

CHAPTER 6
STANDARDS FOR NURSING EDUCATION PROGRAMS

Section 1. Statement of Purpose.

(a) To foster the safe and effective practice of nursing by graduates of nursing education programs by setting standards that promote adequate preparation of students for nursing practice. These standards will:

- (i) Serve as a guide for the development of nursing education programs;
- (ii) Provide criteria for the evaluation and approval of new and established nursing education programs;
- (iii) Provide for sanctions for nursing education programs that do not maintain compliance with board approval;
- (iv) Enable innovative responses of established nursing education programs to a changing health care environment;
- (v) Assure eligibility for admission to the licensure examination for nurses;
- (vi) Ensure that graduates of nursing education programs are prepared for safe nursing practice;
- (vii) Facilitate interstate endorsement of graduates of board approved nursing education programs.

Section 2. Standards of Approval for Nursing Education Programs.

(a) Application for Developmental Approval

(i) An Institution or consortium of accredited institutions wishing to establish a new program in nursing shall make application to develop the program to the board one year in advance of anticipated opening date.

(ii) The application shall include a statement of intent and a feasibility study with at least the following information:

(A) Evidence of accreditation of the institution, or of all member institutions in a consortium, by an appropriate regional or national accrediting association or agency; institutions seeking to establish a registered nursing education program shall show evidence of:

(I) Approval as a degree-granting institution of higher education in Wyoming;

(II) Accreditation of the parent institution by a regional association or national agency recognized by the United States Department of Education; and

(III) Evidence of approval from the Wyoming Community College Commission, or the University Of Wyoming Board Of Trustees, or other pertinent governing bodies.

(B) Studies documenting the statewide need for the program. The study should also specifically address the need for the program in relation to the nursing needs of the geographical area to be served;

(C) Evidence that written notice of intent to establish a nursing education program has been provided to all Wyoming-approved nursing education programs a minimum of 30 days prior to submission of the application;

(D) Purpose, size, and type of program;

(E) Administration and organizational plan delineating lines of authority and decision-making;

(F) Availability of and ability to recruit and retain qualified faculty;

(G) Projected number of faculty positions;

(H) Description of proposed instructional modalities, available and adequate proposed facilities, services, and resources;

(I) Availability of adequate practice sites for the program;

(J) Evidence of financial resources adequate for planning, implementation, and continuation of the program, including proposed operating costs;

(K) Evidence of support for the program and intended program outcomes by the institution, administration, and academic officers;

(L) Anticipated student enrollment and proposed date of enrollment;

(M) Tentative time schedule for planning and initiating the program;

(N) Current institution and program catalog(s);

(O) For consortium applicants, any charters, contracts and other documents that show:

(I) Relationships among member institutions;

(II) Member institution commitment to the consortium and the proposed nursing education program; and

(III) Mechanisms within the consortium for attainment and maintenance of board standards for nursing education programs.

(iii) The applicant shall respond to the board's request(s) for additional information.

(iv) A site visit may be conducted by a representative(s) of the board.

(v) A school or program concerned about potential adverse impact of the proposed program shall respond to the proposer with a copy to the board within 15 days of receiving the notice of intent to establish a new program or location.

(vi) The board, after timely review and consideration of the information contained in the application and any supplementary information, including statement of potential adverse impact by other programs, shall either approve or deny the application and notify the applicant, including rationale for the decision.

(vii) If developmental approval is denied, the applicant may request a hearing before the board and the provisions of the Administrative Procedures Act shall apply.

(viii) If applicant does not implement the program within 12 months of the developmental approval date, the developmental approval will expire, and the program will need to reapply.

(b) Initial Approval

(i) Initial approval status may be applied for when the following conditions have been met:

(A) Application has received board approval;

(B) Evidence of approval for the new program has been obtained from the appropriate agencies as listed in (a)(ii)(A) above;

(I) An institution shall provide one copy of the report that was submitted to each agency and a copy of the letter(s) indicating that approval for the program has been granted.

(II) A consortium shall provide documentation that each member institution has approved the program, as well as documentation of agency approval as above.

(C) A qualified nurse administrator has been appointed and provided with necessary administrative support a minimum of nine months prior to the beginning of courses;

(D) There are sufficient qualified faculty and administrative support services to initiate the program a minimum of six months prior to the beginning of the courses;

(E) A tentative written proposed program plan, including curriculum developed in accordance with the Standards of Approval, has been submitted a minimum of three months prior to the offering of the first course to nursing students;

(F) There is evidence of readiness for admission of students in educational and clinical facilities and policies for admission and progression;

(G) There is a signed agreement(s) for the articulation of program graduates into the next level of nursing education:

(I) Programs leading to a certificate or degree in practical nursing shall have an agreement with a Wyoming approved program preparing candidates for licensure as a registered nurse.

(II) Programs leading to an associate degree in nursing shall have an agreement with a four-year degree granting university for a program leading to a baccalaureate or higher degree in nursing.

(ii) Following board receipt and review of the information required above, the board may grant or deny initial approval.

(iii) A site visit may be conducted by a representative(s) of the board.

(iv) Initial approval must be received by a program prior to accepting students for admission to the first class of nursing students.

(v) If initial approval is denied, the applicant may request a hearing before the board, and the provisions of the Administrative Procedures Act shall apply.

(vi) Interim visits and/or progress reports may be requested by the board at any time during the initial approval phase and/or following initial approval as deemed necessary by the board.

(vii) If the institution or consortium does not admit a class within 12 months after the date designated for initiating the program in the initial approval application, the initial approval shall expire.

(c) Approval

(i) Eligibility for approval occurs after the graduation of the first class of students.

(ii) Within six months following graduation of the first class, the program shall submit a self-evaluation report of compliance with the Standards of Approval, and a survey visit shall be made for consideration of approval of the program.

(iii) The decision of the board to grant or deny approval shall be based upon review of a self- evaluation report submitted by the program addressing compliance with board standards, of the success rate of graduates on the national licensure examination, and of a survey report by a representative(s) of the board.

(iv) If approval is denied, the applicant may request a hearing before the board.

Section 3. Periodic Evaluation of Nursing Education Programs.

(a) Procedures for Periodic Evaluation

(i) All nursing education programs shall be required to demonstrate continuing compliance with the Standards of Approval from their accrediting body by submitting the complete report of any site visit or survey by that body.

(ii) If a program does not hold accreditation from an external agency, the board may require a survey visit for consideration of continued approval. A program shall submit a narrative self-evaluation report(s) that provides evidence of compliance with the Standards of Approval that would apply if the program were seeking accreditation at least one month prior to the scheduled survey visit.

(iii) The survey visit shall be made by a representative(s) of the board on dates mutually acceptable to the board and the program.

(iv) In lieu of a site visit, the board may accept the Annual report or complete official report of the accrediting agency as evidence of compliance with education standards.

(v) A board survey visit may be conducted in conjunction with the national nursing accreditation body survey visit. The Board representative shall write a separate survey report.

(vi) The program shall be asked to participate in scheduling survey visit activities.

(vii) A draft of the survey visit report shall be made available to the program for review and corrections in factual data.

(viii) The administrator of the program and/or designee(s) shall be notified when the report will be presented to the board.

(ix) Following the board's review and decision, written notification regarding approval of the program, commendations, recommendations or notice of deficiencies with a specified time frame within which the deficiencies must be corrected, shall be sent to the administrator of the institution and the administrator of the nursing education program.

(x) The board may require survey visits or interim progress reports at any time. The request shall be made in writing and include the purpose(s) for the visit. The following situations may be cause for a survey visit to determine if the minimum standards for nursing education programs are being met:

(A) Reports relating to violations of the Nurse Practice Act (NPA) or administrative rules and regulations;

(B) Denial, withdrawal, or change of program or institution accreditation status by an accrediting agency recognized by the U.S. Department of Education;

(C) Providing false or misleading information to students or the public concerning the nursing education program;

(D) Violation of board rules;

(E) Inability to secure or retain a qualified director or faculty, resulting in substandard supervision and instruction of students; or

(F) Failure to maintain a three-year average at or above the national pass rate for licensure level pass rate within the first six months of graduation.

(xi) The nursing education program may request a survey or site visit. Such request shall be in writing and include the purpose(s) for the visit.

(b) Board Waiver of Site Visits for Program Approval Based on Accreditation Renewal

(i) Board may waive the site visit for a program for reasons to include, but not limited to:

(A) Documentation that the nursing education program is accredited by either the National League for Nursing Accrediting Commission (NLNAC) or the Commission on Collegiate Nursing Education (CCNE) or other accrediting agency;

(B) A self study by the nursing education program which evaluates its compliance with the accreditation standards of the board and either the NLNAC or CCNE or other accrediting agency;

(C) The site survey report from either the NLNAC or CCNE that has reviewed and evaluated the program or other approved agency; and

(D) The final report from either the NLNAC or CCNE or other approved agency.

(ii) If the national self-evaluation report is submitted in lieu of the board's survey report, the program shall submit an addendum to the self-evaluation report that addresses the Standards of Approval and provides a guideline as to where the Standards are discussed in the self-evaluation report.

(iii) A program that has been granted a waiver of the on-site visit pursuant to (i) above shall notify the board within 30 days of the change if the NLNAC or CCNE accreditation status changes.

(iv) If the board is notified that a program's NLNAC or CCNE accreditation status has changed, the board may send a representative to conduct an on-site visit of the program to verify that the program conforms to the Standards of Approval. A program that does not conform to these standards shall be placed on conditional approval.

(c) Reports

(i) In addition to annual reports, programs are required to notify the Board of any substantive change affecting the nursing program.

(A) Such changes include, but are not limited to the following :

(I) Change in the nurse administrator of the program;

(II) A significant increase or decrease in planned enrollment that may affect the overall faculty-student ratio or the capacity of institutional facilities or practice sites;

(III) Major changes in availability of adequate practice sites for the program that results in reduction of student enrollment or faculty positions;

(IV) Change in accreditation status of the controlling body;

(V) Major reductions in the financial support for the program;

(VI) Appointment of new faculty members;

(VII) Change of Administrative Control;

(VIII) Major Curriculum Change

(IX) Addition of an extended campus site or distance nursing education option. The program shall submit a letter of intent to expand offerings to an extended campus site or using distance education technology at least three months prior to planned implementation;

a. The letter of intent shall include at least the following information:

b. Plan for qualified faculty for the program at the extended site or with addition of distance education technology;

c. Description of available and proposed education facilities and delivery modalities, services and resources with dates of availability;

d. Availability of adequate practice sites and provisions for faculty supervision of clinical experiences;

e. Tentative time schedule for planning, initiating, and evaluating the program.

f. The board may deem the addition of an extended campus site or distance nursing education option as the equivalent of a new program as outlined in Section 2. Notice to the applicant shall include the rationale for the board decision.

(ii) The report must be submitted to the board no later than 30 days prior to the implementation or within 30 days of the occurrence.

(iii) The report must document the nature and scope of the change. The report also must document how, if at all, the change affects the program's compliance with board nursing education standards

(iv) The report is reviewed by the board. The board's review may result in additional reporting requirements, a site visit, or a change in the program status.

(d) Innovative Approaches in Nursing Education Programs

(i) A nursing education program may apply to implement an innovative approach by complying with the provisions of this section. Nursing education programs approved to implement innovative approaches shall continue to provide quality nursing education that prepares graduates to practice safely, competently, and ethically within the scope of practice as defined in board rules.

(A) Purposes:

(I) To foster innovative models of nursing education to address the changing needs in health care;

(II) To assure that innovative approaches are conducted in a manner consistent with the board's role of protecting the public;

(III) To assure that innovative approaches conform to the quality outcome standards and core education criteria established by the board;

(B) Eligibility

(I) The nursing education program shall hold full board approval without conditions.

(II) There are no substantiated complaints in the past two years.

(III) There are no rule violations in the past two years.

(C) Application. The following information with a one-page executive summary shall be provided to the board six months prior to the proposed starting date:

(I) Identifying information (name of nursing education program, address, responsible party, and contact information);

(II) A brief description of the current program, including accreditation and board approval status;

(III) Identification of the regulation(s) affected by the proposed innovative approach;

(IV) Length of time for which the innovative approach is requested;

(V) Description of the innovative approach, including objective(s);

(VI) Brief explanation of why the program wants to implement an innovative approach at this time;

(VII) Explanation of how the proposed innovation differs from approaches in the current program;

(IX) Rationale with available evidence supporting the innovative approach;

(X) Identification of resources that support the proposed innovative approach;

(XI) Expected impact innovative approach will have on the program, including administration, students, faculty, and other program resources;

(XII) Plan for implementation, including timeline;

Plan for evaluation of the proposed innovation, including measureable criteria/outcomes, method of evaluation, and frequency of evaluation;

(XIII) Additional application information as requested by the board;

(1.) Standards of approval

a. Eligibility criteria in Section 3(d)(i)(B) and application criteria in Section 3(d)(i)(C) above are met.

b. The innovative approach will not compromise the quality of education or safe practice of students.

c. Resources are sufficient to support the innovative approach.

d. Rationale with available evidence supports the implementation of the innovative approach.

e. Plan for periodic evaluation is comprehensive and supported by appropriate methodology.

(2.) Review of application and board action

a. Annually the board may establish the number of innovative approach applications it will accept, based on available board resources.

b. The board shall evaluate all applications to determine if they meet the eligibility criteria in Section 3(d)(i)(B) and the standards established in Section 3(d)(i)(C)(XIII)(1.).

c. The board shall inform the education program of the approval process timeline after receipt of the application.

d. If the application meets the standards, the board may:

1. Approve the application; or

2. Approve the application with modifications as agreed between the board and the nursing education program.

e. If the submitted application does not meet the criteria in Section 3(d)(i)(B) and Section 3(d)(i)(C), the board may deny approval or request additional information.

f. The board may rescind the approval or require the program to make modifications if:

1. The board received substantiated evidence indicating adverse impact;

2. The nursing education program fails to implement the innovative approach as presented and approved;

(3.) Periodic Evaluation

a. The education program shall submit progress reports conforming to the evaluation plan annually or as requested by the board.

b. The final evaluation report shall conform to the evaluation plan, detailing and analyzing the outcomes data.

c. If any report indicates that students were adversely impacted by the innovation, the nursing education program shall provide documentation of corrective measure and their effectiveness.

d. Nursing education program maintains eligibility criteria in Section 3(d)(i)(B).

