

CHAPTER 6305
BOARD OF NURSING
PROFESSIONAL AND PRACTICAL NURSES

LICENSURE OF PROFESSIONAL AND
PRACTICAL NURSES
6305.0100 DEFINITIONS.
6305.0200 PURPOSE AND AUTHORITY.
6305.0300 AUTHORIZATION TO PRACTICE
NURSING.

6305.0400 REQUIREMENTS FOR LICENSURE
BY EXAMINATION.
6305.0500 REQUIREMENTS FOR LICENSURE
WITHOUT EXAMINATION.
6305.0600 APPLICATION NULLIFICATION.
6305.0700 ADMINISTERING EXAMINATIONS
FOR OTHER JURISDICTIONS.

LICENSURE OF PROFESSIONAL AND PRACTICAL NURSES

6305.0100 DEFINITIONS.

Subpart 1. **Scope.** As used in parts 6305.0100 to 6305.0700, the following terms have the meanings given them.

Subp. 2. **Affidavit of continuing education.** "Affidavit of continuing education" means the form supplied by the board used to authenticate officially that the applicant has fulfilled all continuing education requirements for licensure.

Subp. 3. **Affidavit of enrollment.** "Affidavit of enrollment" means the form supplied by the board used to authenticate officially that the applicant is enrolled in the final term of study in an approved nursing program.

Subp. 4. **Affidavit of graduation.** "Affidavit of graduation" means the form supplied by the board used to authenticate officially that the applicant has fulfilled all requirements for graduation.

Subp. 5. **Approved.** "Approved" means the status granted to a professional nursing program or a practical nursing program by a nurse licensing agency or other official governmental agency in a state or territory of the United States, a Canadian province or a foreign country.

Subp. 6. **Board.** "Board" means the Minnesota Board of Nursing.

Subp. 7. **Completion.** "Completion" means that the applicant has fulfilled all the requirements of a program and is eligible for a degree, diploma, or certificate.

Subp. 7a. **Disaster.** "Disaster" means an occurrence such as a tornado, storm, flood, high water, earthquake, drought, blizzard, pestilence, fire, explosion, building collapse, commercial transportation wreck, or other situation that causes human suffering or creates human needs that require substantial assistance and exceed the health care resources of the community.

Subp. 8. **Enrolled in.** "Enrolled in" means to be satisfying the requirements of a specific course.

Subp. 9. **Examination application.** "Examination application" means the form supplied by the board used in applying for a professional or practical nurse examination.

Subp. 10. **Final term of study.** "Final term of study" means the last academic period (quarter, term, session, or semester) that is necessary for an applicant to complete graduation requirements. The term must have officially begun at least one day before the examination.

Subp. 11. **Jurisdiction.** "Jurisdiction" means a state or territory of the United States.

Subp. 12. **Graduation.** "Graduation" means completion of an approved nursing program.

Subp. 13. **License.** "License" means the document issued by the board to an individual who meets for the first time the requirements for practicing professional or practical nursing in Minnesota.

MINNESOTA RULES 1991

5941

PROFESSIONAL AND PRACTICAL NURSES 6305.0300

Subp. 14. **Licensure application.** "Licensure application" means the form supplied by the board used in applying for professional or practical nurse licensure.

Subp. 15. [Repealed, 15 SR 838]

Subp. 16. [Repealed, 15 SR 838]

Subp. 17. **Nursing ability.** "Nursing ability" means the mental and physical capacity and skill necessary to perform nursing actions.

Subp. 18. **Permit.** "Permit" means the document issued by the board that authorizes the practice of professional or practical nursing in Minnesota prior to final board action on the application for licensure.

Subp. 19. **Practical nursing program.** "Practical nursing program" means a program designed to prepare students for licensure as licensed practical nurses.

Subp. 20. **Professional nursing program.** "Professional nursing program" means a program designed to prepare students for licensure as registered nurses.

Subp. 21. **Program.** "Program" means an organized set of courses designed to prepare students to meet the nursing education requirements for licensure as practical or professional nurses.

