

## NDBON Fee Changes Rule Promulgation 2019-2020

### RN/LPN

#### **54-02-01-06. Examination fees.**

The board shall set the fee for licensure by examination. The fee for licensure by examination shall be ~~one hundred twenty-five~~<sup>[SP1]</sup> ~~ten~~ dollars. The application is valid for a period of time not to exceed twelve months from the determination of eligibility and the fee is nonrefundable. The candidate shall be responsible for any payment of fees charged by the national council of state boards of nursing for use of the national council licensure examination.

History: Amended effective November 1, 1979; March 1, 1986; March 1, 1992; January 1, 1994; September 1, 1994; June 1, 2001; June 1, 2002.

General Authority: N.D.C.C. § N.D.C.C. § 43-12.1-08

Law Implemented: N.D.C.C. § N.D.C.C. § 43-12.1-08(2)(d)

#### **54-02-05-03. Renewal fees**<sup>[SP2]</sup>.

The nonrefundable renewal fee for the registered nurse license will be ~~one hundred forty~~<sup>[SP3]</sup> ~~twenty~~<sup>[SP4]</sup> dollars. The nonrefundable renewal fee for the practical nurse license will be ~~one hundred thirty~~<sup>[SP5]</sup> ~~ten~~ dollars.

History: Amended effective November 1, 1979; July 1, 1987; November 1, 1990; June 1, 2001; June 1, 2002; October 1, 2012.

General Authority: N.D.C.C. § 43-12.1-08(2)(d), N.D.C.C. § 43-12.1-08(2)(k)

Law Implemented: N.D.C.C. § 43-12.1-10(1)

#### **54-02-05-04. Late renewal fee.**

The renewal fee for any practicing nurse will be doubled for any renewal application received in the board office after the expiration date.

History: Amended effective November 1, 1979; June 1, 1982; July 1, 1987; November 1, 1990; September 1, 1994; April 1, 2014.

General Authority: N.D.C.C. § 43-12.1-08(2)(d)

Law Implemented: N.D.C.C. § 43-12.1-08(1)<sup>[SP6]</sup>

#### **54-02-05-06. Reactivating a license.**

A nurse previously licensed in North Dakota who applies for reactivation must meet board requirements and includes the following:

1. Complete the application and submit to a criminal history record check according to section 54-02-12-01;
2. Pay the nonrefundable renewal fee and ~~fifty~~thirty dollar reactivation<sup>[SP7]</sup> fee; and
3. Meet the requirements in section 54-02-05-05.1, practice requirements for license renewal, and section 54-02-05-08, continuing education requirement for license renewal; or
4. Submit other evidence which would provide proof of nursing competence acceptable to the board.

History: Amended effective June 1, 1982; June 1, 2002; April 1, 2004; July 1, 2008.

General Authority: ~~NDCCN.D.C.C. §§~~ 12-60-24-(1)-2(o), 43-12.1-08

Law Implemented: ~~NDCCN.D.C.C. §§~~ 43-12.1-10(1), 43-12.1-09.1

#### **54-02-06-01. Application and fee. (Endorsement)**

Applicants licensed as a nurse by examination in another jurisdiction may apply for license by endorsement and must meet board requirements, including submission of:

1. A completed application;
2. A criminal history record check according to chapter 54-02-12;
3. The nonrefundable endorsement fee of one hundred ~~fifty~~forty<sup>[SP8][SP9]</sup> dollars;
4. Evidence of completion of a nursing education program approved in a jurisdiction which meets or exceeds those requirements outlined in article 54-03.2; and
5. Evidence of nursing practice to demonstrate continued competency which meets or exceeds four hundred hours within the preceding four years or as otherwise approved by the board.

A licensee from another jurisdiction who has an insufficient number of practice hours must meet one of the alternative requirements of section 54-02-05-05.

History: Amended effective November 1, 1979; March 1, 1986; March 1, 1992; May 1, 1996; February 1, 1998; June 1, 2001; June 1, 2002; April 1, 2004; July 1, 2008; April 1, 2011; October 1, 2012; April 1, 2014.

General Authority: ~~NDCCN.D.C.C. §§~~ 12-60-24-(2)(o), 43-12.1-09(2)(b)

Law Implemented: ~~NDCCN.D.C.C. §~~ 43-12.1-09(2)(b)

#### **54-02-07-09. Practice without a license or registration.**

1. During the first month of unauthorized practice, an individual seeking to initiate licensure or registration or to renew a license or registration who has failed to complete the registration process within the required time period and has been found to have been practicing nursing or assisting in the practice of nursing without a current license or registration shall be required to:
  - a. Submit double the licensure or registration fee;
  - b. Submit an administrative fee; and
  - c. Complete all other licensure or registration requirements as established by the board.
2. After the first month of unauthorized practice, an individual who has been unintentionally practicing nursing or assisting in the practice of nursing without proper authorization shall be required to:

- a. Submit [double the licensure or registration fee](#);
- b. Submit an [administrative fee](#);
- c. Submit to a criminal history check;
- d. Successfully complete a course of study on the North Dakota Nurse Practices Act within sixty days; and
- e. Complete all other licensure or registration requirements as established by the board.

