



Ninety – Sixth Legislature – First Session – 1999
Introducer's Statement of Intent
LB 523

Chairperson: Senator Jim Jensen
Committee: Health and Human Services
Date of Hearing: 02/24/99

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 523 adopts the Nurse Licensure Compact. In adopting this compact, the Legislature finds that the expanded mobility of nurses and advanced technologies as part of the health care delivery system require greater coordination and cooperation among states. The system of duplicative licensure for nurses practicing in multiple states is cumbersome and redundant to both nurses and states.

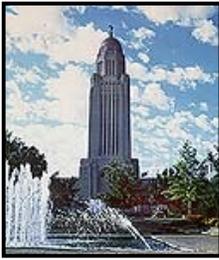
The general purposes of the compact are to ensure, facilitate, and encourage the cooperation of party states in the areas of nurse licensure, regulation, and exchange of information between party states.

Under the compact, a license to practice registered, practical, or vocational nursing issued by a home state to a resident in that state will be recognized by each party state as authorizing multi-state licensure privilege. Multi-state licensure privilege grants the practitioner authority to practice in any member state. Each state has the authority to enforce its own regulations which may be similar to or different from regulations in another party state.

Upon application for a license to practice in a party state, the licensing board shall ascertain whether the applicant is licensed in another party state, has ever held a license in another party state, and whether any adverse actions have been taken against the license by another party state. Licensure is allowed in only one party state at a time.

When a nurse intends to change primary residence, the nurse may apply for licensure in the new home state in advance of the change. The new license shall not take effect until the change of residence occurs. When the nurse changes residence and has obtained a new license, the license from the former state shall no longer be valid. These provisions do not apply to non-party states.

The licensing board of a party state shall promptly report to the coordinated licensure information system any adverse action, including the factual and legal basis for the action, and investigative information relevant to or which may result in an adverse action made by a party state. The licensing board of any party state shall have the authority to complete any pending investigation of a nurse who changes primary residence. All actions and conclusions shall be reported to the coordinated licensure information system. A party state has the authority to recover the costs of investigation and disposition from the affected nurse. A party state also has the authority to issue subpoenas and orders.



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A remote state may take adverse action affecting the multi-state licensure privilege, but only a home state may have the power to impose adverse action against the license issued by the home state. A home state shall give the same priority and effect to reported conduct from another party state and may take adverse action on the factual findings of a remote state.

Nothing in the compact shall override a party state’s decision to utilize a voluntary, non-disciplinary monitoring program in lieu of licensure action. Participation in such an alternative program may remain nonpublic. A party state may require nurses who enter into any voluntary, non-disciplinary monitoring program not to practice in another party state during the term of such an alternative program.

All party states shall participate in developing the coordinated licensure information system to consist of data on all licenses, disciplinary histories, adverse actions, information relevant to adverse actions, and license denials. The information contained in the information system shall be transmitted to party states only. Party states may limit information released into the system. Any records required to be expunged by a state will be expunged under the system.

The head of the nurse licensing board of each state is the administrator of the compact for that state. No party state or employees of a party state shall be held liable for acts or omissions in good faith in the performance of duties under the compact.

The compact becomes effective upon adoption by the Legislature. The state may withdraw in the same manner. The compact shall be liberally construed to effectuate its purposes. The provisions are severable for each state. In the event a dispute arises, party states may submit the issues in dispute to an arbitration panel consisting of individuals appointed by the various compact administrators. The arbitration decision shall be final and binding.

The bill also amends Nebraska’s statutes to include the multi-state license, for purposes of discipline, in the Nurse Practice Act with the proviso that the department may grant the authority to practice in this state if a multi-state license is restricted due to discipline. The Executive Director of the Board of Nursing is named the administrator of the compact for Nebraska.

Principal Introducer:

_____ **Senator Deborah S. Suttle**