Statutory Authority: *MS s 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: *9 SR 765; 15 SR 838*

6305.0200 PURPOSE AND AUTHORITY.

Parts 6305.0100 to 6305.0700 are adopted pursuant to Minnesota Statutes, section 148.191. The parts pertain to the authorization to practice, the requirements for licensure by examination, the requirements for licensure without examination, and nullification of applications. Part 6305.0400 applies to applicants who have not passed an examination acceptable to the board. Part 6305.0500 applies to applicants who have passed an examination acceptable to the board.

Statutory Authority: *MS s 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: *9 SR 765; 15 SR 838*

6305.0300 AUTHORIZATION TO PRACTICE NURSING.

Subpart 1. **Required authorization.** A Minnesota license and current registration certificate or a permit is required if an individual practices professional nursing as defined in Minnesota Statutes, section 148.171, clause (3), or practical nursing as defined in Minnesota Statutes, section 148.171, clause (5), whether for monetary compensation or as a volunteer, or if an individual is a faculty member for an out-of-state nursing or nursing assistant program and is supervising nursing students or nursing assistant students in Minnesota except as provided in Minnesota Statutes, section 148.271. If the permit is revoked or expires, whichever occurs first, an applicant must not practice nursing until a license has been issued.

Exceptions as identified in Minnesota Statutes, section 148.271, include the following:

A. Nursing assistance in an emergency as referenced in Minnesota Statutes, section 148.271, clause (1), is interpreted to include nursing service as follows:

(1) to patients during transport into, through, or out of Minnesota including during flights and while at airports or depots or during the period of stabilization in preparation for transport;

(2) for disaster relief during a period not to exceed seven days; and

(3) providing nursing services at the scene of an accident.

B. Formal, structured course of study as referenced in Minnesota Statutes, section 148.271, clause (6), is interpreted to mean that the course is sponsored by an educational institution or the educational department of a health care facility; has written, measurable objectives; has an organized plan of study which includes instructors and, when appropriate, clinical supervisors; uses a formalized method of evaluating student performance; and issues a document which verifies completion of the course.

C. Nursing program approved by the board as referenced in Minnesota Statutes, section 148.271, clause (7), is interpreted to include any nursing program in the United States or Canada which is approved by the state or province in which the program is located. However, the supervising instructor must hold a Minnesota registered nurse license and current registration.

Subp. 1a. **Authorized abbreviations.** The categories of nursing personnel listed below may use abbreviations as follows:

A. Public health nurse, abbreviated "PHN."

B. Registered nurse, abbreviated "RN," may only be used by a registered nurse who is currently registered in Minnesota or an applicant for licensure in Minnesota who holds a permit as authorized in subpart 9.

C. Licensed practical nurse, abbreviated "LPN," may only be used by a licensed practical nurse who is currently registered in Minnesota or an applicant for licensure in Minnesota who holds a permit as authorized in subpart 9.

D. Registered nurses and licensed practical nurses who are licensed in Minnesota but who are not currently registered may use the abbreviation "RN" and "LPN" respectively for personal identification provided it is not used for monetary gain.

E. Nursing assistants who are on the long-term care registry of the board are nursing assistants/registered, abbreviated "NA/R."

Subp. 2. **License.** The board shall license an applicant to practice when the applicant has met all requirements of applicable statutes and rules. The license must bear the seal of the board, date of issue, license number, and type of licensure.

Subp. 3. **Duplicate original license.** Duplicate original licenses are not issued for any reason.

Subp. 4. **Eligibility for permit to practice nursing with direct supervision.** The board shall grant an applicant who is not the subject of a pending investigation or disciplinary action a permit to practice nursing under the direct supervision of a registered nurse if the applicant:

A. has not been licensed by examination in another jurisdiction;

B. applies for a permit to practice on a form obtained from the board;

C. has submitted the licensure application, licensure fee, examination application, examination fee, and affidavit of graduation;

D. has not had an application nullified;

E. has not had a permit revoked;

F. has not had a permit expire;

G. has graduated from an approved program as specified in part 6305.0400, subpart 4 or 5; and

H. has written or is eligible to write the first examination administered after graduation. An applicant who has written the examination before graduating becomes eligible for a permit after graduation. An applicant who has written the examination in another jurisdiction must submit, on a form supplied by the board, proof from the other jurisdiction that the applicant wrote the first examination administered after graduation.