3. The license or registration of an individual who has unintentionally practiced nursing or assisted in the practice of nursing without proper authorization shall be automatically suspended without further proceedings if the requirements of the license or registration are not met within the time specified by the board. The suspension shall remain in effect until the board receives satisfactory evidence of successful completion of the requirements for licensure or registration.

4. If an unlicensed assistive person, whose registration has expired, assists in the practice of nursing without a current registration for a period not exceeding four months from the person's initial date of employment, and if the person has not previously been determined to have assisted in the practice of nursing without a current registration, then the provisions of subsections 1, 2, and 3 of this section shall not apply to that person; instead, the person shall receive a letter of concern and be required to complete all registration requirements as established by the board.

5. Upon compliance with the board rules ~~regrading~~[regarding](#) licensure or registration and the remittance of all fees, a current license or registration shall be issued.

6. Disciplinary action for practicing without a license or registration may be expunged from the licensee's or registrant's record if no further violations occur within two years after the imposition of the board's order.

History: Effective August 1, 1988; amended effective September 1, 1994; December 1, 1995; June 1, 2002; April 1, 2004; April 1, 2014.

General Authority: ~~NDCCN.D.C.C.~~ [§ 43-12.1-08](#)

Law Implemented: ~~NDCCN.D.C.C.~~ [§ 43-12.1-14](#)

## **Short-term Education**

### **54-02-11-01. Short-term clinical education.**

1. Short-term clinical education. A North Dakota health care facility may conduct a program to allow nurses licensed by another jurisdiction to receive short-term clinical education that involves direct patient contact and does not exceed eighty hours.

2. The North Dakota health care facility that will provide short-term clinical education to persons who do not have a license to practice in North Dakota must receive written approval from the board prior to commencing the program.

3. The following information must be submitted to the board prior to commencing the program and every twenty-four months or as changes occur to the program:

- a. Syllabus that includes objectives.
- b. Name and qualification of the North Dakota registered nurse who is responsible for providing the clinical education and the required supervision.
- c. Name of nurse participating in the program and verification of current, unencumbered license from another jurisdiction.
- d. Verification of the limit of eighty hours of practice in a calendar year.
- e. Submission of a nonrefundable two-year approval fee of **one hundred dollars**.

History: Effective April 1, 2004.

General Authority: N.D.C.C. § 43-12.1-08

Law Implemented: N.D.C.C. § 43-12.1-08(2)(k)

## **APRN**

### **54-05-03.1-04. Initial requirements for advanced practice registered nurse licensure.**

Applicants for advanced practice registered nurse licensure must:

1. Possess a current license to practice as a registered nurse in North Dakota or in a compact state;
2. Submit evidence of completion of an accredited graduate level advanced practice registered nurse program in one of the four roles and with at least one population focus;
3. Submit evidence of current certification by a national nursing certifying body in the advanced practice registered nurse role and population foci appropriate to educational preparation. Primary source verification of certification is required;
4. Not have an encumbered license or privilege to practice in any state or territory;
5. Submit a completed notarized application and pay the fee of **one hundred twenty-five dollars**<sup>[SP10]</sup>;
6. Certify that scope of practice is consistent with their nursing education and nursing certification; and
7. After December 31, 2015, all applicants for advanced practice registered nurse licensure must meet the licensure requirements in this chapter.

History: Effective March 1, 1992; amended effective November 1, 1996; December 1, 1997; June 1, 2001; April 1, 2004; July 1, 2008; April 1, 2011; April 1, 2014.

General Authority: ~~N.D.C.C.~~ **N.D.C.C. §** 43-12.1-08

Law Implemented: ~~N.D.C.C. §§~~ **N.D.C.C. §§** 43-12.1-09(2)(c), **43-12.1-09(2)(d)**

### **54-05-03.1-06. Requirements for advanced practice registered nurse licensure renewal.**

The advanced practice registered nurse license is valid for the same period of time as the applicant's registered nurse license. Applicants for renewal of the advanced practice registered nurse license must possess a current license to practice as a registered nurse in North Dakota or in a compact state and must comply with the following:

1. Complete the advanced practice registered nurse license renewal application;
2. Pay an advanced practice registered nurse licensure renewal fee of ~~eighty~~<sup>forty</sup><sup>[SP11]</sup> dollars; and
3. Submit evidence of current national certification in the appropriate advanced practice registered nurse role and with at least one population focus, or participate in a competence maintenance program recognized by the board.

