

## SECTION .0700 – NURSE LICENSURE COMPACT

### 21 NCAC 36 .0701 DEFINITIONS OF TERMS IN THE COMPACT

- (a) For the purpose of the Compact enacted into Law G.S. 90, Article 9G:
- (1) "Board" means party state's regulatory body responsible for issuing nurses licenses.
  - (2) "Information system" means the coordinated licensure information system.
  - (3) "Primary state of residence" means the state of a person's declared fixed permanent and principal home for legal purposes; domicile.
  - (4) "Public" means any individual or entity other than designated staff or representatives of party state Boards or the National Council of State Boards of Nursing, Inc.
- (b) Other terms used in this Section are as defined in G.S. 90-171.82.

*History Note:* Authority G.S. 90-171.82; 90-171.87(4); 90-171.88(d)(e);  
Eff. July 1, 2000.

### 21 NCAC 36 .0702 ISSUANCE OF A LICENSE BY A COMPACT PARTY STATE

For the purpose of the Compact:

- (1) A nurse applying for a license in a home state shall produce evidence of the nurses' primary state of residence. Such evidence shall include a declaration signed by the licensee attesting to the licensee's primary state of residence. Further evidence that may be requested includes, but is not limited to:
  - (a) Driver's license with a home address;
  - (b) Voter registration card displaying a home address; or
  - (c) Federal income tax return declaring the primary state of residence.
- (2) A nurse changing primary state of residence, from one party state to another party state, may continue to practice under the former home state license and multistate licensure privilege during the processing of the nurse's licensure application in the new home state for a period not to exceed 30 days.
- (3) The licensure application in the new home state of a nurse under pending investigation by the former home state shall be held in abeyance. The 30-day period in Item (2) of this Rule shall be stayed until resolution of the pending investigation.
- (4) The former home state license shall no longer be valid upon the issuance of a new home state license.
- (5) If a decision is made by the new home state denying licensure, the new home state shall notify the former home state within 10 business days and the former home state may take action in accordance with that state's laws and rules.
- (6) As of July 1, 2005, no individual shall be issued a multistate licensure privilege unless the applicant provides evidence of successful completion of the licensing examination developed by the National Council of State Boards of Nursing, Inc.

*History Note:* Authority G.S. 90-171.82(6); 90-171.83(a)(b); 90-171.85(b); 90-171.87(4);  
Eff. July 1, 2000;  
Amended Eff. July 1, 2005.

### 21 NCAC 36 .0703 LIMITATIONS ON MULTISTATE LICENSURE PRIVILEGE

Home state Boards shall include in all licensure disciplinary orders or agreements that limit practice or require monitoring the requirement that the licensee subject to said order or agreement will agree to limit the licensee's practice to the home state during the pendency of the disciplinary order or agreement. This requirement may, in the alternative, allow the nurse to practice in other party states with prior written authorization from both the home state and such other party state Boards.

*History Note:* Authority G.S. 90-171.37; 90-171.85(f); 90-171.87(4);  
Eff. July 1, 2000.

**21 NCAC 36 .0704            INFORMATION SYSTEM**

(a) Levels of access:

- (1) The public shall have access to nurse licensure information limited to:
  - (A) the nurse's name;
  - (B) jurisdiction(s) of licensure;
  - (C) license expiration date(s);
  - (D) licensure classification(s) and status(es);
  - (E) public emergency and final disciplinary actions, as defined by contributing state authority; and
  - (F) the status of multistate licensure privileges.
- (2) Non-party state Boards shall have access to all Information System data except current significant investigative information and other information as limited by contributing party state authority.
- (3) Party state Boards shall have access to all Information System data contributed by the party states and other information as limited by the contributing state authority.

(b) The licensee may request in writing to the home state Board to review the data relating to the Licensee in the Information System. In the event a licensee asserts that any data relating to him or her is inaccurate, the burden of proof shall be upon the licensee to provide evidence that substantiates such claim. The Board shall verify and within 10 business days correct inaccurate data to the Information System.

(c) The Board shall report to the Information System within 10 business days:

- (1) disciplinary action, agreement or order requiring participation in alternative programs or which limit practice or require monitoring (except agreements and orders relating to participation in alternative programs required to remain nonpublic by contributing state authority);
- (2) dismissal of complaint; and
- (3) changes in status of disciplinary action or licensure encumbrance.

(d) Current significant investigative information shall be deleted from the Information System within 10 business days upon report of disciplinary action, agreement or order requiring participation in alternative programs or agreements which limit practice or require monitoring or dismissal of a complaint.

(e) Changes to licensure information in the Information System shall be completed within 10 business days upon notification by a Board.

*History Note:     Authority G.S. 90-171.87(4); 90-171.88;  
                          Eff. July 1, 2000.*

**21 NCAC 36 .0705            PARTY STATE LICENSURE REQUIREMENTS**

Party state licensure requirements for registered nurses and licensed practical nurses shall be considered substantially equivalent by the North Carolina Board of Nursing when current requirements include:

- (1) completion of a nursing education program approved by the jurisdiction of original licensure; and
- (2) successful completion of the licensing examination developed by the National Council of State Boards of Nursing, Inc.

*History Note:     Authority G.S. 90-171.32; 90-171.87(4); 90-171.94;  
                          Eff. July 1, 2000.*