Subp. 5. **Required supervision.** An applicant who holds a permit to practice

MINNESOTA RULES 1991

5943

PROFESSIONAL AND PRACTICAL NURSES 6305.0300

nursing with direct supervision must practice under the direct supervision of a registered nurse licensed and currently registered in Minnesota. There must be a registered nurse assigned to observe, direct, and evaluate the performance of the permit holder. A permit holder shall be able to identify at all times the registered nurse who is providing direct supervision. The registered nurse shall not be engaged in other activities that would prevent the registered nurse from providing direct supervision to the permit holder. The registered nurse providing the supervision shall be physically present on the unit or within the facility where the permit holder is practicing nursing. If the assigned responsibilities for a given shift require nursing abilities that have not been acquired by the permit holder and if the care to be provided involves a patient with severe or urgent conditions or a patient with an unstable condition, the registered nurse providing the supervision must be on the unit with the permit holder. If the assigned responsibilities for a given shift require nursing abilities that have been acquired by the permit holder and the care to be provided is simple and routine, the registered nurse providing the supervision must be in the facility with the permit holder. The permit holder shall not function in a position that requires supervision of other nursing personnel.

Subp. 6. Permit to practice nursing without direct supervision. The board shall grant an applicant who is not the subject of a pending investigation or disciplinary action a permit to practice nursing that does not require direct supervision if the applicant:

- A. submits the licensure application and licensure fee;
 - B. is licensed in another jurisdiction or Canadian province by an examination acceptable to the board;
 - C. applies for a permit to practice on a form obtained from the board;
- and

D. submits evidence of licensure and current eligibility to practice in another jurisdiction or Canadian province. Evidence of licensure and eligibility to practice may include, but is not limited to, a notarized copy of the document from another jurisdiction or Canadian province that authorizes current practice, an official statement from another jurisdiction or Canadian province that the applicant is currently authorized to practice, or an official statement from another jurisdiction or Canadian province that the licensure examination was passed and that the applicant is authorized to practice pending licensure.

Subp. 7. Length of permits. The permit authorizing practice under the direct supervision of a registered nurse expires eight weeks after the administration of the examination or upon the applicant's notification by the board of failure on the examination, whichever occurs first. The board may extend this permit an additional eight weeks if the applicant's results are delayed due to a processing delay by another nurse licensing agency or if the applicant has come under investigation by the board after the issuance of the initial permit until the matter is resolved for the applicant who is under investigation by the board.

The permit authorizing practice without direct supervision expires six months after the date of issue, but the board shall extend this permit if licensure cannot occur because of a processing delay by another nurse licensing agency.

Subp. 8. Revocation of permit. The board shall revoke a permit in the following situations.

- A. The board shall revoke a permit if the permit holder:
 - (1) does not write the scheduled examination;
 - (2) has been notified of the results of the examination;
 - (3) is licensed by the board;
 - (4) did not write in another jurisdiction an examination acceptable to the board;

(5) did not pass an examination in another jurisdiction with a score acceptable to the board;

(6) is not eligible for licensure; or

(7) did not graduate.

B. The board may act to decide whether to revoke a permit if the board determines that:

(1) an applicant for licensure by examination did not meet the graduation requirements in part 6305.0400, subpart 4 or 5;

(2) an applicant for licensure without examination presented fraudulent evidence of licensure in another jurisdiction or Canadian province; or

(3) an applicant has engaged in conduct which constitutes grounds for denial of a license.