Any individual holding a license to practice nursing as an advanced practice licensee in this state that is valid on December 31, 2015, shall be deemed to be licensed as an advanced practice registered nurse under the provisions of this chapter with the individual's current privileges and shall be eligible for renewal of such license under the conditions and standards prescribed in this chapter.

History: Effective March 1, 1992; amended effective November 1, 1996; June 1, 2001; April 1, 2004; April 1, 2011; April 1, 2014.

General Authority: ~~N.D.C.C. §~~ 43-12.1-08

Law Implemented: ~~N.D.C.C. §~~ 43-12.1-10(1)

#### **54-05-03.1-06.1. Reactivation of a license.**

An advanced practice registered nurse previously licensed in North Dakota who applies for reactivation of APRN only must meet board requirements and includes the following:

1. Complete the application and submit to a criminal history record check according to section 54-02-12-01;
2. Pay the nonrefundable renewal fee and ~~fifty~~<sup>thirty</sup><sup>[SP12]</sup> dollar reactivation fee; and
3. Meet the requirements in section 54-02-05-05.1, practice requirements for license renewal, section 54-02-05-08, continuing education requirement for license renewal and section 54-05-03.1-06 requirements for advanced practice registered nurse licensure renewal; or
4. Submit other evidence the applicant wishes to submit which would provide proof of nursing competence acceptable to the board.

History: Effective July 1, 2008

General Authority: ~~N.D.C.C. §§~~ 12-60-24~~(-2)~~(o), 43-12.1-08

Law Implemented: ~~N.D.C.C. §§~~ 43-12.1-09.1, 43-12.1-10(1)

### **Prescriptive Authority**

#### **54-05-03.1-09. Requirements for prescriptive authority.**

Applicants for prescriptive authority shall:

1. Be currently licensed as an advanced practice registered nurse in North Dakota.
2. Submit a complete, notarized prescriptive authority application and pay the fee of ~~seventy-five~~<sup>fifty</sup><sup>[SP13]</sup> dollars.

3. Submit a completed transcript with degree posted from an accredited graduate level advanced practice registered nurse program and which includes evidence of completion of advanced pharmacotherapy, physical assessment, and pathophysiology.
4. Provide evidence of completion of thirty contact hours of education or equivalent in pharmacotherapy related to the applicant's scope of advanced practice that:
  - a. Have been obtained within a three-year period of time immediately prior to the date of application for prescriptive authority; or
  - b. May otherwise be approved by the board.

History: Effective March 1, 1992; amended effective November 1, 1996; December 1, 1997; April 1, 2004; March 24, 2004; April 1, 2011; October 1, 2011.

General Authority: ~~NDCCN.D.C.C. §~~ 43-12.1-08

Law Implemented: ~~NDCCN.D.C.C. §§~~ 43-12.1-02(7), 43-12.1-09(2)(c), 43-12.1-09(2)(d)

#### **54-05-03.1-11. Prescriptive authority renewal.**

Prescriptive authority is valid for the same period of time as the applicant's advanced practice registered nurse and registered nurse license. The applicant for renewal must:

1. Renew the applicant's registered nurse license.
2. Submit verification of current certification by a national nursing certification body in the specific area of nursing practice.
3. Submit a completed advanced practice registered nurse with prescriptive authority renewal application.
4. Pay the advanced practice registered nurse renewal fee of ~~eighty~~<sup>SP14</sup>~~forty~~ dollars and the ~~seventy-five~~<sup>SP14</sup>~~fifty~~ dollar renewal fee for prescriptive authority.
5. Provide evidence of completion of fifteen contact hours of education during the previous two years in pharmacotherapy related to the scope of practice. These contact hours may fulfill the registered nurse renewal continuing education requirement. The education or its equivalent as approved by the board may include academic credits, attendance at approved seminars and courses, or participation in approved correspondence or home study continuing education courses.

History: Effective March 1, 1992; amended effective November 1, 1996; June 1, 2001; April 1, 2004; March 24, 2004; April 1, 2011.

General Authority: ~~NDCCN.D.C.C. §~~ 43-12.1-08

Law Implemented: ~~NDCCN.D.C.C. §~~ 43-12.1-10(1)

### **Specialty Practice**

#### **54-05-03.2-04. Initial requirements for specialty practice registered nurse licensure.**

The board of nursing shall restrict the issuance of the specialty license to the registered nurse who has submitted evidence of specialization within a defined area of nursing practice. Applicants for specialty practice registered nurse licensure must:

1. Possess a current license to practice as a registered nurse in North Dakota or a compact state;
2. Submit evidence of experiential expertise gained through the clinical aspect of coursework or employment or submit evidence of additional educational preparation in continuing education programs or formal education in a board-approved program;
3. Submit evidence of current certification by a national certifying body in the specific area of nursing practice;
4. Submit a completed notarized application and pay the fee of ~~one hundred~~ **twenty five** ~~dollars~~<sup>[SP15]</sup>;
5. Submit a scope of practice statement for review and approval by the board; and
6. Submit other activities as approved by the board.

