

## The *Enhanced* Nurse Licensure Compact: The Licensure Solution for Interstate Nursing Practice in the US



OMNE Annual Meeting  
Freeport, ME  
Sept 29, 2016



Unlocking Access to Nursing Care Across the Nation

### What is the Nurse Licensure Compact?

- The NLC is an interstate compact.
  - It allows a nurse to have one multistate license (in primary state of residency)
  - This permits the nurse to practice in other member states (both physically and via telecommunications) subject to each state's practice laws



## What is an Interstate Compact?

- A contract (statutory agreement) between two or more party states

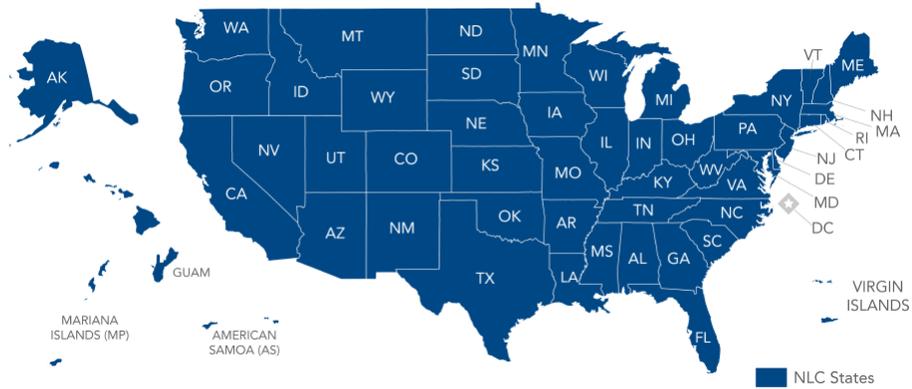


## Mutual Recognition Model of Licensure

The NLC is modeled after the driver's license compact which follows the mutual recognition model of licensure.



## A Compact Nation



## NLC Benefits for Telehealth



- Nurses can practice in multiple states with one license
- Increases patient access to care
- Enables care continuity for patients regardless of their location



## NLC Benefits for Nurses

- Ability to practice in multiple states with one license
- Reduces regulatory requirements by removing necessity for obtaining a license in each state
- Clarifies a nurse's authority to practice in multiple states via telehealth



7

## NLC Benefits for Nursing Boards

- Ability to share complaint and investigative information
- Multiple states working together to assure patient safety
- Ability to locate, isolate or limit ability to practice on Privilege to Practice
- Reduces duplicative board actions
- Uniform statutes, rules and policies applicable to and enforceable upon all compact states



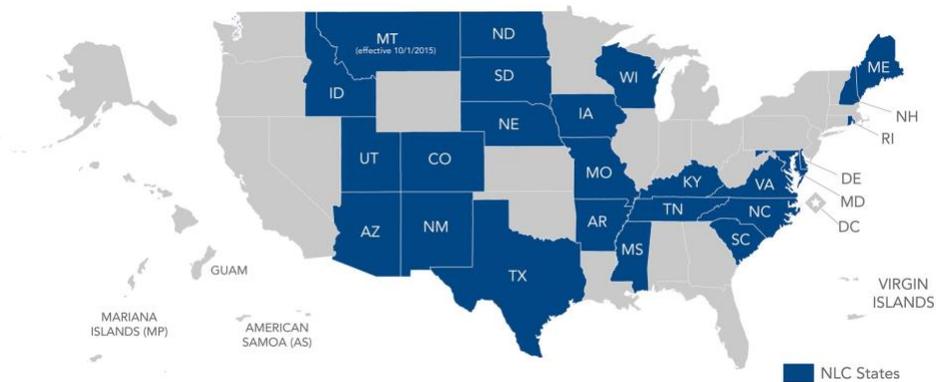
8

## Historical Perspective of the NLC

- 1997: Endorsed mutual recognition model; Approved NLC
- 1999: First state passes NLC legislation
- 2000-2010: 24 states enact NLC
- 2015: Montana is 25<sup>th</sup> state to enact NLC, effective Oct. 1



## NLC Participating States



## Some Drivers of Change



- Telehealth services are erasing geographic boundaries
- Other health care professions developing interstate licensure compacts (medicine, physical therapy, EMS, psychology)



11

## NCSBN's Response to Change

- 2013-2014: NCSBN members convene a series of meetings to consider best possible licensure model
  - Decision made to revise the NLC
- 2014-2015: NLC is redrafted as a new compact



## Why Did We Pursue Enhancing the NLC?

- Several states expressed concerns that they couldn't join current NLC for various reasons
- Current NLC states wanted to ensure long-term growth and viability of the NLC
- Need for facilitating interstate nursing practice continues to grow



13

## What Does it Take to Join?



- A state must enact the enhanced NLC model language into law
- A state must have the ability to conduct a federal **criminal background check (CBC)** of a nurse upon initial licensure or licensure by endorsement