(4.) Requesting Continuation of the Innovative Approach

a. If the innovative approach has achieved the desired outcomes and the final evaluation has been submitted, the program may request that the innovative approach be continued.

b. Request for the innovative approach to become an ongoing part of the education program must be submitted 60 days prior to a regularly scheduled board meeting.

c. The board may grant the request to continue approval if the innovative approach has achieved desired outcomes, has not compromised public protection, and is consistent with core nursing education criteria.

(ii) Annual Reports

(A) Each nursing education program shall submit an annual report to the board on or before August 31 of each year, which shall include all of the following data:

(I) Any changes in program policies, the organizing framework for the curriculum, and program objectives or outcomes;

(II) A description of faculty responsibilities for required nursing courses;

(III) The name, license number, academic credentials, employment date, and full- or part-time status of each member of the program faculty;

(1.) For any faculty member without an earned masters degree in nursing, an update of their five-year educational program plan demonstrating progress signed by the faculty member and program administrator along with a current official transcript from the graduate program.

(IV) The name, license number, academic credentials, professional experience, and place of practice for Clinical Preceptor;

(V) A description of the nurse administrator's teaching responsibilities;

(VI) The name and address of each affiliating agency;

(VII) Student enrollment, retention, graduation statistics and pass rates for examinations leading to licensure or certification;

(VIII) The pass rate will be calculated annually on the basis of a program's pass rate for the total number of candidates examined over a one-year period and a revolving two-year period of time;

(IX) Faculty hiring, retention, and separation statistics;

(X) For the most recent year, a list of comprehensive learning and technological resources available and accessible to nursing education program;

(XI) A response to the recommendations and requirements identified by the board based on the program's last annual report or the last survey visit; and

(XII) Any proposed changes to the program.

(B) If the nursing education program fails to meet requirements of the board or to submit required reports within a designated period of time, the program shall be removed from the list of approved nursing education programs after it has received notice and has been given an opportunity to be heard.

(C) Testing Pass Rate

(I) A nursing education program leading to nursing licensure or certification shall present a written plan, in conformance with board policy, to evaluate and improve graduate performance on the licensing examination in the event that the program fails to maintain a pass rate at or above the national pass rate.

(II) The pass rate will be calculated annually on the basis of a program's pass rate for the total number of candidates examined over a one-year period and a revolving two-year period.

Section 4. Approval and Denial For Nursing Education Programs.

(a) The board may assign varied levels of approval based on a program's ability to demonstrate meeting all required elements of the standards of approval.

(i) The board may deny provisional approval if it determines the standards of nursing education have not been met.

(ii) The board may deny full approval if it determines that a nursing education program fails to meet the standards of nursing education.

(iii) The board may withdraw full or conditional approval if it determines that a nursing education program has not provided sufficient evidence that the standards of nursing education are being met.

(iv) If the board determines that an approved nursing education program is not meeting the criteria set forth in these regulations, the parent institution may be given up to one year to correct the identified nursing education program deficiencies. If the nursing education program fails to correct the identified deficiencies within the time specified, the board may withdraw the approval following a hearing held pursuant to the provisions of the Administrative rules and regulations.

(v) After the board has conducted the hearing, the board may take any of the following actions:

(A) Grant provisional approval if the board finds that the proposed nursing education program meets the criteria as stated in the board's standards of nursing education;

(B) Deny provisional approval if the board finds that the proposed nursing education program fails to meet the criteria as stated in the board's standards of nursing education;

(C) Grant conditional approval if the board identifies deficiencies in the evidence presented to the board which indicates the nursing education program has failed to meet the criteria as stated in the board's standards of nursing education;

(D) Grant/reinstate full approval if the board finds that the nursing education program meets the criteria as stated in the board's standards of nursing education;

(E) Withdraw approval if the board finds that the nursing education program fails to meet the criteria as stated in the board's standards of nursing education.

Section 5. Appeal and Reinstatement.

(a) A parent institution may appeal the board's decision to withdraw approval of a nursing education program and may request a hearing to review the board's decision. The hearing and all actions related to the appeal shall be in accordance with due process rights, the Wyoming Administrative Procedures Act and/or administrative rules of the board. The parent institution has 30 days from official signed receipt of the board's decision to respond and initiate the appeal.

Section 6. Closure of Nursing Education Program and Storage of Records.

(a) Voluntary Closing

(i) When the parent institution decides to close a nursing education program, it shall notify the board in writing, stating the reason for closure, the plan for discontinuation, and the intended date of closing.

(ii) The parent institution may choose one of the following options when closing a nursing education program:

(A) Continue the nursing education program until the last class enrolled is graduated; or

(B) Assist in the transfer of students to other approved nursing education programs.

(iii) The nursing education program shall continue to meet the board's standards of nursing education until all of the enrolled students are graduated or until the last student is transferred.

(iv) The date of closure is the date on the degree, diploma, or certificate of the last graduate or the date on which the last student was transferred.

(b) Closing as a Result of Withdrawal of Approval

(i) When the board withdraws approval of a nursing education program, the parent institution shall comply with the following procedures:

(A) The parent institution shall prepare a written plan for termination of the nursing education program and shall submit the plan to the board within 30 days of receipt of the notice of withdrawal of approval.

(B) The parent institution shall present a plan for the transfer of students to other approved nursing education programs within a time frame established by the board.

(C) The date on which the last student was transferred will be the date of closure.

(c) Storage of Records

(i) The board shall be advised of the arrangements for storage of permanent records.

Section 7. Standards of Nursing Education.

(a) Organization and Administration

(i) The organization and administration of the nursing education program shall be consistent with the law governing the practice of nursing.

(A) The nursing education program shall be an integral part of a governing academic institution that is accredited by an accrediting body that is recognized by the U.S. Department of Education.

(B) There shall be a description or an organizational chart which demonstrates:

(I) The relationship of the nursing education program to the parent institution; and

(II) Clear delineation of the lines of authority, responsibility, and channels of communication.

(C) The mission/philosophy and outcomes of the nursing education program shall be congruent with those of the parent institution and consistent with current standards of nursing practice and education.

(D) There shall be a nursing education program organizational design with clearly defined authority, responsibility, and channels of communication which assure involvement from faculty, students, and communities of interest.

(E) Policies of the nursing education program are comprehensive, provide for the welfare of faculty and staff, are consistent with those of the parent institution, and periodically reviewed; differences are justified by the goals and outcomes of the nursing education program.

(b) Administrator Qualifications and Role Responsibilities

(i) Administrator qualifications for practical or associate degree nursing education programs shall include:

(A) A current, active, and unencumbered Wyoming registered nurse license;

(B) A minimum of a master's degree with a major in nursing;

(C) Academic and experiential qualifications to lead the program.

(ii) Administrator qualifications for baccalaureate, master's, and doctoral degrees in nursing education programs shall include:

(A) A current, active, and unencumbered Wyoming registered nurse license;

(B) A doctoral degree in nursing; or a master's degree in nursing and a doctoral degree in a related field;

(C) Academic and experiential qualifications to lead the program.

(iii) The administrator of the nursing education program shall have institutional authority and administrative responsibility for the program, including, but not limited to:

(A) Leadership within the faculty for the development, implementation, and evaluation of the program, including curriculum and instructional delivery;

(B) Creation and maintenance of an environment that:

(I) Is conducive to teaching and learning; and

(II) Provides coordination and support of faculty assignments.

(C) Serving as a liaison with executive administrators and administrative and student service units of the parent institution;

(D) Participation in institution policy and program decisions that affect teaching and learning within the nursing education program;

(E) Participation in preparation of the program budget;

(F) Administration of the program budget;

(G) Facilitation of faculty development;

(H) Responsible for faculty performance review;

(I) Providing recommendations for faculty appointment, promotion, tenure, and retention;

(J) Development and maintenance of partnerships that promote excellence in nursing education, enhance the profession, and benefit the community;

(K) Serving as a liaison with the board related to the program's continuing compliance with the required elements of these rules;

(L) The administrator of the nursing education program shall have adequate time and resources to fulfill the administrative role responsibilities.

(c) Faculty

(i) The faculty shall include a sufficient number of qualified nurse educators and may include clinical teaching associates to meet the identified learning outcomes of the nursing education program.

(ii) Faculty teaching in practice sites shall also hold a registered nurse license and meet requirements in the state in which the clinical experience is occurring.

(iii) Allied health faculty members shall be academically and experientially qualified for their responsibilities.

(iv) Faculty members shall demonstrate professional competence and continued development in nursing, nursing education, and assigned teaching responsibilities.

(A) The nurse administrator and each faculty member shall periodically review assigned teaching responsibilities, evaluating and revising professional development plans as indicated.

(B) The institution and nurse administrator shall support faculty in developing and maintaining competence in assigned teaching responsibilities.

(v) Faculty Qualifications for all Nurse Programs

(A) Each nurse educator shall:

(I) Hold a current, unencumbered license to practice as a registered nurse in Wyoming;

(II) Have a minimum of a master's degree in nursing;

(III) Have three years of clinical experience or national certification in clinical nurse specialty relevant to areas of responsibility;

(IV) Nurse educators hired without a master's degree in nursing must have a baccalaureate degree in nursing and shall have five years from the date of hire to earn a master's degree in nursing.

(V) The nursing education program administrator shall immediately notify the board in writing of the hire of a non-master's prepared nurse educator, along with a plan for compliance with the requirements.

(B) Allied health faculty shall be experientially and academically qualified to teach appropriate elements of nursing curriculum.

(C) Any exceptions to subsections 7 (c) (v) faculty qualifications of this rule shall be submitted in writing to the board and shall include rationale and evidence for the request. The board may grant exceptions for any of the following circumstances:

(I) The education and experience qualifications are deemed equivalent to the requirements; or

(II) The individual has a baccalaureate in nursing, a master's or doctorate in a related field, and relevant nursing experience. The background of the individual is related to the teaching assignment and is complementary to the faculty mix; or

(III) Substantial effort has been made to recruit a qualified faculty member, and the appointed individual is pursuing the needed qualifications; or

(IV) Substantial effort has been made to recruit a qualified faculty member, and the individual without full qualification is appointed for one year. The

exception may be extended for one year with documentation of either continued or unsuccessful recruitment for a qualified replacement, or a plan to establish eligibility under exception (iii) above.

(vi) Faculty Member/Student Ratio

(A) Onsite clinical faculty may supervise up to eight students during a clinical rotation.

(B) Nursing faculty may supervise up to 15 students during a clinical course using clinical preceptors.

(C) The use of clinical preceptors to enhance clinical learning experiences may be used only after a student has received faculty supervised clinical and didactic instruction in all basic areas of nursing.

(I) Criteria for selecting clinical preceptors shall be in writing.

(II) Clinical preceptor shall hold a current, unencumbered license in the state in which the preceptorships are being provided.

(III) Clinical preceptor shall be a registered nurse; with the recommendation they are prepared at the baccalaureate level or above.

(IV) Clinical preceptors shall have demonstrated competencies related to the area of assigned clinical teaching responsibilities and will serve as a role model and mentor to the student.

(V) There shall be written guidelines for clinical preceptors that include the following:

(1.) Clear delineation of functions and responsibilities of the clinical preceptor, the student, and the faculty member;

(2.) Statement that the faculty member shall retain responsibility for the student's learning experiences and meet periodically with the clinical preceptor and student for purposes of monitoring and evaluating learning experiences.

(D) Clinical teaching associates may be used within the following guidelines:

(I) Hold a current, unencumbered license to practice as a registered nurse in Wyoming;

(II) Have at least two years of nursing experience.

(III) There shall be a written plan for the clinical learning experience consistent with these rules;

(IV) Clinical teaching associates shall be selected according to written criteria developed by faculty and agreed to by responsible person(s) in the practice site;

(V) The clinical teaching associate(s) shall be under the direction of a nurse educator while students are involved in the clinical learning experience;

(VI) The nurse educator shall confer with each clinical teaching associate and student (individually or in groups) regularly during the clinical learning experience and provide:

(1.) Clear delineation of functions and responsibilities of the clinical teaching associate, the student, and the faculty member;

(2.) A statement that the faculty member shall retain responsibility for the students' learning experiences and meet periodically with the clinical teaching associate and student for purposes of monitoring and evaluating learning experiences.

(vii) Principle responsibilities of the nurse educator shall be to:

(A) Develop, implement, and evaluate the organizing framework and learning outcomes of the program;

(B) Construct, implement, evaluate, and revise the curriculum;

(C) Develop, implement, and evaluate policies and standards for the advising, selection, admission, advanced placement, progression, and graduation of nursing students within the framework of the policies of the educational institution;

(D) Develop, integrate, and evaluate student learning experiences, including selection of learning activities, appropriate use of emerging teaching and learning methodologies, assessment and guidance of the student, and evaluation of client and student safety;

(E) Mentor/guide clinical teaching associates;

(F) Develop, implement, and evaluate policies for assessing student achievement in terms of course and program learning outcomes;

(G) Evaluate student learning and performance, assign grades for courses according to policies, and determine student progression within the program;

(H) Develop, implement, and evaluate policies and procedures necessary for the operation of the program;

(J) Provide for student evaluation of teaching effectiveness;

(K) Participate in review of the total nursing education program;

(L) Participate in determining academic policies and procedures of the institution;

(L) Participate cooperatively with other nursing education programs and agencies to develop appropriate and equitable access to practice sites and experiences; and

(M) Provide mechanisms for student input into and/or participation in decisions related to the nursing education program.

(viii) Faculty Organization

(A) The nursing faculty shall participate through faculty meetings or other methods in developing, implementing, and evaluating the program and curriculum and other responsibilities of the faculty.

(B) Minutes of faculty and committee meetings, including actions taken, shall be recorded and available for reference.

(C) Faculty participation in decisions related to developing, implementing, and evaluating the curriculum, and to establishing or modifying nursing education program policies shall be documented.

