



## Certification Page Regular and Emergency Rules

Revised May 2014

**Emergency Rules** (After completing all of Sections 1 and 2, proceed to Section 5 below)

**Regular Rules**

<b>1. General Information</b>			
a. Agency/Board Name Department of Administration and Information/Nursing, Board of			
b. Agency/Board Address 130 Hobbs Ave, Ste B	c. City Cheyenne	d. Zip Code 82002	
e. Name of Contact Person Cynthia LaBonde	f. Contact Telephone Number 307-777-8504		
g. Contact Email Address cynthia.labonde@wyo.gov	h. Adoption Date October 8, 2014		
i. Program Wyoming State Board of Nursing			
<b>2. Rule Type and Information:</b> For each chapter listed, indicate if the rule is New, Amended, or Repealed.			
If "New," provide the Enrolled Act numbers and years enacted:			
c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed (Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification)			
Chapter Number: 2	Chapter Name: Licensure/Certification Requirements	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: 5	Chapter Name: Fees	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
d. <input checked="" type="checkbox"/> The Statement of Reasons is attached to this certification.			
e. If applicable, describe the <b>emergency</b> which requires promulgation of these rules without providing notice or an opportunity for a public hearing:			

**3. State Government Notice of Intended Rulemaking**

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the **Secretary of State:** August 4, 2014  
b. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the **Legislative Service Office:** August 4, 2014  
c. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the **Attorney General:** August 4, 2014

**4. Public Notice of Intended Rulemaking**

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice.  Yes  No  N/A  
b. A public hearing was held on the proposed rules.  Yes  No

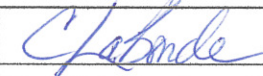
If "Yes:"	Date:	Time:	City:	Location:

**5. Final Filing of Rules**

a. Date on which the Certification Page with original signatures and final rules were sent to the **Attorney General's Office for the Governor's signature:** October 14, 2014  
b. Date on which final rules were sent to the **Legislative Service Office:** October 14, 2014  
c. Date on which a PDF of the final rules was electronically sent to the **Secretary of State:** October 14, 2014

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual <i>(Blue ink as per Rules on Rules, Section 7)</i>	
Printed Name of Signatory	Cynthia LaBonde
Signatory Title	Executive Director
Date of Signature	October 14, 2014

**7. Governor's Certification**

I have reviewed these rules and determined that they:

- 1. Are within the scope of the statutory authority delegated to the adopting agency;
- 2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
- 3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

**Attorney General:** 1. Statement of Reasons; 2. Original Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; and 5. Memo to Governor documenting emergency (for emergency rules only).

**LSO:** 1. Statement of Reasons; 2. Copy of Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; 5. Electronic copy of rules (PDFs) emailed to [Criss.Carlson@wyoleg.gov](mailto:Criss.Carlson@wyoleg.gov): clean and strike/underscore; and 6. Memo to Governor documenting emergency (for emergency rules only).

**SOS:** 1. PDF of clean copy of rules; and 2. Hard copy of Certification Page as delivered by the AG.



*Matthew H. Mead*  
Governor

# Wyoming

## STATE BOARD OF NURSING

*Cynthia LaBonde MN, RN*  
Executive Director

130 Hobbs Ave., Suite B • Cheyenne, Wyoming 82002 • Phone: 307-777-7601 • FAX: 307-777-3519 • <http://nursing.state.wy.us>

### Statement of Principal Reasons

#### Chapter 2 - Licensure/Certification Requirements

and

#### Chapter 5 - Fees

The Wyoming State Board of Nursing (WSBN) is proposing amendments to its Rules in Chapter 2 - Licensure/Certification Requirements with associated changes to its Rules in Chapter 5 - Fees. The main purpose for the amendments is to remove the language and associated “late fee” related to the renewal “grace period” and to establish “recertification” for the CNA. Several other minor corrections to Chapter 2 were identified and addressed.

The minor changes made to Chapter 2 were for the purposes of clarification. The “s” after “fingerprints” was deleted and the word “cards” added to clarify that applicants shall “submit fingerprint cards and fee.” Another minor adjustment changed the capital “B” in Board-approved to a small “b” to indicate that the LPN IV program can be any state board-approved program, not just the WSBN-approved program.

The major changes to Chapter 2 relate to the renewal “grace period.” The renewal period for nursing licensure/certification occurs every even year between October 1 and December 31. Any practice after December 31 with an expired license is considered unlicensed practice. The current rules allow a “grace period,” January 1 through March 1, after the initial renewal period, during which time the licensee/certificate holder can still renew without having to complete a relicensure/recertification application; however, the licensee/certificate holder would incur a late fee. If renewal does not occur during the “grace period,” or by March 1, the license/certificate is considered “lapsed” and the licensee/certificate holder cannot continue to practice. After a license is “lapsed,” the licensee/certificate holder must complete a relicensure/recertification application to obtain a license/certificate. If the licensee/certificate holder practices during the “grace period” **before** renewing his/her license/certificate **OR after** a license is “lapsed,” he/she is engaging in unlicensed practice, which is a ground for discipline.

