (A) A foreign nurse;
- 29 (B) A foreign student nurse; or
- 30 (C) A nurse licensed in another jurisdiction.

31 **(5)(a) The board shall issue a limited license to practice registered or practical nursing**  
 32 **for a period of 90 days to a nurse who:**

33 **(A) Has a full, unrestricted license to practice nursing in Idaho, California, Washington**  
 34 **or Nevada;**

35 **(B) Agrees to practice nursing at a qualifying practice site as defined in ORS 442.550; and**

36 **(C) Submits an application and meets other requirements established by the board by**  
 37 **rule.**

38 **(b) The board shall issue a limited license under paragraph (a) of this subsection within**  
 39 **21 days after receiving an application that meets the requirements of paragraph (a) of this**  
 40 **subsection.**

41 **(c) The board may renew a limited license issued under paragraph (a) of this subsection**  
 42 **for one or more additional 90-day periods if the licensee has applied to the board for an un-**  
 43 **limited license to practice nursing and the board has not taken final action on the nurse's**  
 44 **application for an unlimited license by the date of expiration of the limited license.**

45 [(5)] **(6) The board may adopt by rule requirements and procedures for placing a license or**

1 certificate in inactive status.

2 [(6)(a)] **(7)(a)** Retired status may be granted to a person licensed or certified as a registered  
3 nurse, licensed practical nurse, nurse practitioner, certified registered nurse anesthetist or clinical  
4 nurse specialist and who surrenders the person's license or certificate while in good standing with  
5 the issuing authority if the person is not subject to any pending disciplinary investigation or action.  
6 The board may adopt by rule requirements, procedures and fees for placing a license or certificate  
7 in retired status.

8 (b) A person granted retired status by the Oregon State Board of Nursing under the provisions  
9 of paragraph (a) of this subsection:

10 (A) Shall pay a fee in an amount to be determined by the board for retired status.

11 (B) May not practice nursing or offer to practice nursing in this state.

12 (C) May use the title or abbreviation with the retired license or certificate only if the desig-  
13 nation "retired" appears after the title or abbreviation.

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