(d) Students

(i) The nursing education program shall admit students to the program based upon the number of faculty, available educational facilities and resources, and the availability of clinical learning experiences, with patient safety and student success as the primary considerations.

(ii) The nursing education program shall establish written policies for admission, readmission, transfer, advanced placement, promotion, graduation, withdrawal, or dismissal.

(A) Student policies shall be consistent with those of the parent institution and acceptable educational standards; differences are justified by the outcomes of the nursing education program.

(B) All policies relevant to applicants and students shall be available in writing.

(iii) A nursing education program shall have written policies for student rights, responsibilities, grievances, health, safety, and welfare.

(iv) Students shall be provided the opportunity to acquire and demonstrate the knowledge, skills, and abilities for safe nursing practice. The use of reasonable accommodations may be used to facilitate the student's ability to meet course and program outcomes.

(v) The nursing education program or parent institution shall permanently maintain accurate records of scholastic achievement for each student.

(vi) The nursing education program shall assure that students are informed of their progress toward meeting course and program outcomes at routine intervals.

(vii) Student learning outcomes will be determined and clearly articulated to students prior to evaluation of student performance.

(e) Curriculum

(i) The curriculum of the nursing education program shall:

(A) Prepare the student to achieve the nursing competencies necessary for practice based on current standards of care;

(B) Reflect the identified mission/philosophy, goals, and learning outcomes of the education program;

(C) Be consistent with the law governing the practice of nursing;

(D) Be delivered through learning activities based on current evidence and best practices to allow students to achieve stated learning outcomes or competencies;

(E) Provide learning activities that are sufficiently comprehensive to achieve stated program outcomes and competencies;

(F) Support instructor/student interaction and meaningful student/student interaction.

(ii) Curriculum plan shall identify:

(A) Competencies or learning outcomes at the course and program level;

(B) Learning activities to develop identified competencies. Courses, learning activities, and clinical practice shall be organized in such a manner to have sufficient proximity in time to allow the student to form necessary links of theoretical knowledge, clinical reasoning, and deliberate practice;

(I) Clinical practice shall include sufficient direct patient care hours to achieve identified competencies, course, and program outcomes.

(II) All clinical practice shall be developed and overseen by nursing education faculty.

(C) Requirements of the educational institution for graduation; and

(D) Total credits for program completion or program graduation.

(iii) Practical Nurse Programs

(A) The practical nursing education program curriculum shall reflect an interdisciplinary educational foundation logically structured to meet program outcomes.

(B) The practical nursing education program shall provide theory and faculty-supervised clinical practice in nursing to achieve competencies within the practical nurse scope of practice, including those related to:

(I) Creating and maintaining a safe environment of care;

(II) Demonstrating professional, legal, and ethical behavior in nursing practice;

(III) Applying knowledge and problem solving skills;

(IV) Providing safe, clinically competent, culturally sensitive, and client-centered care for the promotion, restoration, and maintenance of wellness or palliation across the lifespan;

(V) Functioning as a member of the interdisciplinary healthcare team;

(VI) Applying management skills to assign, direct, and supervise care provided by nursing assistive personnel;

(VII) Using technology to facilitate communication, manage information, and document care; and

(VIII) Providing cost-effective nursing care and participating in quality improvement strategies.

(iv) Registered Nurse Program

(A) The registered nurse curricula shall meet all institutional requirements for, and culminate in the award of, an associate, baccalaureate, master's, or doctoral degree.

(B) The registered nurse programs shall reflect an interdisciplinary educational foundation logically structured to meet program outcomes, including safe practice in contemporary health care environments.

(C) The registered nurse program shall provide theory and faculty-supervised clinical practice in nursing to develop competencies at the registered nursing scope of practice related to:

(I) Creating and maintaining a safe environment of care;

(II) Demonstrating professional, ethical, and legal behavior in nursing practice;

(III) Selecting, managing, delegating, and supervising nursing care for individuals, families, or groups;

(IV) Providing safe, clinically competent, culturally sensitive, client-centered, and evidenced-based care to promote, restore, and maintain wellness or palliation across the lifespan;

(V) Providing culturally sensitive and evidence-based teaching and advocacy for individuals, families, and groups;

(VI) Participating within and providing leadership for an interdisciplinary team;

(VII) Applying leadership skills to identify the need for and to promote change;

(VIII) Using communication and information technology effectively and appropriately;

(IX) Applying and integrating principles of community health and community-based care into practice; and

(X) Integrating concepts of resource utilization, quality improvement, and systems to enhance care delivery.

(v) Baccalaureate, masters, or doctoral nursing education programs shall also include competencies related to:

(A) Applying epidemiological, social, and environmental data and principles to identify and implement health promotion goals and strategies for communities and populations;

(B) Developing leadership and affecting change through participation in interprofessional teams and beginning application of management knowledge commensurate with the level of academic degree being conferred

(C) Identifying and implementing measures to improve access and quality, and control cost of healthcare for individuals and underserved groups;

(D) Using evidence-based practice to validate and improve nursing care for individuals, families, and groups.

(E) Using teaching/learning principles to assist individuals, families, and groups in maintaining and/or improving health.

(vi) Programs that provide for advance placement of students shall develop and use policies designed to assure that such students meet the equivalent of the program's current curriculum and competencies.

(f) Resources

(i) There shall be evidence of financial support and resources to meet program outcomes. Resources include adequate educational facilities and equipment, non-nurse support personnel, and student support services, as well as educational and technical support services.

(A) Educational facilities and equipment shall include:

(I) Classrooms, laboratories, and conference rooms adequate in number, size, and type according to the number of students and educational purposes for which the rooms are used;

(II) Offices and conference rooms available and adequate in number and size to meet faculty needs for individual student counseling and faculty meetings;

(III) Space provided for non-nurse support staff, files, storage, and equipment; and

(IV) Telephones, computers, equipment, and support adequate in number and capacity to conduct program business.

(B) Support personnel and student support services shall include:

(I) Adequate support staff; and

(II) Adequate student support services such as academic advising, financial aid advising, and academic bookstore services.

(C) Education and technical support services shall include:

(I) Adequate library services, holding, and electronic learning resources; and

(II) Adequate technology to support teaching and learning.

(D) Parent institutions offering distance nursing education programs shall provide ongoing and appropriate technical, design, and production support for faculty members and technical support services for students.

(g) Practice Sites

(i) When appropriate, a written contract or agreement shall be executed by the parent institution conducting the nursing education program and the cooperating clinical facility or agency; the contract shall be signed by the responsible individuals of each party, and shall set forth the responsibilities of each party.

(A) Selection of practice sites shall be based on written criteria established by nursing faculty, including a requirement that the practice sites shall be fully approved by the appropriate accreditation, evaluation, or licensing bodies.

(B) Selection of learning experiences shall occur by the faculty in collaboration with the practice site.

(h) Program Evaluation

(i) The nursing education program shall have a comprehensive plan for evaluation that includes systematic assessment and analysis of the standards required by the national or regional accreditation body appropriate to their program.

(ii) Nursing education programs not accredited shall include an assessment and analysis of:

(A) The organizational chart or description of the relationship of the program to the governing institution administrative structure;

(B) The nursing education program's mission/philosophy and outcomes;

(C) Multiple measures of the achievement of program outcomes for graduates;

(D) Program resources, including human, physical, and financial resources to support the number of enrolled students, methods of instructional delivery, and achievement of program outcomes;

(E) Curriculum design, including the effectiveness of instructional strategies and methodologies used to achieve learning outcomes;

(F) Faculty sufficient in number, preparation, experience, and diversity to effectively achieve course and program outcomes and maintain client and student safety;

(G) Records of formal program complaints and any action(s) taken to foster program improvement;

(H) NCLEX pass rate data, trends, contributing factors, and any action(s) taken to improve pass rates; and

(I) Excessive student attrition data, trends, contributing factors, and any action(s) taken to foster student retention.

(iii) There shall be evidence that the comprehensive plan for evaluation is being implemented and that evaluative data is used for ongoing program improvement.

Section 8. Definitions.

(a) As used in Chapter 6, the following definitions will apply:

(i) Accreditation: A volunteer, non-governmental peer review process by the higher education community. Institutional accreditation applies to the entire institution, whereas nursing program accreditation applies to program accreditation by the Commission on Collegiate Nursing Education (CCNE) or the National League for Nursing Accrediting Commission (NLNAC).

(ii) Accrediting Agency: A regional accrediting association or national accrediting agency approved by the U.S. Department of Education (US DOE) and/or the Council on Higher Education Accreditation (CHEA).

(iii) Advanced Placement: A process in which students meet specific criteria to enter a nursing program curriculum at a point beyond the beginning of the identified course of study.

(iv) Allied Health Faculty: Educators in other disciplines, academically and experientially qualified, who are able to provide specialized instruction in a nursing education program.

(v) Approval: The process by which the board evaluates and grants official recognition and status to nursing educational programs that meet board established standards. The status assigned may be developmental, initial, provisional, conditional, or full approval. Any level of approval may also be denied or withdrawn.

(vi) Board: The Wyoming State Board of Nursing (WSBN).

(vii) Clinical preceptor: A nurse who has undergone specific education/training to serve as a role model, resource, and coach for nursing students engaged in learning activities at practice sites. The clinical preceptor functions under the direction of the Nurse Educator.

(viii) Clinical Teaching Associate: A registered nurse who may contribute to classroom and clinical instruction in collaboration with and under the direction of a Nurse Educator.

(ix) Competency/Competencies: The knowledge, values, abilities, and interpersonal, clinical reasoning, and psychomotor skills expected for safe and effective nursing practice.

(x) Consortium: An association or collection of educational institutions with common goals.

(xi) Direction: Monitoring and guiding the practice of another through written or verbal communication; the intermittent observation, guidance, and evaluation of the nursing practice of another by a licensed physician, advanced practice registered nurse, dentist, or registered professional nurse who may only occasionally be physically present.

(xii) Faculty: Indicates global inclusion of nurse educators and clinical teaching associates.

(xiii) Faculty Member: An individual nurse educator or clinical teaching associate.

(xiv) Innovative Approach: A creative nursing education strategy that departs from the current rule structure and requires board approval for implementation.

(xv) National Accreditation: Same as accreditation.

(xvi) Nurse Educator: Faculty member with a master's degree in nursing qualified by experience and/or certification in a specialty to teach in a nursing education program and is responsible for the development and/or implementation of the nursing education program including curriculum, policies, student advising, evaluation, mentoring, and collaboration with program faculty and clinical teaching associates. The term includes all nurse faculty members regardless of rank who have responsibility for development and implementation of the program.

(xvii) Nursing Education Program: A program that prepares graduates for licensure or certification as practical nurses, registered nurses, or advanced practice nurses. The terms "program", "nursing program", or "nursing education program" as used in these rules, are synonymous.

(xviii) Outcomes: Statements of or measurements related to the expected knowledge, skills, values, and abilities to be gained by students through completion of the nursing education program or a segment thereof.

(xix) Practice Site: A location or situation in which nursing experience with actual patient/client individuals or groups is obtained.

(xx) Practicum: A course or session in which a student obtains experience in nursing in either a laboratory or practice site.

(xxi) Site Visit: Representatives(s) of the board go to the location of a program for specific purpose(s) which may include a survey for approval.

(xxii) Standards of Approval: Authoritative statements that set expectations for a program to achieve and maintain for approval status.

(xxiii) Supervision: The immediate physical availability of a licensed physician, advanced practice registered nurse, dentist or registered professional nurse for the purpose of providing assistance, coordination and evaluation of the practice of another.

CHAPTER 2

LICENSURE REQUIREMENTS FOR REGISTERED PROFESSIONAL NURSES and LICENSED PRACTICAL NURSES and CERTIFICATION REQUIREMENTS FOR NURSING ASSISTANTS/NURSE AIDES

Section 1. Statement of Purpose.

- (a) These rules and regulations are adopted to implement the board's authority:
 - (i) To regulate the qualifications of:
 - (A) The registered professional nurse and the licensed practical nurse to practice nursing, and
 - (B) The certified nursing assistant/nurse aide to carry out delegated nursing tasks.
 - (ii) To set forth the requirements and procedures for being so qualified.
 - (iii) To set forth the requirements for granting temporary permits and graduate temporary permits for registered professional nurses, licensed practical nurses, foreign nurses, advanced practitioners of nursing, and certified nursing assistants/nurse aides.
 - (iv) To set forth the requirements and/or procedures for the biennial renewal of recognition and/or licensure of all nurses.
 - (v) To set forth the requirements and procedures for the biennial renewal of certification of nursing assistants/nurse aides.

Section 2. Licensure by Examination.

- (a) Preparation for licensure by examination:
 - (i) A candidate from a state board approved nursing education program preparing students for registered professional nurse licensure shall be eligible to take the national nursing licensure examination for registered professional nurses;
 - (ii) A candidate from a state board approved nursing education program preparing students for practical nurse licensure shall be eligible to take the national nursing licensure examination for practical nurses;
 - (iii) The Board shall notify the administrative head of the nursing education program of the examination process;
 - (iv) The board shall notify the nursing education program of the overall performance of the program's candidates on the examination. Individual examination results shall not be released to the program without written consent from the candidates.
- (b) The candidate shall:
 - (i) Be required to fulfill all requirements for licensure by examination, as stated in the Wyoming Nursing Practice Act, W.S. 33-21-127(a);

- (ii) Submit the application and fee for the national nursing licensure examination to the national testing service;
- (iii) Submit the application and fee for licensure by examination to the board;
- (iv) Submit the finger print cards and required fees to obtain state and national criminal history record information;
- (v) Request the registrar's office to submit an official transcript; the official transcript shall be on file with the board before permission shall be granted to the candidate to take the examination.

Section 3. Certification by Examination for Nursing Assistants/Nurse Aides.