Subp. 9. Designated titles. The permit holder who is an applicant for registered nurse licensure by examination shall use the title "graduate nurse," abbreviated "GN." The permit holder who is an applicant for registered nurse licensure without examination shall use the title registered nurse, abbreviated "RN." The permit holder who is an applicant for licensed practical nurse licensure by examination shall use the title "graduate practical nurse," abbreviated "GPN." The permit holder who is an applicant for licensed practical nurse licensure without examination shall use the title "licensed practical nurse," abbreviated "LPN."

Statutory Authority: *MS s 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: 9 SR 765; 15 SR 838

6305.0400 REQUIREMENTS FOR LICENSURE BY EXAMINATION.

Subpart 1. Licensure application. An applicant shall obtain the application forms for licensure and instructions for filing from the board. An applicant shall respond to questions on the application that relate to the grounds for disciplinary action in Minnesota Statutes, section 148.261. An applicant shall submit true information. Falsification or omission of information provides grounds for disciplinary action. The application must be notarized. If an application is received without a fee, it shall be returned to the applicant.

Subp. 2. Examination application. An applicant shall obtain an examination application from the board. The application and examination fee must be submitted to the agency specified by the board. The examination application and fee must be submitted to the agency each time an applicant wants to be scheduled to take an examination.

Subp. 3. Further evidence. The board may require further information of the applicant in order to determine whether the applicant has engaged in conduct warranting disciplinary action as set forth in Minnesota Statutes, section 148.261.

Subp. 4. Graduation from approved professional nursing program. An applicant who has graduated from an approved professional nursing program is eligible for licensure as a registered nurse if the applicant's nursing education includes classroom and clinical instruction. The learning activities must have been provided according to either item A or B.

A. The learning activities involved patients in each of the following categories:

(1) newborn through 11 months;

(2) one year through 12 years;

(3) 18 years through 64 years;

(4) 65 years and older;

(5) healthy patients, such as patients in an uncomplicated maternity cycle or patients in need of health teaching;

MINNESOTA RULES 1991

5945

PROFESSIONAL AND PRACTICAL NURSES 6305.0400

(6) acutely ill patients suffering from an illness with a short and relatively severe course; and

(7) chronically ill patients suffering from an illness that persists over a long period of time.

B. The learning activities involved patients in each of the following categories:

(1) patients having nursing care needs in all stages of illness;

(2) adults, including those over 65 years of age and children receiving medical and surgical therapy;

(3) patients having mental illness; and

(4) mothers and newborn infants in the maternity cycle.

Subp. 5. Graduation from approved practical nursing program. An applicant who has graduated from an approved practical nursing program is eligible for licensure as a licensed practical nurse if the applicant's nursing education includes classroom and clinical instruction. The learning activities must have been provided in accordance with either item A or B.

A. The learning activities involved patients in each of the following categories:

(1) newborn through 11 months;

(2) one year through 12 years;

(3) 18 years through 64 years;

(4) 65 years and older;

(5) healthy patients, such as patients in an uncomplicated maternity cycle;

(6) acutely ill patients suffering from an illness with a short and relatively severe course; and

(7) chronically ill patients suffering from an illness that persists over a long period of time.

B. The learning activities involved patients in each of the following categories:

(1) children;

(2) mothers of newborn infants;

(3) newborn infants;

(4) adults with common illnesses;

(5) geriatric patients; and

(6) patients with mental and emotional problems.

Subp. 6. Transcripts necessary for applicants educated in foreign countries. An applicant who has graduated from a program in another country shall submit a transcript in addition to the affidavit of graduation required in subpart 8. The applicant shall also submit a course description if the entries on the transcript are not self-explanatory as to course content. In lieu of the course description, an official of the program may complete a form provided by the board. On a notarized form, the official must attest to the applicant's participation in classroom and clinical instruction consistent with the required learning activities in part 6315.0400, subpart 4, for registered nurse applicants or subpart 5 for licensed practical nurse applicants. If the transcript and course description are not in English, a translation must be done by an agency or individual specified by the board. The cost of this translation must be paid by the applicant.

