

Enrolled
Senate Bill 139

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CHAPTER

AN ACT

Relating to Oregon State Board of Nursing; amending ORS 678.050 and 678.080.

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

SECTION 1. ORS 678.050 is amended to read:

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

(2) All duly qualified applicants who pass the examination and meet other standards established by the board shall be issued the license provided for in ORS 678.010 to 678.445 according to the nature of the license for which application is made and examination taken and passed. **The board shall provide evidence of current licensure. The board shall determine by rule the form and manner of the evidence of current licensure.**

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

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

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

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

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

(a) To a graduate of an accredited nursing education program at the appropriate level upon the applicant's filing for the first examination to be given following the applicant's graduation. The license issued under this paragraph expires when the results of the examinations are received by the applicant. The board may extend the limited license if the applicant shows to the satisfaction of the board that an emergency situation has prevented the applicant from taking or completing the first examination administered following graduation. The extension expires when the results of the next examination are received by the applicant or on the filing date of the next examination if the applicant has not reapplied.

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

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

(d) To a licensee who has been placed on probation or has been otherwise subjected to disciplinary action by the board.

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

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

(5) The board may adopt by rule requirements and procedures for placing a license or certificate in inactive status.

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

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

- (A) Shall pay a fee in an amount to be determined by the board for retired status.
- (B) May not practice nursing or offer to practice nursing in this state.

(C) May use the title or abbreviation with the retired license or certificate only if the designation "retired" appears after the title or abbreviation.

SECTION 2. ORS 678.080 is amended to read:

678.080. Any person to whom a license is issued under ORS 678.010 to 678.445, whenever requested to do so in relation to employment as a registered or practical nurse or in relation to enforcement of ORS 678.010 to 678.445, shall [*exhibit the*] **provide** evidence of current licensure [*described in ORS 678.050 (1)*].

Passed by Senate February 23, 2009

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Secretary of Senate

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President of Senate

Passed by House March 17, 2009

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Speaker of House

Received by Governor:

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Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

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Secretary of State