- (a) Preparation for certification by examination:
 - (i) A candidate who has graduated from a state or board approved nursing assistant/nurse aide training and competency evaluation program shall be eligible to write the national or board approved certifying examination (NACEP) for certified nursing assistants/nurse aides;
 - (ii) The board shall notify the administrative head of the nursing assistant/nurse aide training and competency evaluation program of the examination dates, application deadlines and method for obtaining appropriate applications;
 - (iii) A candidate shall be required to pass a national nursing assistant/nurse aide certifying examination with a minimum score determined by the board, to be eligible for certification by examination.
- (b) The board may allow a candidate to sit for the appropriate national or board approved certification examination a total of five (5) ~~ten (10)~~ times.
 - (i) Eligibility to sit for the examination shall be within the one (1) ~~two (2)~~ year period following graduation.
 - (ii) The board shall notify the nursing assistant/nurse aide training and competency evaluation program of the overall performance of the program's candidates on the written and skills examinations.
- (c) The candidate shall:
 - (i) Submit evidence of having graduated from a state or board approved nursing assistant/nurse aide training and competency evaluation program which meets OBRA guidelines (Public Law 100-203) and is recognized by the board;
 - (A) The evidence shall be on file with the board before permission is granted to the candidate to write the examination;
 - (B) The board shall grant permission to the candidate to take the skills examination at the convenience of the testing program.
 - (ii) Submit an application for certification as a nursing assistant/nurse aide to the board;
 - (A) The candidate or the candidate's employer shall submit the fee to the board;

(iii) Submit the application for the approved nursing assistant/nurse aide certification examination program to the testing service by the designated deadline date;

(A) The candidate or the candidate's employer shall submit the fee to the testing service by the designated deadline date.

(iv) Submit the finger print cards and required fees to obtain state and national criminal history record information;

Section 4. Examinations for Licensure for Nurses

(a) A candidate shall be required to pass a national nursing licensure examination with the minimum score determined by the board to be eligible for licensure by examination.

(b) The board shall notify the candidate by mail of the candidate's test results on all examinations after receipt of the test results from the national testing services.

(c) A candidate who fails an examination and wishes to retake the examination shall submit the appropriate applications and fees for re-examination to the board and the national testing service for each re-examination.

(d) The board may allow a candidate to sit for the appropriate national licensure examination a total of ten (10) times.

(i) Eligibility to sit for the examination shall be within the five (5) year period following graduation.

Section 5. Certification By Deeming For Nursing Assistants/Nurse Aides.

(a) The candidate must have successfully completed:

(i) A Wyoming nursing assistant/nurse aide training program prior to January 1, 1989; or

(ii) The first semester of a Wyoming nursing education program or comparable out-of-state nursing education program.

(A) The application for deeming shall be made within two years of completing the first semester of the nursing education program.

(b) The candidate shall:

(i) Submit evidence of having completed a training program which was at least 75 hours in length and substantially met federal requirements;

(ii) Submit evidence of having passed a constructed competency evaluation program that is acceptable to the board;

(iii) Submit evidence that the principal instructor in the training program was a qualified registered nurse who substantially met federal requirements;

(iv) Request that the original certifying agency, training program, or school of nursing submit a verification form to the board attesting to the candidate's training, competency evaluation, and the principal instructor's qualifications;

(A) The original certifying agency, training program, or school of nursing may submit an official transcript verifying completion of course work. The transcript may be considered by the board for verification purposes;

(v) Submit an application for certification as a nursing assistant/nurse aide to the board;

(A) The candidate or the candidate's employer shall submit the fee by the designated deadline date;

(vi) Submit the finger print cards and required fees to obtain state and national criminal history record information;

(c) A candidate who is unable to provide satisfactory verification of his/her training, competency evaluation, and principal instructor's qualifications, shall be required to meet the requirements for certification by examination.

Section 6. Licensure by Endorsement for Nurses.

(a) An applicant shall:

(i) Be required to fulfill all requirements for licensure by endorsement as stated in the Wyoming Nursing Practice Act, W.S. 33-21-127(b);

(ii) Submit the application and fee for licensure by endorsement to the board;

(iii) Submit the finger print cards and required fees to obtain state and national criminal history record information;

(iv) Submit the verification of licensure from the jurisdiction of original licensure for verification by examination and status of license since the original date of issuance; and

(v) Submit evidence of meeting the requirements for Continued Competency of Licensees Continuing In, Or Returning To Practice .

Section 7. Certification by Endorsement for Nursing Assistants/Nurse Aides.

(a) An applicant for endorsement shall submit:

(i) A completed application;

(ii) Written documentation indicating successful completion of a state approved nursing assistant/nurse aide training and competency evaluation program;

(iii) Evidence of continued competency as defined by the board;

(iv) Verification of certification from the jurisdiction of original certification;

(v) Verification of certification and registry status from jurisdiction of most recent employment; and

(vi) The required fee.

(b) An applicant for endorsement shall have committed no acts which were grounds for disciplinary action, or if the act was committed, the state has found after investigation that sufficient restitution has been made and the applicant no longer presents a threat to the public safety.

(c) An applicant who successfully meets the requirements of this section is entitled to certification as a certified nursing assistant/nurse aide within thirty (30) days after meeting the requirements.

(i) Certification by endorsement facilitates interstate mobility for nursing assistants/nurse aides while maintaining minimal competency.

(d) An applicant who is unable to provide satisfactory verification of training, competency evaluation, and principal instructor's qualifications, shall be required to meet the requirements for certification by examination.

Section 8. Licensure of Foreign Educated Nurses, Including Canadian Nurses.

(a) A foreign registered or practical nurse applicant who has received nursing education outside of the United States and has written the English version of a board approved national nursing licensure examination in the United States and passed with a minimum score determined by the board:

(i) Shall be required to fulfill all requirements for licensure by endorsement as stated in the Wyoming Nursing Practice Act W.S. 33-21-127(b);

(ii) May secure a temporary permit to practice nursing upon fulfillment of all requirements as stated in the Wyoming Nursing Practice Act W.S. 33-21-132(a).

(b) A foreign registered or practical nurse applicant who has received nursing education outside of the United States and has not passed a board approved national nursing licensure examination in the United States:

(i) Shall be required to fulfill requirements for licensure by examination as stated in the Wyoming Nursing Practice Act, W.S. 33-21-127(a);

(ii) Shall be required to pass the screening examination offered by a national certifying organization and receive a certificate. The board shall secure verification that a certificate has been issued to the applicant;

(A) Request the foreign nursing education program submit an official transcript, accompanied by an English translation, to the national certifying organization. Deficiencies identified in the basic registered nurse or practical nurse education programs shall be corrected in a board approved nursing education program before the applicant shall be allowed to sit for the national nursing licensure examination;

(B) Request the appropriate authority(s) in the country of the nursing education program to submit directly to the national certifying organization verification of government approval status of the nursing education program;

(iii) Shall submit evidence of English proficiency as the board may require, if English is not the first language of the applicant;

(iv) Shall be licensed to practice as a registered or practical nurse, or the equivalent, in the country of the applicant's nursing education program;

(v) Shall be scheduled for a board approved national nursing licensure examination;

(vi) Shall be required to pass a board approved national nursing licensure examination with a minimum score determined by the board;

(vii) Shall not be eligible to secure a graduate temporary permit.

Section 9. Temporary Permits.

(a) Temporary Permit Pending Licensure.

(i) A professional or practical nurse who is currently licensed to practice nursing in another jurisdiction and who meets requirements for licensure by endorsement may obtain a temporary permit while the application is being processed. A temporary permit may be issued for ninety (90) days and shall be nonrenewable.

(A) To request a temporary permit, the applicant shall:

(I) Submit to the board the application and fee for licensure by endorsement, and a current license (in good standing) from another jurisdiction.

(b) Temporary Permit Without Licensure.

(i) A professional or practical nurse who is currently licensed to practice nursing in another jurisdiction may obtain a temporary permit without applying for licensure by endorsement. A temporary permit may be issued for ninety (90) days and shall be nonrenewable. A temporary permit without licensure shall be issued to an individual only one time.

(A) To request a temporary permit without licensure, the applicant shall:

(I) Submit to the board the application and fee for temporary permit without licensure, and a current license (in good standing) from another jurisdiction.

(c) Temporary Permit to Graduates of Foreign Schools of Nursing.

(i) An applicant for licensure by examination or licensure by endorsement who received basic nursing education outside the United States, shall follow the requirements as stated in Licensure of Foreign Nurses, Section 8 of this Chapter.

(d) Graduate Temporary Permit.

(i) The board may issue a temporary permit to a new graduate of a state board approved professional or practical nursing education program pending the receipt of the candidate's test results.

(A) To request a graduate temporary permit, the candidate shall:

(I) Submit to the board the application and fee for licensure by examination.

(II) Request the nursing education program to submit directly to the board the official transcript.

(III) A notarized statement from the administrative head of the program indicating the candidate's graduation from the program may be acceptable to the board pending receipt of the official transcript.

(ii) A graduate temporary permit is valid for 90 days.

(iii) A graduate temporary permit is nonrenewable.

(iv) A graduate temporary permit shall become invalid if the candidate fails to pass the national nursing licensure examination.

(v) A graduate temporary permit shall be returned to the board if a candidate fails to pass the national nursing licensure examination.

(A) The candidate shall be ineligible to practice as a graduate nurse or graduate practical nurse without a valid graduate temporary permit.

(vi) A graduate of a state board approved professional nursing education program who has been issued a graduate temporary permit, may use the title, "Graduate Nurse", and the abbreviation, "G.N.".

(vii) A graduate of a state board approved practical nursing education program who has been issued a graduate temporary permit, may use the title, "Graduate Practical Nurse", and the abbreviation, "G.P.N.".

(viii) A graduate nurse or graduate practical nurse holding a graduate temporary permit shall practice only under the supervision of a registered professional nurse.

(ix) A graduate nurse or graduate practical nurse holding a graduate temporary permit shall be held to the established Standards of Nursing Practice.

(e) Graduate Temporary Permit for Certified Nurse Midwives, Certified Registered Nurse Anesthetists, and Advanced Practitioners of Nursing (APN) who do not hold Master's Degrees.

(i) Pending the receipt of a candidate's test results on the first national specialty APN certifying examination offered after graduation and for which the candidate is eligible, the board may issue a temporary permit to a new graduate of a nationally accredited nursing education program which prepares Advanced Practitioners of Nursing (APN).

(A) To request a graduate temporary permit, the candidate shall:

(I) Submit to the board the application and fee(s) for specialty area(s) of recognition as an Advanced Practitioner of Nursing.

(II) Request that the nationally accredited APN education program submit directly to the board the official transcript.

(III) Provide proof of having applied for the first national specialty APN certifying examination offered after the candidate's graduation and for which the candidate was eligible.

(B) A graduate temporary permit may be valid until the time the examination results are received and the recognition issued.

(C) A graduate temporary permit shall be nonrenewable.

(D) A graduate temporary permit shall become invalid if the candidate fails to take and pass the first national specialty APN certifying examination offered after the candidate's graduation and for which the candidate is eligible.

(E) The graduate temporary permit shall be returned to the board if a candidate fails to take and pass the first national specialty APN certifying examination offered after the candidate's graduation and for which the candidate is eligible.

(I) The candidate shall be ineligible to practice as a graduate advanced practitioner of nursing without a valid graduate temporary permit.

(F) A graduate of a nationally accredited APN education program who has been issued a graduate temporary permit, may use the title, "Graduate Advanced Practitioner of Nursing", and the abbreviation, "G.A.P.N.".

(G) A graduate APN holding a graduate temporary permit shall practice only under the supervision of an appropriately recognized APN and/or licensed physician.

(H) A graduate APN holding a graduate temporary permit shall be held to the established Standards of Nursing and Advanced Practice.

(f) Graduate Temporary Permit for Nursing Assistants/Nurse Aides.

~~(i) The candidate, who completes both the written and skills portions of the board approved certification examination, may be eligible to receive a temporary permit to practice as a graduate nursing assistant/nurse aide, pending the results of the certification examination.~~

~~(A) A temporary permit shall not be issued to any applicant who has not taken the board approved certification examination or who has failed either portion of the examination;~~

~~(B) A graduate temporary permit may be valid until the time the examination results are received and the certificate is issued.~~

~~(C) A graduate temporary permit shall be nonrenewable.~~

~~(D) A graduate temporary permit shall become invalid if the candidate fails to pass the certification examination.~~

~~(E) The graduate temporary permit shall be returned to the board if a candidate fails to pass the certification examination.~~

~~(I) The candidate shall be ineligible to practice as a nursing assistant/nurse aide;~~

~~(II) If the candidate fails the written and/or skills portion of the examination, the Board shall immediately notify the candidate by mail of the failure and the need to schedule the examination;~~

~~(III) A candidate who fails one or both parts of the examination and wishes to retake the failed part or parts of the examination shall be allowed to take the respective parts of the examination a total of ten (10) times, regardless of the jurisdiction in which the examination was administered;~~

~~(IV) A candidate who fails the examination ten (10) times within a two — year period, shall be required to complete a state board approved training program before reapplying to take the approved competency examinations or making application for certification.~~

~~(F) A graduate nursing assistant/nurse aide holding a graduate temporary permit shall practice only under the supervision of a licensed nurse.~~

~~(G) A graduate nursing assistant/nurse aide holding a graduate temporary permit shall be held to the established Standards of Nursing Assistant/Nurse Aide Practice.~~

~~(H) The Board shall notify the candidate by mail of his or her examination results within thirty (30) days after receipt of both the written and skills test results from the national testing service.~~

~~(I) A candidate shall be ineligible to practice as a graduate nursing assistant/nurse aide or as a certified nursing assistant/nurse aide without appropriate certification.~~

~~(I) A nursing assistant/nurse aide or student in a state approved nursing assistant/nurse aide training and competency evaluation program may be employed in a nursing facility for four (4) months prior to certification.~~

~~(II) A nursing assistant/nurse aide, student nursing assistant/nurse aide, or graduate nursing assistant/nurse aide shall not be employed in a home health agency as a home health nurse aide prior to certification.~~

~~(J) A graduate of a state board approved nursing assistant/nurse aide training and competency evaluation program who has been issued a graduate temporary permit, may use the title, " Graduate Nursing Assistant/Nurse Aide" and the abbreviation, "GNA."~~

(i) The candidate, who successfully completes a state approved Nursing Assistant Training and Competency Evaluation Program (NATCEP) may be eligible to receive a temporary permit to practice as a graduate nursing assistant/nurse aide while awaiting competency testing and certification. Temporary Permits shall be issued to all students of approved NATCEP programs upon receipt of the Verification of Course Completion list as provided to the Board by approved course instructors. A graduate nursing assistant working under a temporary permit shall submit paperwork for permission to test and a complete application for certification to the Board at the earliest possible time.