If an official transcript cannot be submitted because of political unrest or alleged governmental reprisal if the school releases the documents or if the original school records were destroyed because of a disaster or record destruction decision, or the school is closed, the board will accept one of the following:

A. verification of the applicant's nursing education from the Commission on Graduates of Foreign Nursing Schools;

B. verification of the applicant's nursing education from a licensing authority;

C. verification of the applicant's nursing education from a credentialing body for refugees which was established by a national or international nursing or governmental organization;

D. a copy of a transcript of the applicant's nursing education from a college or university that accepted the applicant for further study, the copy certified as a true and correct copy of the transcript in the files and records of the college or university; or

E. a copy of the transcript of the applicant's nursing education from another licensing authority, the copy certified as a true and correct copy of the transcript in the files and records of the licensing authority.

If the entries on an official transcript are not self-explanatory as to course content and further educational information cannot be obtained because of political unrest, alleged governmental reprisal if the school releases the information, or if the records have been destroyed, the board shall accept the verifications of item A or C.

Subp. 7. Resolution of educational deficiencies. Any deficit in nursing education as outlined in subpart 4 or 5 must be made up prior to admission to the examination in one of the following ways:

A. The applicant must successfully complete a regular course or a course designed for an applicant that includes classroom instruction, clinical instruction, and evaluation of nursing ability in the area of deficit in an approved nursing program which prepares students for the type of licensure for which the applicant is applying.

B. If the deficit is a clinical instruction and evaluation of nursing ability deficit and not a classroom deficit, an applicant for registered nurse licensure must successfully complete 90 hours of clinical instruction including evaluation of nursing ability in the deficit area, and an applicant for licensed practical nurse licensure must successfully complete 65 hours of clinical instruction including evaluation of nursing ability in the deficit area. The clinical instruction including evaluation must be supervised by a registered nurse.

The applicant must submit evidence of having completed item A or B on an affidavit provided by the board and signed by all individuals responsible for the makeup activities.

Subp. 8. Affidavit of graduation. An applicant shall have an affidavit of graduation completed and signed by an official of the nursing program. The completed affidavit must bear the seal or stamp of the program. For an applicant who has graduated from a program in another country, if the school does not notarize or does not complete the affidavit, the transcript may be accepted in lieu of the notarization. An applicant must submit the affidavit before the examination unless the applicant will be writing the examination before graduation. An applicant who graduates after writing an examination shall submit the affidavit after graduation but before licensure. An applicant who fails an examination shall submit the affidavit before reexamination.

If the board finds after the examination has been written that the affidavit of graduation was completed in error, the applicant's permit shall be considered void. The examination results shall not be released nor action taken on the application until the applicant has graduated. Graduation requirements must be met no later than the next available school term following notification of nongraduation. If there is evidence that the applicant was aware of nongraduation status before the examination and did not inform the board, the matter may be handled through a disciplinary proceeding.

MINNESOTA RULES 1991

5947

PROFESSIONAL AND PRACTICAL NURSES 6305.0400

Subp. 9. Affidavit of enrollment. An applicant who writes the examination before graduation shall have an affidavit of enrollment completed and signed by an official of the nursing program. The completed affidavit must bear the seal or stamp of the program and be submitted prior to the examination.

Subp. 10. Fees. The board shall charge the following fees.

A. The licensure fee is \$75 for an applicant for registered nurse licensure and \$50 for an applicant for licensed practical nurse licensure. This fee must be paid to the board and must be received before evaluation of an applicant's qualifications for examination and licensure.

B. The examination fee is set by the examination vendor and must be submitted to the agency specified by the board each time an applicant wants to be scheduled to write an examination.

C. The reexamination fee is \$50 for an applicant for registered nurse licensure and \$40 for an applicant for licensed practical nurse licensure. The fee must be paid to the board.

D. A late filing fee of \$50 must be remitted to the board if one or more of the following materials is not properly postmarked or delivered by the deadline:

- (1) licensure application and fee;
- (2) examination application and fee;
- (3) reexamination application and fee.

E. Personal checks are not accepted. Each remittance must be in the form of United States currency, cashier's check, or money order.

