



April 6, 2020

Amended December 27, 2021

On March 10, 2020, Governor Roy Cooper declared a state of emergency due to the public health emergency posed by novel coronavirus (COVID-19). The North Carolina Board of Nursing (“Board”) is vested with the authority to waive the requirements of Article 9A Chapter 90 of the General Statutes to allow emergency health services to the public if the Governor declares a state of emergency.

Pursuant to the authority granted to the Board by N.C. Gen. Stat. §90-171.49 in response to Executive Order 116 (2020), the Board hereby waives the following rules and requirements:

- **Emergency Temporary Reinstatement of Inactive and Retired RN’s and LPN’s**

21 NCAC 36 .0202 INACTIVE AND RETIRED STATUS

- (b) An applicant whose licensure status is inactive or retired and who desires to resume the practice of nursing in North Carolina shall:
- (2) have no pending court conditions as a result of any misdemeanor or felony convictions. The applicant shall provide a written explanation and all investigative reports or court documents evidencing the circumstances of the crimes if requested by the Board. The Board shall use these documents when determining if a license should be denied pursuant to G.S. 90-171.48 and 90-171.37;
 - (3) self-certify that the applicant is of mental and physical health necessary to competently practice nursing;
 - (4) submit the licensure application fee, as established in G.S. 90-171.27(b);
 - (5) attest to having completed continuing competence requirements and submit evidence of completion if requested by the Board, as specified in Rule .0232(b) of this Section; and,
 - (6) complete a criminal background check in accordance with G.S. 90-171.48.

Waive the provisions of (b)(2)-(6) so that an applicant may practice as an RN or LPN during the declared state of emergency. Applicants shall apply for reinstatement as provided in (b)(1). The provisions of (c) shall not be waived. The emergency permit is temporary and shall expire on June 30, 2022, unless the waiver provisions are sooner amended, or rescinded by the Board or further Executive Order.

- **Emergency Temporary Reinstatement of Expired License**

21 NCAC 36 .0203 REINSTATEMENT OF EXPIRED LICENSE

- (a) An applicant whose license has expired and who desires reinstatement of that license shall:
- (1) submit a completed application for reinstatement, stating that the information on the application is true and complete and authorizing the release to the Board of all information pertaining to the application. The Application for Reinstatement is posted on the Board's website at www.ncbon.com;
 - (2) have an unencumbered license in all jurisdictions in which a license is or has ever been held;
 - (3) attest to having completed continuing competence requirements and submit evidence of completion if requested by the Board, as specified in Rule .0232(b) of this Section;
 - (4) have no pending court conditions as a result of any misdemeanor or felony convictions. An Applicant shall provide a written explanation and all investigative reports or court documents evidencing the circumstances of the crime(s) if requested by the Board. The Board shall use these documents when determining if a license should be denied pursuant to G.S. 90-171.48 and G.S. 90-171.37;
 - (5) submit such other evidence that the Board may require according to these rules to determine whether the license should be reinstated;
 - (6) complete a criminal background check after license has been expired for 30 calendar days in accordance with G.S. 90-171.48;
 - (7) self-certify that the applicant is of mental and physical health necessary to competently practice nursing; and
 - (8) submit the reinstatement fee, as established in G.S. 90-171.27(b).

Waive the provisions of (a) (3)-(8) so that an applicant may practice as an RN or LPN during the declared state of emergency. Applicants shall apply for reinstatement as provided in (a)(1). The provisions of (a)(2) shall not be waived. The provisions of (c)(2) shall not be waived. Applicants with licenses surrendered or suspended due to disciplinary action will not be considered. The emergency permit is temporary and shall expire on June 30, 2022, unless the waiver provisions are sooner amended, or rescinded by the Board or further Executive Order.

This waiver does not waive other statutory requirements or limitations. This waiver shall take effect on April 6, 2020 and shall remain in full force and effect until June 30, 2022, or unless sooner amended, or rescinded by the Board or further Executive Order.



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Chief Executive Officer