(A) The temporary permit may be revoked for any applicant whose background check initiates a preliminary investigation until such investigation is resolved. Wyoming State Board of Nursing reserves the right to revoke a temporary permit at any time.

(B) A graduate Nursing Assistant temporary permit shall be valid for 120 days from date of issue or until the candidate becomes certified, whichever comes first. Federal guidelines may supersede this allowance.

(C) A graduate Nursing Assistant temporary permit shall be nonrenewable.

(D) A graduate Nursing Assistant temporary permit shall become void if the candidate fails to pass the competency examination.

(E) The Board shall notify the candidate by mail of his or her competency examination results after receipt of both the written and skills test results from the national testing service. The notification shall include directions for the need to reschedule the examination should the candidate fail either portion.

(I) Upon failing either portion of the competency exam the candidate shall be ineligible to practice as a nursing assistant/nurse aide until they successfully pass both sections of the competency exam.

(II) A candidate who fails any part of the examination and wishes to retake the failed portion of the examination shall be allowed to take the examination a total of Five (5) times over a 1 year period regardless of the jurisdiction in which the examination was administered;

(III) A candidate who fails Five (5) attempts to pass either portion of the competency test within a one-year period will be required to complete a state board approved training program before reapplying to take the approved competency examinations or making application for certification. They shall not be eligible to apply for a temporary NA permit prior to becoming certified.

(F) A candidate shall be ineligible to practice as a graduate nursing assistant/nurse aide or as a nursing assistant/nurse aide after the temporary permit expires without appropriate certification.

(G) A graduate nursing assistant/nurse aide holding a graduate Nursing Assistant temporary permit shall practice only under the supervision of a licensed nurse. Supervision shall be defined as "the immediate physical availability of an advanced practice registered nurse or registered professional nurse for the purpose of providing assistance, coordination and evaluation of the practice of another" as found in Chapter 1, Section 6 (Ixxix).

(H) A graduate nursing assistant/nurse aide holding a graduate Nursing Assistant temporary permit shall be held to the established Standards of Nursing Assistant/Nurse Aide Practice. Any hiring facility shall be responsible for verifying individual competency as it relates to individual staff assignments.

(I) A graduate of a state board approved nursing assistant/nurse aide training program who has been issued a graduate temporary permit, may use the title, "Graduate Nursing Assistant/Nurse Aide" and the abbreviation, "GNA."

(J) A nursing assistant/nurse aide or student in a state-approved NATCEP may be employed in a nursing facility during their education program but may not take individual assignments until they successfully complete the course and obtain their Temporary Permit.

(K) A Nursing Assistant must be State Certified and listed on the state registry as maintained by the state regulatory agency prior to working for a Home Health Agency or Public Health Agency. A GNA is not eligible to work in home health or for a Public Health Agency.

Section 10. Biennial Renewal of Recognition and/or Licensure for All Nurses.

(a) The Board shall mail application(s) for renewal of recognition and/or licensure to current licensees on or before December 31st of every even year.

(i) The application(s) shall be mailed to the licensee's last known address.

(b) The board shall issue a current license to each nurse licensee who has met all the requirements for renewal of recognition and/or licensure and who submits the following:

(i) The completed application(s) and fee for renewal of licensure;

(ii) Evidence of meeting the requirements as stated in Section 17.,

Continued

Competency of Licensees Continuing In Or Returning To Practice of this Chapter and Section 4., Requirements for Biennial Renewal of Advanced Practitioner of Nursing Recognition in Chapter IV; and

(iii) A signed statement attesting that the licensee has committed no acts which are grounds for disciplinary action as set forth in the Wyoming Nursing Practice Act, WS 33-21-146, or if an act has been committed, the board has found after investigation that sufficient restitution has been made.

Section 11. Biennial Renewal of Certification for Nursing Assistants/Nurse Aides.

(a) The board shall mail an application for renewal of certification to current certificate holders on or before December 31st of every even year.

(i) The application shall be mailed to the certificate holder's last known address.

(b) The board shall issue a current certificate to each nursing assistant/nurse aide who has met all the requirements and who submits the following:

(i) A completed renewal application;

(ii) Evidence of employment as a nurse assistant for at least sixteen (16) hours within the past two years;

(iii) Evidence of twenty-four (24) hours of inservice education in the past two years;

(iv) Payment of the renewal fee as established; and

(v) A signed statement attesting that the nursing assistant/nurse aide has committed no acts which are grounds for disciplinary action as set forth in the Wyoming Nursing Practice Act, WS 33-21-146, and/or federal regulations; or if an act has been committed, the board has found after investigation that sufficient restitution has been made.

(c) No certification shall be renewed unless the nursing assistant/nurse aide has been employed as a nursing assistant/nurse aide for sixteen (16) hours within the past two years and has completed twenty-four (24) hours (12 hours each year) of appropriate inservice education in the past two (2) years.

Section 12. Failure to Renew.

(a) Failure to receive the application(s) for renewal of certification, recognition and/or licensure shall not relieve the nursing assistant/nurse aide or the nurse licensee of the responsibility for renewing the certificate, recognition and/or license by December 31st of the renewal year.

(i) Application for renewal must be postmarked before midnight, December 31st, of the renewal year.

(ii) Any certificate, license and/or recognition issued by the board shall expire if the certificate holder or licensee fails to renew the certificate, license and/or recognition by December 31st of the renewal year.

(A) Upon compliance with board rules and regulations regarding renewal and the remittance of all fees (including additional late fees), a period of up to, but not exceeding, sixty (60) days from the date of expiration shall be allowed for renewal of certification, recognition and/or licensure.

(B) The certificate, recognition and/or license shall automatically lapse if the licensee/certificate holder fails to renew by this deadline date, that is, within sixty (60) days after the expiration date of the license.

(iii) A licensee/certificate holder who fails to renew by this deadline must file for relicensure and pay an additional delinquent fee.

(b) A licensee/certificate holder who fails to renew his/her license/certificate on or before the date of expiration designated by the board shall result in the forfeiture of the right to work as a registered professional nurse, licensed practical nurse, advanced practitioner of nursing, or certified nursing assistant/nurse aide in the state.

(c) A licensee who fails to request inactive status by December 31st of the renewal year, may still request inactive status for sixty (60) days after the expiration date of the license without penalty. A licensee who fails to request inactive status within sixty (60) days shall be ineligible to request inactive status.

(d) Any person functioning as a nursing assistant/nurse aide during the time a certification has lapsed or been revoked shall be considered as functioning illegally and may be subjected to the penalties provided for violators under the provision of the Wyoming Nursing Practice Act and the administrative rules.

(e) A licensee who fails to renew the license within sixty (60) days after the expiration date of the license and continues to practice is an illegal practitioner subject to the penalties provided for violation(s) of the Wyoming Nursing Practice Act, and shall apply for relicensure in order to practice nursing.

Section 13. Inactive Status.

(a) A licensee who holds a current license and desires inactive status shall submit a written request to the board.

(b) The board may allow a licensee to place his/her license on inactive status by submitting the following:

(i) The completed application and fee for inactive licensure status;

(ii) A signed statement attesting that the licensee has committed no acts which are grounds for disciplinary action as set forth in the Wyoming Nursing Practice Act, WS 33-21-146, or if an act has been committed, the board has found after investigation that sufficient restitution has been made.

(A) If sufficient restitution has not been made, the board may allow a licensee under investigation or with an encumbered license to place his/her license on inactive status under the following conditions:

(I) At the time the licensee chooses to seek reactivation, the investigation will be continued and the complaint and investigative file will be forwarded to the board's disciplinary committee; or

(II) At the time the licensee chooses to seek reactivation, the conditions of the Stipulation and Order will become activated; and

(III) The probation period shall not end until the licensee has submitted evidence of compliance with the terms of the Order.

(c) A licensee shall be notified that transfer of the license to inactive status shall be effective on the date of the expiration of the current license.

(d) The licensee shall not practice nursing in this state until the license is reactivated.

Section 14. Reactivation.

(a) A licensee who places a license on the inactive status list may apply for reactivation, and shall meet the following requirements:

(i) Submit the application and fee for reactivation to the board;

(ii) Submit evidence of meeting the requirements as stated in Biennial Renewal of Recognition and/or Licensure for All Nurses, Section 10 of this Chapter.

Section 15. Relicensure.

(a) A licensee/certificate holder who has failed to renew a license or certificate may apply for relicensure, and shall meet the following requirements:

(i) Submit an application and fee for relicensure to the board;

(ii) Submit evidence of meeting the requirements as stated in Biennial Renewal of Recognition and/or Licensure for All Nurses and Biennial Renewal of Certification for Nursing Assistants/Nurse Aides, Sections 10 and 11 of this Chapter.

Section 16. Reinstatement of Certification, Recognition and/or Licensure.

(a) A nursing assistant/nurse aide whose certificate has been surrendered, conditioned, revoked or suspended may apply for reinstatement. The applicant shall:

(i) Submit evidence of meeting the requirements established by the board's previous order;

(ii) Submit evidence that just cause for reinstatement has been demonstrated;

(iii) Submit the application and fee for reinstatement to the board as specified under Chapter V: FEES;

(iv) Request to appear before the board to seek reinstatement; and

(v) If reinstatement is granted, submit evidence of meeting the current renewal requirements as stated in Biennial Renewal of Certification for Nursing Assistants/Nurse Aides, Section 11 of this Chapter.

(b) A nurse licensee whose recognition and/or licensure has been surrendered, conditioned, suspended or revoked may apply for reinstatement. The applicant shall:

(i) Submit evidence of meeting the requirements established by the board's previous order;

(ii) Submit evidence that just cause for reinstatement has been demonstrated;

(iii) Submit the application and fee for reinstatement to the board as specified under Chapter V: FEES;

(iv) Submit evidence of meeting the requirements as stated in Biennial Renewal of Recognition and/or Licensure for All Nurses in Section 10 of this Chapter.

(c) Licenses, certificates, or permits which have been suspended solely pursuant to WS 20-6-112(a) and WS 33-21-146(b) shall be reinstated pursuant to WS 20-6-112(c). The rules for reinstatement set forth in (a) and (b) of this section shall not apply in this instance.

Section 17. Continued Competency of Licensees Continuing In Or Returning To Practice.

(a) An applicant seeking licensure by endorsement, reactivation, reinstatement, relicensure, or renewal of licensure or certification shall:

(i) Submit evidence of employment if engaged in the practice of nursing for a minimum of sixteen hundred (1600) hours during the last five (5) years or a minimum of five hundred (500) hours during the last two (2) years; or

(ii) Submit evidence of completion of one of the following areas if not engaged in the practice of nursing for a minimum of sixteen hundred (1600) hours in the last five (5) years or a minimum of five hundred (500) hours in the last two (2) years:

(A) Satisfactory completion of a refresher course or the equivalent, accepted by the board if the applicant has not practiced nursing during the last five (5) years.

(I) An applicant shall submit an outline of the refresher course and content for nursing theory to the board:

(1.) The course shall be at least four (4) weeks in length;

(2.) The course shall include at least sixty (60) hours theory and eighty (80) hours of clinical practice under supervision of a registered professional nurse; and

(3.) The course shall specify a definite make-up policy for absences.

(II) An applicant shall submit evidence of enrollment and satisfactory completion of the course to the board.

(B) Satisfactory completion of a comprehensive orientation program, provided by a prospective nursing employer, accepted by the board if the applicant has not practiced during the last five (5) years.

(I) An applicant shall submit an outline of the orientation program and content for nursing theory to the board:

(1.) The program will be at least eight (8) weeks in length;

(2.) The program shall include a minimum of one hundred sixty (160) hours of clinical practice under the supervision of a registered professional nurse.

(II) An applicant shall submit evidence of satisfactory completion of the program to the board.

(C) Satisfactory completion, within the last five (5) years, of a nursing education program which confers a degree beyond the licensee's basic nursing education.

(I) An applicant shall request the governing body to submit an official transcript to the board, verifying completion of the program.

(D) Certification in a specialty area of nursing practice within the last five (5) years by a nationally recognized professional accrediting agency, accepted by the board.

(I) An applicant shall submit a notarized copy of a certificate to the board, verifying certification in a specialty area of nursing practice.

(E) Satisfactory completion of the national nursing licensure examination or a competency examination accepted by the board.

(I) An applicant shall submit a notarized verification of completion of the examination. The verification shall document that the applicant passed the examination with a minimum score as determined by the board;

(1.) The examination shall have been completed within the last five (5) years;

(2.) The examination shall test the competency relevant to general nursing practice or a specialty area of nursing practice.

(F) Satisfactory completion of twenty (20) hours of continuing education within the last two (2) years.

(I) An applicant shall submit evidence of completion of twenty (20) hours of continuing education within the last two (2) years to the board.

(1.) Courses shall be relevant to the individual's primary area of nursing practice;

(2.) Fifty (50) minutes of theory is equivalent to one (1) hour of continuing education;

(3.) Academic courses relevant to nursing may be accepted as meeting the requirements for continuing education. A transcript shall be submitted in lieu of a certificate for acceptance by the board. Fifteen (15) hours shall be allowed for one (1) semester credit hour and ten (10) hours shall be allowed for one (1) quarter credit hour.

Section 18. Continued Competency of Nursing Assistants/Nurse Aides Continuing In Or Returning To Practice.