F. If for any reason a license is not issued, fees are not refundable.

Subp. 11. Deadline for submitting material. The deadline for submitting all required applications and fees is 56 calendar days preceding an examination. The board shall use the postmark and address to determine compliance. If the required applications and fees are not received on time, the applicant must pay a late filing fee.

Late applications and fees, and the late filing fee if applicable, must be received no later than 4:30 p.m. two working days before the examination. All other documents must be received no later than 4:30 p.m. the day before an examination.

Subp. 12. Written examination. The licensure examinations are the examinations of the National Council of State Boards of Nursing, Inc. An applicant must receive a pass on the National Council Licensure Examination.

A. An applicant shall be scheduled for an examination when the following have been received by the required date or time: applications for licensure and examination; fees for licensure and examination; affidavit of graduation or enrollment; and, when applicable, reexamination application and fee; late filing fee, transcript, course description, translation of transcript and course description, and affidavit that any educational deficit was made up. An applicant may write an examination before graduation if he or she meets all of the following requirements:

(1) The applicant must be enrolled in the final term of study in an approved Minnesota program.

(2) The remaining course work must not include any elective or required nursing courses.

(3) The applicant must not have been on academic probation in the term prior to the final term.

(4) The applicant must not be repeating a course to improve the grade in the course in order to meet graduation requirements.

(5) The applicant must not have written a previous NCLEX examination in Minnesota.

B. The board will notify the applicant by mail of the examination the applicant is scheduled to write. At least ten days prior to an examination the board shall mail an admission document to each applicant accepted to write the examination. Placing the notice and admission document in first class United States mail, postage prepaid and addressed to the applicant's last known address constitutes mailing.

C. For admission to the examination, the applicant must present the admission document, a head and shoulders photograph, and a document bearing the applicant's signature. The photograph must be part of a driver's license, non-driver's state identification card, passport, alien registration card, student identification card, or a photograph affixed with the school seal and signed by the director of the nursing program.

D. An applicant admitted late to any portion of the examination shall not be allowed extra time. An applicant will not be admitted to any portion of the examination after any applicant has finished that portion and left the examination room. An applicant who does not write the first portion of the examination shall not be allowed to write other portions.

E. Official notification of the score received shall be by first class United States mail, postage prepaid.

F. An applicant who has failed an examination may have the examination rescored by: submitting a written request to the board within one month following the release of the results of the examination; and meeting any procedural requirements including fees of the examination vendor.

G. An applicant who fails an examination may apply for reexamination on a reexamination application supplied by the board and must obey all other applicable rules. An applicant shall respond to questions on the application that relate to the grounds for disciplinary action listed in Minnesota Statutes, section 148.261. The board may require further information of the applicant in order to determine whether the applicant has engaged in conduct warranting disciplinary action. An applicant must submit true information. Falsification or omission of information provides grounds for denial of a license. The application must be notarized. If an application is received without a fee, it shall be returned to the applicant.

H. An applicant may write the examination for Minnesota licensure specified in this subpart in another jurisdiction if the board authorizes the applicant to do so and the jurisdiction is willing to administer the examination. The applicant must meet any procedural requirements and pay any fees set by the other jurisdiction.

Statutory Authority: *MS s 16A.128; 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: *9 SR 765; 11 SR 1331; 15 SR 838*

6305.0500 REQUIREMENTS FOR LICENSURE WITHOUT EXAMINATION.

Subpart 1. Proof of licensure in another jurisdiction or Canada. To be licensed to practice nursing in Minnesota without writing an examination, an applicant must submit proof, on a form provided by the board, that the applicant is licensed in another jurisdiction or Canadian province and has passed an examination acceptable to the board as listed in subparts 11 and 12. Proof of licensure must be obtained from the jurisdiction or Canadian province in which the applicant wrote an acceptable examination as well as the jurisdiction or Canadian province in which the applicant was most recently employed. Proof of licensure must be obtained from the jurisdiction in which the applicant was first licensed, if this is different from the jurisdiction in which the applicant was licensed based on an acceptable examination.