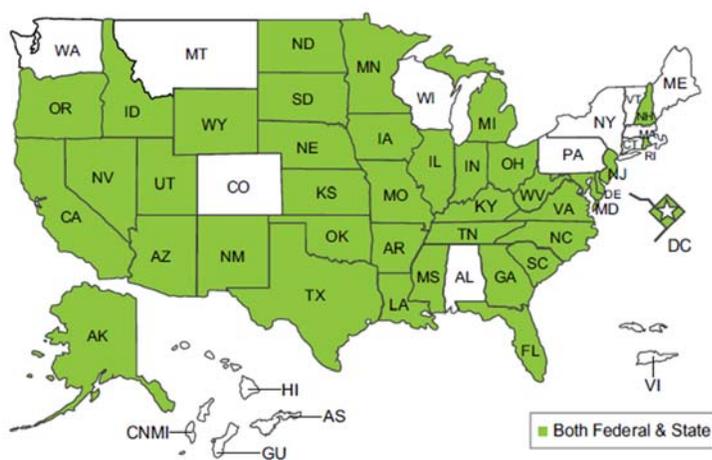


14

## Opposition to CBCs in Maine?



## Prevalence of CBCs



## Current Regulatory Environment

Biometric-based CBC for initial licensure	Number of BONs, out of 55 BONs (does not include U.S. territories)
Conducts	43
Does not conduct	12



17

## Why Should Maine Conduct Biometric-based CBCs?

- Public Protection
  - Make an informed decision about licensure
- Effectiveness
  - Obtain thorough information on applicants



18

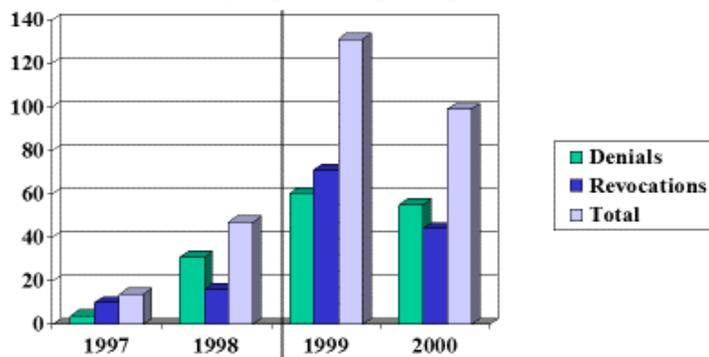
## A Few Examples in Other States

- Since implementing biometric-based CBCs in Kansas, 14.5% of the applicants had a criminal history.
  - 29% failed to self-disclose
- In Louisiana study of nursing students, 14.7% had criminal history
  - 18.2% failed to self-disclose
- Texas study
  - Before - 35
  - After - 262



19

Arizona State Board of Nursing  
Positive Criminal History Investigative  
Outcomes Pre/Post  
Fingerprinting Legislation



Fingerprinting Legislation 1/99



20

## Key New Provisions in the Enhanced Nurse Licensure Compact



21

## What's New?

- Uniform licensure requirements
- Grandfathering provision
- Authority to obtain and submit criminal background checks (CBCs)
- Provides for rulemaking by the Commission
- Prompt reporting to Nursys® of participation in alternative to discipline programs



22

## Uniform Licensure Requirements



To receive a multistate license, a nurse must:

- Meet the home state's qualifications
- Graduate from qualifying education program
- Pass the NCLEX-RN® or NCLEX-PN® exam (or predecessor)

## Uniform Licensure Requirements

To receive a multistate license, a nurse must:

- Have no active discipline on a license
- Submit to a criminal background check and have no prior state or federal felony convictions
- Not be currently enrolled in an alternative program
- Have a valid U.S. Social Security number

## Grandfathering

- A nurse holding a home state multistate license on the compact's effective date may retain and renew the license



25

What if Maine Does Not Join the Enhanced  
NLC?



26

## Effective Date

- Does not become effective until the earlier of enactment by 26 states or Dec. 31, 2018
- Multistate licenses issued under the current NLC will still be recognized by party states in the enhanced NLC for six months after that compact's effective date



## NLC supporters across the U.S.

Air & Surface Transport Nurses Association	American Academy of Ambulatory Care Nursing	American Association of Colleges of Nursing
American Association of Neuroscience Nurses	American Association of Occupational Health Nurses (AAOHN)	American Association of Poison Control Centers
American Nephrology Nurses Association	American Organization of Nurse Executives (AONE)	American Telemedicine Association (ATA)
Association of Camp Nurses	Association for Vascular Access	Case Management Society of America (CMSA)
Center for Telehealth and E-Health Law	CGFNS International, Inc.	Citizen Advocacy Center (CAC)
Commission for Case Manager Certification	Emergency Nurses Association (ENA)	Health IT Now
National Military Family Association	National Governors Association Center for Best Practices	National League for Nursing
National Patient Safety Foundation	Oncology Nursing Society	Population Health Alliance
Telehealth Leadership Council	U.S. Department of Commerce	

## Advocacy website

–[www.nursecompact.com](http://www.nursecompact.com)

- Fact Sheet
- FAQs for Policymakers
- Letters to Governor, legislators



29

## Thank you!

Kim Esquibel, PhD, MSN, MPA, RN  
Executive Director  
Maine State Board of Nursing

Jim Puente, MS, MJ, CAE  
Director, Nurse Licensure Compact  
[nursecompact@ncsbn.org](mailto:nursecompact@ncsbn.org)  
[nursecompact.com](http://nursecompact.com)



30