- (a) Continued competency requirements shall apply to:
 - (i) A nursing assistant/nurse aide seeking to renew certification;
 - (ii) A nursing assistant/nurse aide seeking to reinstate certification; and
 - (iii) A nursing assistant/nurse aide seeking endorsement.
- (b) An applicant seeking certification by endorsement, reinstatement, or renewal of certification shall:
 - (i) Submit evidence of employment as a nursing assistant/nurse aide for a minimum of sixteen (16) hours during the last two (2) years; and
 - (ii) Submit evidence (a log) of twenty-four (24) hours of inservice education in the past two (2) years; or
 - (iii) Submit evidence (a log) of having completed three (3) hours of inservice per quarter and/or twelve (12) hours per year if the period of certification has been less than two years.
 - (A) The log shall certify the completion of inservice education and include:
 - (I) The name of the inservice course;
 - (II) The date(s) of the inservice course(s);
 - (III) The number of hours of the inservice course(s);
 - (IV) The name and address of provider; and
 - (V) The authorized signature of provider or designated representative.
- (c) A nursing assistant/nurse aide who is unable to provide satisfactory verification of inservice training will be required to meet the requirements for certification by examination.

Section 19. Denial of Issuance or Renewal of Certification, Licensure, and/or Recognition.

- (a) The board may deny issuance or renewal of a certificate, license, and/or recognition for:
 - (i) Failure to fulfill all the requirements for certification, licensure, and/or recognition;
 - (ii) Violations of the standards of nursing practice, the board's administrative rules and regulations, or the Nursing Practice Act.
- (b) A licensee or certificate holder, who has been denied licensure, recognition, or certification, may request a hearing before the board to show cause why that decision should not be affirmed.

(i) The applicant has thirty (30) days from the receipt of the notice to request a hearing to show cause before the board.

(ii) The applicant's failure to request a hearing within thirty (30) days from the receipt of the notice shall result in the board's decision becoming final.

Section 20. Verification of Licensure/Certification To Another Jurisdiction.

(a) Upon receipt of a signed form requesting verification of licensure/certification to another jurisdiction and the appropriate verification fee, the board shall complete and return the verification form to the jurisdiction specified by the licensee/certificate holder.

Section 21. Change of Name and/or Address.

(a) A licensee/certificate holder shall notify the board of any changes in name and/or address within ninety (90) days of the change.

(b) Any notification from the board shall be mailed to the last known name and address provided to the board by the licensee/certificate holder, and shall be deemed proper service on said licensee/certificate holder.

(c) The licensee/certificate holder who has changed his/her name shall complete a change of name affidavit form.

(i) Upon receipt of the completed change of name affidavit form and the previously issued license or certificate, the board shall reissue a license/certificate in the applicant's current name.

Section 22. Duplicate License/Certificate.

(a) A duplicate license/certificate shall not be issued.

(b) A licensee/certificate holder shall immediately notify the board if a license or certificate has been lost, stolen, or destroyed.

(c) A statement from the board verifying current licensure or certification status may be sent to an employer, another jurisdiction, or any other institution as requested by the licensee or certificate holder.

Section 23. Nurse Volunteer License.

(a) An applicant shall:

(i) Currently hold an unencumbered license in any state or territory of the United States that is expired or shall expire prior to issuance of the volunteer license;

(ii) Be retired from nursing practice and have at least 10 years of active full time or part time practice prior to actual retirement;

(iii) Meet continued competency requirements as defined in Chapter 2. Section 17;

(iv) If an advanced practitioner of nursing, meet continued competency as defined in Chapter 4, Section 4 and/or Section 8 (excluding application fees);

(v) Be a graduate of a state board approved nursing education program recognized by the board which prepares for the level of licensure being sought;

(vi) Submit a notarized application for volunteer nurse licensure to the Board as specified in W. S. §33-21-157(iv)(A)(B) and (C) including:

(A) A copy of the applicant's nursing degree;

(B) A copy of the applicant's most recent license and/or certificate authorizing the practice of nursing issued by a jurisdiction in the United States that licenses persons to practice nursing;

(vii) Submit verification of licensure by examination from the jurisdiction of original licensure and status of license since original date of issuance;

(viii) Have committed no acts which are grounds for disciplinary action under W. S. §33-21-146;

(ix) Submit to Department of Criminal Investigation (DCI) finger prints cards and required fees and other information necessary for a criminal history record background check as provided under W. S. §7-19-201.

(b) Renewal of Nurse Volunteer License and/or Recognition

(i) The volunteer nurse license and/or Recognition is valid for a period of one (1) year from date of issue;

(ii) The applicant shall:

(A) Submit a renewal application provided by the board;

(B) Submit evidence of meeting the continued competency requirements annually, as defined in Chapter 2, Section 17;

(C) If an advanced practitioner of nursing, submit evidence of meeting the continued competency requirements as defined in Chapter 4, Section 4 and/or Section 8 (excluding renewal fees);

(I.) If qualified by education, the advanced practitioner of nursing shall submit evidence of having completed thirty (30) contact hours of continuing education related to the recognized specialty area(s) of advanced nursing practice and a minimum of two hundred (200) practice hours in advanced nursing practice during the last year; or

(II.) If qualified by national certification, the advanced practitioner of nursing shall submit evidence of holding current national certification or recertification as an advanced practitioner of nursing in the recognized specialty area(s) of advanced nursing practice and evidence of having completed fifteen (15) contact hours of continuing education related to the specialty area(s) of advanced nursing practice;

(III.) The annual requirement for contact hours of continuing education related to the recognized specialty area(s) of advanced nursing practice may include six (6) hours of education in pharmacology and clinical management of drug therapy and/or hours of education relating to national certification;

(D) Volunteer practice hours as specified by W.S.33-21-157 will be accepted for continued competency.

- (c) Denial of issuance or renewal of nurse volunteer license and/or recognition
 - (i) The board may deny issuance or renewal of a nurse volunteer license for:
 - (A) Failure to fulfill all the requirements for licensure or renewal of nurse volunteer license and/or recognition;
 - (B) Violations of the standards of nursing practice, the board's administrative rules and regulations, or the Nursing Practice Act;
 - (ii) A licensee, who has been denied nurse volunteer licensure or recognition, may request a hearing before the board to show cause why that decision should not be affirmed;
 - (A) The applicant has thirty (30) days from the receipt of the notice to request a hearing to show cause before the board;
 - (B) The applicant's failure to request a hearing within thirty (30) days from the receipt of the notice shall result in the board's decision becoming final.
- (d) Grounds for Discipline
 - (i) Inability to function with reasonable skill and safety for the following reasons, including but not limited to:
 - (A) Physical or mental disability;
 - (B) Substance abuse/dependency;
 - (C) Client abandonment;
 - (D) Client abuse, including sexual abuse;
 - (E) Fraud or deceit;
 - (F) Client neglect;
 - (G) Client boundaries, including sexual boundaries;
 - (H) Performance of unsafe client care;
 - (ii) Misappropriation of property;
 - (iii) Criminal felony conviction;
 - (iv) Failure to conform to the standards of prevailing nursing and advanced practitioner of nursing practice, in which case actual injury need not be established;
 - (v) Accepting remuneration for providing nursing services while in possession of a volunteer nursing license;
 - (vi) Practicing outside the premises of a nonprofit health care facility in this state;
 - (vii) Providing care to persons other than low income uninsured;

state. (viii) Engaging in practice outside the scope of the volunteer license in this

(e) Register

(i) The Board shall maintain a register of all volunteer nurse licenses.

CHAPTER 2

LICENSURE REQUIREMENTS FOR REGISTERED PROFESSIONAL NURSES and LICENSED PRACTICAL NURSES and CERTIFICATION REQUIREMENTS FOR NURSING ASSISTANTS/NURSE AIDES

Section 1. Statement of Purpose.

- (a) These rules and regulations are adopted to implement the board's authority:
 - (i) To regulate the qualifications of:
 - (A) The registered professional nurse and the licensed practical nurse to practice nursing, and
 - (B) The certified nursing assistant/nurse aide to carry out delegated nursing tasks.
 - (ii) To set forth the requirements and procedures for being so qualified.
 - (iii) To set forth the requirements for granting temporary permits and graduate temporary permits for registered professional nurses, licensed practical nurses, foreign nurses, advanced practitioners of nursing, and certified nursing assistants/nurse aides.
 - (iv) To set forth the requirements and/or procedures for the biennial renewal of recognition and/or licensure of all nurses.
 - (v) To set forth the requirements and procedures for the biennial renewal of certification of nursing assistants/nurse aides.

Section 2. Licensure by Examination.

- (a) Preparation for licensure by examination:
 - (i) A candidate from a state board approved nursing education program preparing students for registered professional nurse licensure shall be eligible to take the national nursing licensure examination for registered professional nurses;
 - (ii) A candidate from a state board approved nursing education program preparing students for practical nurse licensure shall be eligible to take the national nursing licensure examination for practical nurses;
 - (iii) The Board shall notify the administrative head of the nursing education program of the examination process;
 - (iv) The board shall notify the nursing education program of the overall performance of the program's candidates on the examination. Individual examination results shall not be released to the program without written consent from the candidates.
- (b) The candidate shall:
 - (i) Be required to fulfill all requirements for licensure by examination, as stated in the Wyoming Nursing Practice Act, W.S. 33-21-127(a);

- (ii) Submit the application and fee for the national nursing licensure examination to the national testing service;
- (iii) Submit the application and fee for licensure by examination to the board;
- (iv) Submit the finger print cards and required fees to obtain state and national criminal history record information;
- (v) Request the registrar's office to submit an official transcript; the official transcript shall be on file with the board before permission shall be granted to the candidate to take the examination.

Section 3. Certification by Examination for Nursing Assistants/Nurse Aides.

- (a) Preparation for certification by examination:
 - (i) A candidate who has graduated from a state or board approved nursing assistant/nurse aide training and competency evaluation program shall be eligible to write the national or board approved certifying examination (NACEP) for certified nursing assistants/nurse aides;
 - (ii) The board shall notify the administrative head of the nursing assistant/nurse aide training and competency evaluation program of the examination dates, application deadlines and method for obtaining appropriate applications;
 - (iii) A candidate shall be required to pass a national nursing assistant/nurse aide certifying examination with a minimum score determined by the board, to be eligible for certification by examination.
- (b) The board may allow a candidate to sit for the appropriate national or board approved certification examination a total of five (5) times.
 - (i) Eligibility to sit for the examination shall be within the one (1) year period following graduation.
 - (ii) The board shall notify the nursing assistant/nurse aide training and competency evaluation program of the overall performance of the program's candidates on the written and skills examinations.
- (c) The candidate shall:
 - (i) Submit evidence of having graduated from a state or board approved nursing assistant/nurse aide training and competency evaluation program which meets OBRA guidelines (Public Law 100-203) and is recognized by the board;
 - (A) The evidence shall be on file with the board before permission is granted to the candidate to write the examination;
 - (B) The board shall grant permission to the candidate to take the skills examination at the convenience of the testing program.
 - (ii) Submit an application for certification as a nursing assistant/nurse aide to the board;
 - (A) The candidate or the candidate's employer shall submit the fee to the board;

(iii) Submit the application for the approved nursing assistant/nurse aide certification examination program to the testing service by the designated deadline date;

(A) The candidate or the candidate's employer shall submit the fee to the testing service by the designated deadline date.

(iv) Submit the finger print cards and required fees to obtain state and national criminal history record information;

Section 4. Examinations for Licensure for Nurses

(a) A candidate shall be required to pass a national nursing licensure examination with the minimum score determined by the board to be eligible for licensure by examination.

(b) The board shall notify the candidate by mail of the candidate's test results on all examinations after receipt of the test results from the national testing services.

(c) A candidate who fails an examination and wishes to retake the examination shall submit the appropriate applications and fees for re-examination to the board and the national testing service for each re-examination.

(d) The board may allow a candidate to sit for the appropriate national licensure examination a total of ten (10) times.

(i) Eligibility to sit for the examination shall be within the five (5) year period following graduation.

Section 5. Certification By Deeming For Nursing Assistants/Nurse Aides.

(a) The candidate must have successfully completed:

(i) A Wyoming nursing assistant/nurse aide training program prior to January 1, 1989; or

(ii) The first semester of a Wyoming nursing education program or comparable out-of-state nursing education program.

(A) The application for deeming shall be made within two years of completing the first semester of the nursing education program.

(b) The candidate shall:

(i) Submit evidence of having completed a training program which was at least 75 hours in length and substantially met federal requirements;

(ii) Submit evidence of having passed a constructed competency evaluation program that is acceptable to the board;

(iii) Submit evidence that the principal instructor in the training program was a qualified registered nurse who substantially met federal requirements;

(iv) Request that the original certifying agency, training program, or school of nursing submit a verification form to the board attesting to the candidate's training, competency evaluation, and the principal instructor's qualifications;

(A) The original certifying agency, training program, or school of nursing may submit an official transcript verifying completion of course work. The transcript may be considered by the board for verification purposes;

(v) Submit an application for certification as a nursing assistant/nurse aide to the board;

(A) The candidate or the candidate's employer shall submit the fee by the designated deadline date;

(vi) Submit the finger print cards and required fees to obtain state and national criminal history record information;

(c) A candidate who is unable to provide satisfactory verification of his/her training, competency evaluation, and principal instructor's qualifications, shall be required to meet the requirements for certification by examination.

Section 6. Licensure by Endorsement for Nurses.

(a) An applicant shall:

(i) Be required to fulfill all requirements for licensure by endorsement as stated in the Wyoming Nursing Practice Act, W.S. 33-21-127(b);

(ii) Submit the application and fee for licensure by endorsement to the board;

(iii) Submit the finger print cards and required fees to obtain state and national criminal history record information;

(iv) Submit the verification of licensure from the jurisdiction of original licensure for verification by examination and status of license since the original date of issuance; and

(v) Submit evidence of meeting the requirements for Continued Competency of Licensees Continuing In, Or Returning To Practice .

Section 7. Certification by Endorsement for Nursing Assistants/Nurse Aides.

(a) An applicant for endorsement shall submit:

(i) A completed application;

(ii) Written documentation indicating successful completion of a state approved nursing assistant/nurse aide training and competency evaluation program;

(iii) Evidence of continued competency as defined by the board;

(iv) Verification of certification from the jurisdiction of original certification;

(v) Verification of certification and registry status from jurisdiction of most recent employment; and

(vi) The required fee.