MINNESOTA RULES 1991

5949

PROFESSIONAL AND PRACTICAL NURSES 6305.0500

Subp. 2. Licensure application. An applicant shall obtain the application forms and instructions for filing from the board. An applicant shall respond to questions on the application that relate to the grounds for disciplinary action listed in Minnesota Statutes, section 148.261. An applicant shall submit true information. Falsification or omission of any information provides grounds for denial of a license. The application must be notarized. If an application is received without a fee, it shall be returned to the applicant. Application for licensure begins on the date when an application and fee are received by the board.

Subp. 3. Fee. The fee for licensure is \$55. This fee must be paid to the board and must be received before evaluation of an applicant's qualifications for licensure. Personal checks are not accepted. Remittance must be in the form of United States currency, cashier's check, or money order. If for any reason a license is not issued, the fee is not refundable.

Subp. 4. Further evidence. The board may require further information of the applicant in order to determine whether the applicant has engaged in conduct warranting disciplinary action as set forth in Minnesota Statutes, section 148.261.

Subp. 5. Graduation from approved nursing program. An applicant who has graduated from an approved nursing program is eligible for licensure provided that the applicant can present evidence of graduation.

Subp. 6. Waiver of graduation requirement. The board shall waive the requirement of graduation from an approved nursing program if:

A. an applicant has been licensed by another jurisdiction or Canadian province based on requirements equivalent to the qualifications required in Minnesota at the time of the applicant's original licensure; or

B. an applicant for licensed practical nurse licensure has been licensed by another jurisdiction and passed an acceptable examination as specified in subpart 12 and has had at least 4,000 clock hours of employment as a licensed practical nurse in the 60 calendar months preceding application for licensure in Minnesota.

Subp. 7. Current nursing education or experience. An applicant who has been employed in nursing or who has graduated from an approved nursing program during the two years immediately preceding application for licensure is exempt from the continuing education requirements in subparts 8 and 9. Employment references must be submitted to verify employment dates. An affidavit of graduation or evidence from the nurse licensing agency in another jurisdiction or Canadian province must be submitted to verify the graduation date.

Subp. 8. Continuing education for registered nurses. An applicant for registered nurse licensure must participate in continuing education activities as follows:

A. If the applicant has not been employed as a registered nurse during the two years immediately preceding receipt by the board of the application, the applicant must participate in continuing education activities which meet the criteria in part 6310.2800 and must submit an affidavit of continuing education. The continuing education participation must have occurred within the 24 months preceding board action on the application for licensure.

B. If an applicant for registered nurse licensure has not been employed as a registered nurse at least 320 hours within the four years preceding receipt by the board of the application for licensure, the applicant shall successfully complete a refresher course and submit an affidavit of completion. The refresher course must be completed within the 24 months immediately preceding board action on the application for licensure.

Subp. 9. Continuing education for practical nurses. An applicant for licensed practical nurse licensure must participate in continuing education as follows:

A. If the applicant has not been employed as a licensed practical nurse

during the two years immediately preceding receipt by the board of the application, the applicant must participate in at least 15 clock hours of nursing-related continuing education courses. The continuing education may be part of an orientation program provided by an employer or potential employer. The continuing education must have occurred within the 24 months preceding board action on the application for licensure. The applicant must submit an affidavit of continuing education.

B. If an applicant for licensed practical nurse licensure has not been employed as a licensed practical nurse at least 320 hours within the four years preceding receipt by the board of the application for licensure, the applicant shall successfully complete a refresher course and submit an affidavit of completion. The refresher course must be completed within the 24 months immediately preceding board action on the application for licensure.

Subp. 10. **Affidavit of graduation.** An applicant must submit an affidavit of graduation, signed by an official of the nursing program and bearing the seal or stamp of the program. If an official school transcript is submitted, it shall be accepted in lieu of an affidavit of graduation. An affidavit is not required if the licensing authority in another jurisdiction or Canadian province verifies graduation from an approved program. If a licensed practical nurse applicant has not graduated from an approved program, the applicant shall send his or her employer a form supplied by the board for documentation of 4,000 clock hours of employment. The form must be completed by the employer and returned to the board. The board shall determine if the employment fulfills the requirement of Minnesota Statutes, section 148.211, subdivision 4.