History: Effective June 1, 2002; amended effective July 1, 2008.

General Authority: ~~NDCCN.D.C.C. §~~ 43-12.1-08

Law Implemented: ~~NDCCN.D.C.C. §~~ 43-12.1-09(2)(f)

#### **54-05-03.2-05. Requirements for specialty practice registered nurse licensure renewal.**

The specialty license is valid for the same period of time as the applicant's registered nurse license. Applicants for renewal of the license must:

1. Renew the registered nurse license;
2. Complete the specialty practice registered nurse license renewal application;
3. Pay the licensure renewal fee of ~~eighty~~ **fifty**<sup>[SP16]</sup> ~~dollars~~;
4. Submit evidence of current certification; and
5. Meet the requirements in section 54-05-03.2-08.

History: Effective June 1, 2002; amended effective April 1, 2011.

General Authority: ~~NDCCN.D.C.C. §~~ 43-12.1-08

Law Implemented: ~~NDCCN.D.C.C. §~~ 43-12.1-09(2)(f)

#### **54-05-03.2-05.1. Reactivation of a license.**

A specialty practice registered nurse previously licensed in North Dakota who applies for reactivation must meet board requirements, including the following:

1. Complete the application and submit to a criminal history record check according to section 54-02-12-01;
2. Pay the nonrefundable renewal fee and ~~fifty~~ **thirty**<sup>[SP17]</sup> ~~dollar~~ reactivation fee; and
3. Meet the requirements in section 54-02-05-05.1 regarding practice requirements for license renewal, section 54-02-05-08 regarding continuing education requirements for license renewal, section 54-05-03.2-05 regarding requirements for specialty practice registered nurse licensure renewal, and section 54-05-03.2-08 regarding change in scope of practice; or
4. Submit other evidence the applicant wishes to submit which would provide proof of nursing competence acceptable to the board.

History: Effective July 1, 2008; amended effective April 1, 2011.

General Authority: ~~NDCCN.D.C.C. §§~~ 12-60-24~~(-2)~~(o), 43-12.1-08

Law Implemented: ~~NDCCN.D.C.C. §§~~ 43-12.1-09.1, 43-12.1-10(1)

## **UAP**

### **54-07-02-01. Application and fee for unlicensed assistive person registration.**

Applicants for registration as ~~an~~ unlicensed assistive person must meet board requirements, including the following:

1. Submit a completed application;
2. Submit to a criminal history record check according to chapter 54-07-02.1;
3. Pay a nonrefundable fee of ~~forty~~<sup>[SP18]</sup>~~thirty~~ dollars; and
4. Submit verification of completion of a recognized formal training program or hold a current registration or certification by a recognized national body.

History: Effective November 1, 1992; amended effective September 1, 1994; February 1, 1998; June 1, 2002; April 1, 2004; July 1, 2008; April 1, 2014.

General Authority: ~~NDCCN.D.C.C. §~~ 43-12.1-08

Law Implemented: ~~NDCCN.D.C.C. §~~ 43-12.1-08(2)(h)

#### **54-07-02-01.1. Renewal of registration.**

Initial registration will be subject to renewal on or before June thirtieth of the second year following and every two years thereafter. Failure to receive the renewal notification does not relieve the registrant of the obligation to renew the registration by the expiration date.

1. An applicant must submit a completed application form.
2. An applicant must pay the nonrefundable renewal fee of ~~forty~~<sup>[SP19]</sup>~~thirty~~ dollars.
3. An applicant shall submit verification of competency or verification of current certification or registration by board-recognized national bodies.
4. The registration fee for any practicing unlicensed assistive person will be doubled for any renewal application received in the board office after the expiration date.

History: Effective April 1, 2004; amended effective July 1, 2008; April 1, 2014.

General Authority: ~~NDCCN.D.C.C. §~~ 43-12.1-08

Law Implemented: ~~NDCCN.D.C.C. §~~ 43-12.1-10(2)

#### **54-07-02-02.2. Reactivation of a registration.**

An unlicensed assistive person previously registered in North Dakota who applies for reactivation must meet board requirements and includes the following:

1. Submit a completed application;
2. Submit to a criminal history record check according to chapter 54-07-02.1;
3. Pay the nonrefundable registry fee and ~~thirty~~ dollar reactivation fee; and



4. Submit documentation of competency or evidence of current certification or registration by board-recognized national bodies acceptable to the board.

History: Effective July 1, 2008; amended effective April 1, 2014.

General Authority: ~~NDCEN.D.C.C. §§~~ 12-60-24(-2)(o), 43-12.1-08

Law Implemented: ~~NDCEN.D.C.C. §~~ 43-12.1-10(2)