(b) An applicant for endorsement shall have committed no acts which were grounds for disciplinary action, or if the act was committed, the state has found after investigation that sufficient restitution has been made and the applicant no longer presents a threat to the public safety.

(c) An applicant who successfully meets the requirements of this section is entitled to certification as a certified nursing assistant/nurse aide within thirty (30) days after meeting the requirements.

(i) Certification by endorsement facilitates interstate mobility for nursing assistants/nurse aides while maintaining minimal competency.

(d) An applicant who is unable to provide satisfactory verification of training, competency evaluation, and principal instructor's qualifications, shall be required to meet the requirements for certification by examination.

Section 8. Licensure of Foreign Educated Nurses, Including Canadian Nurses.

(a) A foreign registered or practical nurse applicant who has received nursing education outside of the United States and has written the English version of a board approved national nursing licensure examination in the United States and passed with a minimum score determined by the board:

(i) Shall be required to fulfill all requirements for licensure by endorsement as stated in the Wyoming Nursing Practice Act W.S. 33-21-127(b);

(ii) May secure a temporary permit to practice nursing upon fulfillment of all requirements as stated in the Wyoming Nursing Practice Act W.S. 33-21-132(a).

(b) A foreign registered or practical nurse applicant who has received nursing education outside of the United States and has not passed a board approved national nursing licensure examination in the United States:

(i) Shall be required to fulfill requirements for licensure by examination as stated in the Wyoming Nursing Practice Act, W.S. 33-21-127(a);

(ii) Shall be required to pass the screening examination offered by a national certifying organization and receive a certificate. The board shall secure verification that a certificate has been issued to the applicant;

(A) Request the foreign nursing education program submit an official transcript, accompanied by an English translation, to the national certifying organization. Deficiencies identified in the basic registered nurse or practical nurse education programs shall be corrected in a board approved nursing education program before the applicant shall be allowed to sit for the national nursing licensure examination;

(B) Request the appropriate authority(s) in the country of the nursing education program to submit directly to the national certifying organization verification of government approval status of the nursing education program;

(iii) Shall submit evidence of English proficiency as the board may require, if English is not the first language of the applicant;

(iv) Shall be licensed to practice as a registered or practical nurse, or the equivalent, in the country of the applicant's nursing education program;

(v) Shall be scheduled for a board approved national nursing licensure examination;

(vi) Shall be required to pass a board approved national nursing licensure examination with a minimum score determined by the board;

(vii) Shall not be eligible to secure a graduate temporary permit.

Section 9. Temporary Permits.

(a) Temporary Permit Pending Licensure.

(i) A professional or practical nurse who is currently licensed to practice nursing in another jurisdiction and who meets requirements for licensure by endorsement may obtain a temporary permit while the application is being processed. A temporary permit may be issued for ninety (90) days and shall be nonrenewable.

(A) To request a temporary permit, the applicant shall:

(I) Submit to the board the application and fee for licensure by endorsement, and a current license (in good standing) from another jurisdiction.

(b) Temporary Permit Without Licensure.

(i) A professional or practical nurse who is currently licensed to practice nursing in another jurisdiction may obtain a temporary permit without applying for licensure by endorsement. A temporary permit may be issued for ninety (90) days and shall be nonrenewable. A temporary permit without licensure shall be issued to an individual only one time.

(A) To request a temporary permit without licensure, the applicant shall:

(I) Submit to the board the application and fee for temporary permit without licensure, and a current license (in good standing) from another jurisdiction.

(c) Temporary Permit to Graduates of Foreign Schools of Nursing.

(i) An applicant for licensure by examination or licensure by endorsement who received basic nursing education outside the United States, shall follow the requirements as stated in Licensure of Foreign Nurses, Section 8 of this Chapter.

(d) Graduate Temporary Permit.

(i) The board may issue a temporary permit to a new graduate of a state board approved professional or practical nursing education program pending the receipt of the candidate's test results.

(A) To request a graduate temporary permit, the candidate shall:

(I) Submit to the board the application and fee for licensure by examination.

(II) Request the nursing education program to submit directly to the board the official transcript.

(III) A notarized statement from the administrative head of the program indicating the candidate's graduation from the program may be acceptable to the board pending receipt of the official transcript.

(ii) A graduate temporary permit is valid for 90 days.

(iii) A graduate temporary permit is nonrenewable.

(iv) A graduate temporary permit shall become invalid if the candidate fails to pass the national nursing licensure examination.

(v) A graduate temporary permit shall be returned to the board if a candidate fails to pass the national nursing licensure examination.

(A) The candidate shall be ineligible to practice as a graduate nurse or graduate practical nurse without a valid graduate temporary permit.

(vi) A graduate of a state board approved professional nursing education program who has been issued a graduate temporary permit, may use the title, "Graduate Nurse", and the abbreviation, "G.N.".

(vii) A graduate of a state board approved practical nursing education program who has been issued a graduate temporary permit, may use the title, "Graduate Practical Nurse", and the abbreviation, "G.P.N.".

(viii) A graduate nurse or graduate practical nurse holding a graduate temporary permit shall practice only under the supervision of a registered professional nurse.

(ix) A graduate nurse or graduate practical nurse holding a graduate temporary permit shall be held to the established Standards of Nursing Practice.

(e) Graduate Temporary Permit for Certified Nurse Midwives, Certified Registered Nurse Anesthetists, and Advanced Practitioners of Nursing (APN) who do not hold Master's Degrees.

(i) Pending the receipt of a candidate's test results on the first national specialty APN certifying examination offered after graduation and for which the candidate is eligible, the board may issue a temporary permit to a new graduate of a nationally accredited nursing education program which prepares Advanced Practitioners of Nursing (APN).

(A) To request a graduate temporary permit, the candidate shall:

(I) Submit to the board the application and fee(s) for specialty area(s) of recognition as an Advanced Practitioner of Nursing.

(II) Request that the nationally accredited APN education program submit directly to the board the official transcript.

(III) Provide proof of having applied for the first national specialty APN certifying examination offered after the candidate's graduation and for which the candidate was eligible.

(B) A graduate temporary permit may be valid until the time the examination results are received and the recognition issued.

(C) A graduate temporary permit shall be nonrenewable.

(D) A graduate temporary permit shall become invalid if the candidate fails to take and pass the first national specialty APN certifying examination offered after the candidate's graduation and for which the candidate is eligible.

(E) The graduate temporary permit shall be returned to the board if a candidate fails to take and pass the first national specialty APN certifying examination offered after the candidate's graduation and for which the candidate is eligible.

(I) The candidate shall be ineligible to practice as a graduate advanced practitioner of nursing without a valid graduate temporary permit.

(F) A graduate of a nationally accredited APN education program who has been issued a graduate temporary permit, may use the title, "Graduate Advanced Practitioner of Nursing", and the abbreviation, "G.A.P.N.".

(G) A graduate APN holding a graduate temporary permit shall practice only under the supervision of an appropriately recognized APN and/or licensed physician.

(H) A graduate APN holding a graduate temporary permit shall be held to the established Standards of Nursing and Advanced Practice.

(f) Graduate Temporary Permit for Nursing Assistants/Nurse Aides.

(i) The candidate, who successfully completes a state approved Nursing Assistant Training and Competency Evaluation Program (NATCEP) may be eligible to receive a temporary permit to practice as a graduate nursing assistant/nurse aide while awaiting competency testing and certification. Temporary Permits shall be issued to all students of approved NATCEP programs upon receipt of the Verification of Course Completion list as provided to the Board by approved course instructors. A graduate nursing assistant working under a temporary permit shall submit paperwork for permission to test and a complete application for certification to the Board at the earliest possible time.

(A) The temporary permit may be revoked for any applicant whose background check initiates a preliminary investigation until such investigation is resolved. Wyoming State Board of Nursing reserves the right to revoke a temporary permit at any time.

(B) A graduate Nursing Assistant temporary permit shall be valid for 120 days from date of issue or until the candidate becomes certified, whichever comes first. Federal guidelines may supersede this allowance.

(C) A graduate Nursing Assistant temporary permit shall be nonrenewable.

(D) A graduate Nursing Assistant temporary permit shall become void if the candidate fails to pass the competency examination.

(E) The Board shall notify the candidate by mail of his or her competency examination results after receipt of both the written and skills test results from the national testing service. The notification shall include directions for the need to reschedule the examination should the candidate fail either portion.

(I) Upon failing either portion of the competency exam the candidate shall be ineligible to practice as a nursing assistant/nurse aide until they successfully pass both sections of the competency exam.

(II) A candidate who fails any part of the examination and wishes to retake the failed portion of the examination shall be allowed to take the examination a total of Five (5) times over a 1 year period regardless of the jurisdiction in which the examination was administered;

(III) A candidate who fails Five (5) attempts to pass either portion of the competency test within a one-year period will be required to complete a state board approved training program before reapplying to take the approved competency examinations or making application for certification. They shall not be eligible to apply for a temporary NA permit prior to becoming certified.

(F) A candidate shall be ineligible to practice as a graduate nursing assistant/nurse aide or as a nursing assistant/nurse aide after the temporary permit expires without appropriate certification.

(G) A graduate nursing assistant/nurse aide holding a graduate Nursing Assistant temporary permit shall practice only under the supervision of a licensed nurse. Supervision shall be defined as "the immediate physical availability of an advanced practice registered nurse or registered professional nurse for the purpose of providing assistance, coordination and evaluation of the practice of another" as found in Chapter 1, Section 6 (Ixxix).

(H) A graduate nursing assistant/nurse aide holding a graduate Nursing Assistant temporary permit shall be held to the established Standards of Nursing Assistant/Nurse Aide Practice. Any hiring facility shall be responsible for verifying individual competency as it relates to individual staff assignments.

(I) A graduate of a state board approved nursing assistant/nurse aide training program who has been issued a graduate temporary permit, may use the title, "Graduate Nursing Assistant/Nurse Aide" and the abbreviation, "GNA."

(J) A nursing assistant/nurse aide or student in a state-approved NATCEP may be employed in a nursing facility during their education program but may not take individual assignments until they successfully complete the course and obtain their Temporary Permit.

(K) A Nursing Assistant must be State Certified and listed on the state registry as maintained by the state regulatory agency prior to working for a Home Health Agency or Public Health Agency. A GNA is not eligible to work in home health or for a Public Health Agency.

Section 10. Biennial Renewal of Recognition and/or Licensure for All Nurses.

(a) The Board shall mail application(s) for renewal of recognition and/or licensure to current licensees on or before December 31st of every even year.

(i) The application(s) shall be mailed to the licensee's last known address.

(b) The board shall issue a current license to each nurse licensee who has met all the requirements for renewal of recognition and/or licensure and who submits the following:

(i) The completed application(s) and fee for renewal of licensure;

(ii) Evidence of meeting the requirements as stated in Section 17.,
Continued
Competency of Licensees Continuing In Or Returning To Practice of this Chapter and Section 4.,
Requirements for Biennial Renewal of Advanced Practitioner of Nursing Recognition in Chapter
IV; and

(iii) A signed statement attesting that the licensee has committed no acts
which
are grounds for disciplinary action as set forth in the Wyoming Nursing Practice Act, WS 33-21-
146, or if an act has been committed, the board has found after investigation that sufficient
restitution has been made.

Section 11. Biennial Renewal of Certification for Nursing Assistants/Nurse Aides.

(a) The board shall mail an application for renewal of certification to current
certificate holders on or before December 31st of every even year.

(i) The application shall be mailed to the certificate holder's last known
address.

(b) The board shall issue a current certificate to each nursing assistant/nurse aide
who has met all the requirements and who submits the following:

(i) A completed renewal application;

(ii) Evidence of employment as a nurse assistant for at least sixteen (16)
hours within the past two years;

(iii) Evidence of twenty-four (24) hours of inservice education in the past two
years;

(iv) Payment of the renewal fee as established; and

(v) A signed statement attesting that the nursing assistant/nurse aide has
committed no acts which are grounds for disciplinary action as set forth in the Wyoming Nursing
Practice Act, WS 33-21-146, and/or federal regulations; or if an act has been committed, the
board has found after investigation that sufficient restitution has been made.

(c) No certification shall be renewed unless the nursing assistant/nurse aide has
been employed as a nursing assistant/nurse aide for sixteen (16) hours within the past two years
and has completed twenty-four (24) hours (12 hours each year) of appropriate inservice
education in the past two (2) years.

Section 12. Failure to Renew.

(a) Failure to receive the application(s) for renewal of certification, recognition and/or
licensure shall not relieve the nursing assistant/nurse aide or the nurse licensee of the
responsibility for renewing the certificate, recognition and/or license by December 31st of the
renewal year.

(i) Application for renewal must be postmarked before midnight, December
31st, of the renewal year.

(ii) Any certificate, license and/or recognition issued by the board shall
expire if the certificate holder or licensee fails to renew the certificate, license and/or recognition
by December 31st of the renewal year.

(A) Upon compliance with board rules and regulations regarding renewal and the remittance of all fees (including additional late fees), a period of up to, but not exceeding, sixty (60) days from the date of expiration shall be allowed for renewal of certification, recognition and/or licensure.

(B) The certificate, recognition and/or license shall automatically lapse if the licensee/certificate holder fails to renew by this deadline date, that is, within sixty (60) days after the expiration date of the license.

(iii) A licensee/certificate holder who fails to renew by this deadline must file for relicensure and pay an additional delinquent fee.

(b) A licensee/certificate holder who fails to renew his/her license/certificate on or before the date of expiration designated by the board shall result in the forfeiture of the right to work as a registered professional nurse, licensed practical nurse, advanced practitioner of nursing, or certified nursing assistant/nurse aide in the state.

(c) A licensee who fails to request inactive status by December 31st of the renewal year, may still request inactive status for sixty (60) days after the expiration date of the license without penalty. A licensee who fails to request inactive status within sixty (60) days shall be ineligible to request inactive status.

(d) Any person functioning as a nursing assistant/nurse aide during the time a certification has lapsed or been revoked shall be considered as functioning illegally and may be subjected to the penalties provided for violators under the provision of the Wyoming Nursing Practice Act and the administrative rules.