Subp. 11. **Acceptable examinations for registered nurses.** The requirement of having passed a written examination acceptable to the board for registered nurse licensure is fulfilled if an applicant has:

A. passed a state-constructed examination or the State Board Test Pool Examination for Registered Nurses (SBTPE-RN) before 1957;

B. passed the SBTPE-RN after December 31, 1956, and before July 1, 1982, with a scaled score of at least 350 on each of the five parts;

C. passed NCLEX-RN after June 30, 1982, and before February 1, 1989, with a scaled score of 1,600; or

D. passed NCLEX-RN after January 31, 1989, with a designation of pass.

Subp. 12. **Acceptable examinations for practical nurses.** The requirement of having passed a written examination acceptable to the board for licensed practical nurse licensure is fulfilled if an applicant has:

A. passed a state-constructed examination or the State Board Test Pool Examination for Practical Nurses (SBTPE-PN) before 1960;

B. passed the SBTPE-PN after December 31, 1959, and before January 1, 1970, with a scaled score of at least 370;

C. passed the SBTPE-PN after December 31, 1969, and before October 1, 1982, with a scaled score of at least 400;

D. passed NCLEX-PN after September 30, 1982, and before October 1, 1988, with a scaled score of at least 350; or

E. passed NCLEX-PN after September 30, 1988, with a designation of pass.

Subp. 13. **Insufficient score.** An applicant for licensure whose examination score does not meet the Minnesota score requirement in subpart 11 or 12 must write the examination currently used in Minnesota, achieve the passing score established for the current examination, and meet the requirements in part 6305.0400, subparts 2, 10, 11, and 12.

Statutory Authority: *MS s 16A.128; 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: *9 SR 765; 11 SR 1331; 15 SR 838*

MINNESOTA RULES 1991

5951

PROFESSIONAL AND PRACTICAL NURSES 6305.0700

6305.0600 APPLICATION NULLIFICATION.

Subpart 1. **Licensure by examination.** The board will nullify an application for licensure by examination if the applicant:

A. did not write the first or second examination available following submission of a licensure application and fee;

B. did not rewrite the examination within 24 months after the last examination failed;

C. wrote the examination while enrolled in the final term of study but did not complete the course work during the final term; or

D. did not submit the affidavit of graduation within 12 months after the examination.

The board will not nullify an application if it agrees on a different action during a disciplinary proceeding.

Subp. 2. **Licensure without examination.** The board will nullify an application for licensure without examination if the applicant fails to complete the application process within one year after submission of the application or within one year after notification by the board of a deficiency.

Subp. 3. **Destruction of application materials and forfeiture of fees.** For a nullified application, the fees shall be forfeited and the application and other documents may be destroyed according to the process specified in Minnesota Statutes, section 138.17, subdivision 7. If the applicant failed to submit the application and fees within one year after the board received any other documents relating to the application, the board may destroy the documents.

Subp. 4. **Reapplication.** If an individual whose application has been nullified wants to be licensed, a new licensure application must be submitted and all applicable licensure requirements must be met.

Statutory Authority: *MS s 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: *9 SR 765; 15 SR 838*

6305.0700 ADMINISTERING EXAMINATIONS FOR OTHER JURISDICTIONS.

The board will administer a licensure examination to a candidate applying for licensure in another jurisdiction. The fee for this service is \$20. Personal checks are not accepted. The \$20 fee, examination application and fee, and written authorization from the jurisdiction in which the applicant has applied for licensure by examination must be submitted no later than the date required of applicants for Minnesota licensure by examination.

Statutory Authority: *MS s 148.191; 148.211; 148.231; 148.271; 148.291; 148.295; 148.296*

History: *9 SR 765; 15 SR 838*