(e) A licensee who fails to renew the license within sixty (60) days after the expiration date of the license and continues to practice is an illegal practitioner subject to the penalties provided for violation(s) of the Wyoming Nursing Practice Act, and shall apply for relicensure in order to practice nursing.

Section 13. Inactive Status.

(a) A licensee who holds a current license and desires inactive status shall submit a written request to the board.

(b) The board may allow a licensee to place his/her license on inactive status by submitting the following:

(i) The completed application and fee for inactive licensure status;

(ii) A signed statement attesting that the licensee has committed no acts which are grounds for disciplinary action as set forth in the Wyoming Nursing Practice Act, WS 33-21-146, or if an act has been committed, the board has found after investigation that sufficient restitution has been made.

(A) If sufficient restitution has not been made, the board may allow a licensee under investigation or with an encumbered license to place his/her license on inactive status under the following conditions:

(I) At the time the licensee chooses to seek reactivation, the investigation will be continued and the complaint and investigative file will be forwarded to the board's disciplinary committee; or

(II) At the time the licensee chooses to seek reactivation, the conditions of the Stipulation and Order will become activated; and

(III) The probation period shall not end until the licensee has submitted evidence of compliance with the terms of the Order.

(c) A licensee shall be notified that transfer of the license to inactive status shall be effective on the date of the expiration of the current license.

(d) The licensee shall not practice nursing in this state until the license is reactivated.

Section 14. Reactivation.

(a) A licensee who places a license on the inactive status list may apply for reactivation, and shall meet the following requirements:

(i) Submit the application and fee for reactivation to the board;

(ii) Submit evidence of meeting the requirements as stated in Biennial Renewal of Recognition and/or Licensure for All Nurses, Section 10 of this Chapter.

Section 15. Relicensure.

(a) A licensee/certificate holder who has failed to renew a license or certificate may apply for relicensure, and shall meet the following requirements:

(i) Submit an application and fee for relicensure to the board;

(ii) Submit evidence of meeting the requirements as stated in Biennial Renewal of Recognition and/or Licensure for All Nurses and Biennial Renewal of Certification for Nursing Assistants/Nurse Aides, Sections 10 and 11 of this Chapter.

Section 16. Reinstatement of Certification, Recognition and/or Licensure.

(a) A nursing assistant/nurse aide whose certificate has been surrendered, conditioned, revoked or suspended may apply for reinstatement. The applicant shall:

(i) Submit evidence of meeting the requirements established by the board's previous order;

(ii) Submit evidence that just cause for reinstatement has been demonstrated;

(iii) Submit the application and fee for reinstatement to the board as specified under Chapter V: FEES;

(iv) Request to appear before the board to seek reinstatement; and

(v) If reinstatement is granted, submit evidence of meeting the current renewal requirements as stated in Biennial Renewal of Certification for Nursing Assistants/Nurse Aides, Section 11 of this Chapter.

(b) A nurse licensee whose recognition and/or licensure has been surrendered, conditioned, suspended or revoked may apply for reinstatement. The applicant shall:

(i) Submit evidence of meeting the requirements established by the board's previous order;

(ii) Submit evidence that just cause for reinstatement has been demonstrated;

(iii) Submit the application and fee for reinstatement to the board as specified under Chapter V: FEES;

(iv) Submit evidence of meeting the requirements as stated in Biennial Renewal of Recognition and/or Licensure for All Nurses in Section 10 of this Chapter.

(c) Licenses, certificates, or permits which have been suspended solely pursuant to WS 20-6-112(a) and WS 33-21-146(b) shall be reinstated pursuant to WS 20-6-112(c). The rules for reinstatement set forth in (a) and (b) of this section shall not apply in this instance.

Section 17. Continued Competency of Licensees Continuing In Or Returning To Practice.

(a) An applicant seeking licensure by endorsement, reactivation, reinstatement, relicensure, or renewal of licensure or certification shall:

(i) Submit evidence of employment if engaged in the practice of nursing for a minimum of sixteen hundred (1600) hours during the last five (5) years or a minimum of five hundred (500) hours during the last two (2) years; or

(ii) Submit evidence of completion of one of the following areas if not engaged in the practice of nursing for a minimum of sixteen hundred (1600) hours in the last five (5) years or a minimum of five hundred (500) hours in the last two (2) years:

(A) Satisfactory completion of a refresher course or the equivalent, accepted by the board if the applicant has not practiced nursing during the last five (5) years.

(I) An applicant shall submit an outline of the refresher course and content for nursing theory to the board:

(1.) The course shall be at least four (4) weeks in length;

(2.) The course shall include at least sixty (60) hours theory and eighty (80) hours of clinical practice under supervision of a registered professional nurse; and

(3.) The course shall specify a definite make-up policy for absences.

(II) An applicant shall submit evidence of enrollment and satisfactory completion of the course to the board.

(B) Satisfactory completion of a comprehensive orientation program, provided by a prospective nursing employer, accepted by the board if the applicant has not practiced during the last five (5) years.

(I) An applicant shall submit an outline of the orientation program and content for nursing theory to the board:

(1.) The program will be at least eight (8) weeks in length;

(2.) The program shall include a minimum of one hundred sixty (160) hours of clinical practice under the supervision of a registered professional nurse.

(II) An applicant shall submit evidence of satisfactory completion of the program to the board.

(C) Satisfactory completion, within the last five (5) years, of a nursing education program which confers a degree beyond the licensee's basic nursing education.

(I) An applicant shall request the governing body to submit an official transcript to the board, verifying completion of the program.

(D) Certification in a specialty area of nursing practice within the last five (5) years by a nationally recognized professional accrediting agency, accepted by the board.

(I) An applicant shall submit a notarized copy of a certificate to the board, verifying certification in a specialty area of nursing practice.

(E) Satisfactory completion of the national nursing licensure examination or a competency examination accepted by the board.

(I) An applicant shall submit a notarized verification of completion of the examination. The verification shall document that the applicant passed the examination with a minimum score as determined by the board;

(1.) The examination shall have been completed within the last five (5) years;

(2.) The examination shall test the competency relevant to general nursing practice or a specialty area of nursing practice.

(F) Satisfactory completion of twenty (20) hours of continuing education within the last two (2) years.

(I) An applicant shall submit evidence of completion of twenty (20) hours of continuing education within the last two (2) years to the board.

(1.) Courses shall be relevant to the individual's primary area of nursing practice;

(2.) Fifty (50) minutes of theory is equivalent to one (1) hour of continuing education;

(3.) Academic courses relevant to nursing may be accepted as meeting the requirements for continuing education. A transcript shall be submitted in lieu of a certificate for acceptance by the board. Fifteen (15) hours shall be allowed for one (1) semester credit hour and ten (10) hours shall be allowed for one (1) quarter credit hour.

Section 18. Continued Competency of Nursing Assistants/Nurse Aides Continuing In Or Returning To Practice.

(a) Continued competency requirements shall apply to:

(i) A nursing assistant/nurse aide seeking to renew certification;

- (ii) A nursing assistant/nurse aide seeking to reinstate certification; and
- (iii) A nursing assistant/nurse aide seeking endorsement.

(b) An applicant seeking certification by endorsement, reinstatement, or renewal of certification shall:

- (i) Submit evidence of employment as a nursing assistant/nurse aide for a minimum of sixteen (16) hours during the last two (2) years; and
- (ii) Submit evidence (a log) of twenty-four (24) hours of inservice education in the past two (2) years; or
- (iii) Submit evidence (a log) of having completed three (3) hours of inservice per quarter and/or twelve (12) hours per year if the period of certification has been less than two years.

(A) The log shall certify the completion of inservice education and include:

- (I) The name of the inservice course;
- (II) The date(s) of the inservice course(s);
- (III) The number of hours of the inservice course(s);
- (IV) The name and address of provider; and
- (V) The authorized signature of provider or designated

representative.

(c) A nursing assistant/nurse aide who is unable to provide satisfactory verification of inservice training will be required to meet the requirements for certification by examination.

Section 19. Denial of Issuance or Renewal of Certification, Licensure, and/or Recognition.

(a) The board may deny issuance or renewal of a certificate, license, and/or recognition for:

- (i) Failure to fulfill all the requirements for certification, licensure, and/or recognition;
- (ii) Violations of the standards of nursing practice, the board's administrative rules and regulations, or the Nursing Practice Act.

(b) A licensee or certificate holder, who has been denied licensure, recognition, or certification, may request a hearing before the board to show cause why that decision should not be affirmed.

(i) The applicant has thirty (30) days from the receipt of the notice to request a hearing to show cause before the board.

(ii) The applicant's failure to request a hearing within thirty (30) days from the receipt of the notice shall result in the board's decision becoming final.

Section 20. Verification of Licensure/Certification To Another Jurisdiction.

(a) Upon receipt of a signed form requesting verification of licensure/certification to another jurisdiction and the appropriate verification fee, the board shall complete and return the verification form to the jurisdiction specified by the licensee/certificate holder.

Section 21. Change of Name and/or Address.

(a) A licensee/certificate holder shall notify the board of any changes in name and/or address within ninety (90) days of the change.

(b) Any notification from the board shall be mailed to the last known name and address provided to the board by the licensee/certificate holder, and shall be deemed proper service on said licensee/certificate holder.

(c) The licensee/certificate holder who has changed his/her name shall complete a change of name affidavit form.

(i) Upon receipt of the completed change of name affidavit form and the previously issued license or certificate, the board shall reissue a license/certificate in the applicant's current name.

Section 22. Duplicate License/Certificate.

(a) A duplicate license/certificate shall not be issued.

(b) A licensee/certificate holder shall immediately notify the board if a license or certificate has been lost, stolen, or destroyed.

(c) A statement from the board verifying current licensure or certification status may be sent to an employer, another jurisdiction, or any other institution as requested by the licensee or certificate holder.

Section 23. Nurse Volunteer License.

(a) An applicant shall:

(i) Currently hold an unencumbered license in any state or territory of the United States that is expired or shall expire prior to issuance of the volunteer license;

(ii) Be retired from nursing practice and have at least 10 years of active full time or part time practice prior to actual retirement;

(iii) Meet continued competency requirements as defined in Chapter 2. Section 17;

(iv) If an advanced practitioner of nursing, meet continued competency as defined in Chapter 4, Section 4 and/or Section 8 (excluding application fees);

(v) Be a graduate of a state board approved nursing education program recognized by the board which prepares for the level of licensure being sought;

(vi) Submit a notarized application for volunteer nurse licensure to the Board as specified in W. S. §33-21-157(iv)(A)(B) and (C) including:

(A) A copy of the applicant's nursing degree;

(B) A copy of the applicant's most recent license and/or certificate authorizing the practice of nursing issued by a jurisdiction in the United States that licenses persons to practice nursing;

(vii) Submit verification of licensure by examination from the jurisdiction of original licensure and status of license since original date of issuance;

(viii) Have committed no acts which are grounds for disciplinary action under W. S. §33-21-146;

(ix) Submit to Department of Criminal Investigation (DCI) finger prints cards and required fees and other information necessary for a criminal history record background check as provided under W. S. §7-19-201.

(b) Renewal of Nurse Volunteer License and/or Recognition

(i) The volunteer nurse license and/or Recognition is valid for a period of one (1) year from date of issue;

(ii) The applicant shall:

(A) Submit a renewal application provided by the board;

(B) Submit evidence of meeting the continued competency requirements annually, as defined in Chapter 2, Section 17;

(C) If an advanced practitioner of nursing, submit evidence of meeting the continued competency requirements as defined in Chapter 4, Section 4 and/or Section 8 (excluding renewal fees);

(I.) If qualified by education, the advanced practitioner of nursing shall submit evidence of having completed thirty (30) contact hours of continuing education related to the recognized specialty area(s) of advanced nursing practice and a minimum of two hundred (200) practice hours in advanced nursing practice during the last year; or

(II.) If qualified by national certification, the advanced practitioner of nursing shall submit evidence of holding current national certification or recertification as an advanced practitioner of nursing in the recognized specialty area(s) of advanced nursing practice and evidence of having completed fifteen (15) contact hours of continuing education related to the specialty area(s) of advanced nursing practice;

(III.) The annual requirement for contact hours of continuing education related to the recognized specialty area(s) of advanced nursing practice may include six (6) hours of education in pharmacology and clinical management of drug therapy and/or hours of education relating to national certification;

(D) Volunteer practice hours as specified by W.S.33-21-157 will be accepted for continued competency.

(c) Denial of issuance or renewal of nurse volunteer license and/or recognition

(i) The board may deny issuance or renewal of a nurse volunteer license for:

(A) Failure to fulfill all the requirements for licensure or renewal of nurse volunteer license and/or recognition;

(B) Violations of the standards of nursing practice, the board's administrative rules and regulations, or the Nursing Practice Act;

(ii) A licensee, who has been denied nurse volunteer licensure or recognition, may request a hearing before the board to show cause why that decision should not be affirmed;

(A) The applicant has thirty (30) days from the receipt of the notice to request a hearing to show cause before the board;

(B) The applicant's failure to request a hearing within thirty (30) days from the receipt of the notice shall result in the board's decision becoming final.

(d) Grounds for Discipline

(i) Inability to function with reasonable skill and safety for the following reasons, including but not limited to:

(A) Physical or mental disability;

(B) Substance abuse/dependency;

(C) Client abandonment;

(D) Client abuse, including sexual abuse;

(E) Fraud or deceit;

(F) Client neglect;

(G) Client boundaries, including sexual boundaries;

(H) Performance of unsafe client care;

(ii) Misappropriation of property;

(iii) Criminal felony conviction;

(iv) Failure to conform to the standards of prevailing nursing and advanced practitioner of nursing practice, in which case actual injury need not be established;

(v) Accepting remuneration for providing nursing services while in possession of a volunteer nursing license;

(vi) Practicing outside the premises of a nonprofit health care facility in this state;

(vii) Providing care to persons other than low income uninsured;

(viii) Engaging in practice outside the scope of the volunteer license in this state.

(e) Register

- (i) The Board shall maintain a register of all volunteer nurse licenses.