The current Rules cause confusion because the Rule is being interpreted as allowing continued practice during the “grace period,” before and/or while renewing the license/certificate. This interpretation is incorrect and results in a violation of the Nurse Practice Act and Administrative Rules and Regulations, specifically engaging in unlicensed practice, which, again, is a ground for discipline.

The changes made to Chapter 5 were the deletion of the “late fee”, which is directly linked to the grace period, and the addition of the word “recertification” and corresponding \$60.00 CNA fee for “recertification”. The \$60.00 CNA recertification fee is the same amount as the CNA fee for certification by exam or endorsement. The CNA fees in these categories align with the RN and LPN fees in these same categories i.e. the RN and LPN relicensure fees are the same as the RN and LPN exam and endorsement fees. It had been determined that if a CNA allows their

certificate to expire or lapse, there was no language in the Rules providing for the CNA to recertify. The addition of the word “recertification” and the CNA “recertification” fee corrects this oversight.

In the proposed rules, the license/certificate expires on December 31 of the renewal year and lapses on January 1 after the renewal year. On or after January 1, the licensee/certificate holder will have to submit a relicensure/recertification application and pay the appropriate relicensure/recertification fee. Deletion of the “grace period” and “late fee” language and addition of the CNA “recertification” language removes the ambiguity of the renewal process by providing CNA “recertification” and a single clear-cut timeframe for renewal with no “late fee”, thus reducing the potential for unintentional unlicensed practice due to confusing “rules.”





*Matthew H. Mead*  
Governor

# Wyoming

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### Summary of Responses

#### Chapter 2 - Licensure/Certification Requirements and Chapter 5 - Fees

The **Wyoming State Board of Nursing (WSBN)** proposes to amend Chapter(s) 2 – Licensure/Certification Requirements and 5 – Fees of its rules to remove the language and associated “late fee” related to the renewal “grace period” and to establish “recertification” for the CNA. Several other minor changes to Chapter 2 were identified and addressed. The amendments **revise the policies and the procedures regarding the renewal “grace period”**.

The Public Comment period was open for 48 days. The notice was posted on August 4, 2014, closing on September 21, 2014. The WSBN received NO responses or comments regarding the proposed amendments.

## CHAPTER 2

### LICENSURE / CERTIFICATION REQUIREMENTS

#### Section 1. Statement of Purpose.

(a) These Board Rules are adopted to implement the Board's authority to establish and regulate the requirements and procedures for application and renewal of a license, certificate, recognition or permit.

(b) An applicant for licensure, certification, recognition or permit 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.

#### Section 2. Licensure/Certification by Examination.

##### (a) APRN Recognition

(i) Applicant shall:

(A) Meet qualifications for RN licensure by examination or endorsement;

(B) Graduate from a graduate or post-graduate level advanced practice nurse educational program;

(C) Complete a program of study in a role and population focus area of advanced practice registered nursing;

(D) Successfully pass a national certification examination;

(E) Submit completed application and fees;

(F) Submit fingerprint cards and fee; and

(G) Submit evidence of meeting competency under Section 12.

##### (b) RN/LPN

(i) Applicant shall:

(A) Graduate from a state board-approved nursing RN or LPN education program;

(B) Submit completed application and fee;

(C) Submit fingerprint cards and fee; and

- (D) Successfully pass the NCLEX specific to RN or LPN education program.
  - (ii) The Board shall notify the applicant by mail of official test results.
  - (iii) If an applicant fails the NCLEX, the applicant may retake the NCLEX and shall:
    - (A) Submit completed application and fee for licensure by re-examination;
- and
- (B) Submit fingerprint cards and fee, as needed.
  - (iv) The Board may allow an applicant to sit for the NCLEX no more than ten (10) times within a five (5) year period following graduation.

(c) CNA

- (i) Applicant shall:
  - (A) Graduate from a state board-approved CNA training and competency evaluation program;
  - (B) Submit completed application and fee;
  - (C) Submit fingerprint cards and fee; and
  - (D) Successfully pass the NATCEP.
- (ii) The Board shall notify the applicant by mail of official test results.
- (iii) The Board may allow an applicant to sit for the NATCEP no more than five (5) times within a one (1) year period following graduation.

**Section 3. Licensure/Certification by Endorsement.**

(a) An applicant who is unable to provide satisfactory verification of education, training or competency shall be required to meet the requirements for licensure or certification by examination.

(b) APRN Recognition

- (i) Applicant shall:
  - (A) Meet qualifications for RN licensure by examination or endorsement;
  - (B) Graduate from a graduate or post-graduate level advanced practice registered nurse educational program or has completed an accredited APRN education program prior to January 1, 1999;

(C) Complete a program of study in a role and population focus area of advanced practice registered nursing;

(D) Submit evidence of current national certification;

(E) Submit completed application and fees;

(F) Submit fingerprint cards and fee; and

(G) Submit evidence of meeting competency under Section 12.

(c) RN/LPN

(i) Applicant shall:

(A) Graduate from a state board-approved nursing RN or LPN education program;

(B) Submit completed application and fee;

(C) Submit fingerprint cards and fee;

(D) Submit verification of initial state of licensure by examination; and

(E) Submit evidence of meeting competency under Section 12.

(d) CNA

(i) Applicant shall:

(A) Graduate from a state board-approved CNA training and competency evaluation program;

(B) Submit completed application and fee;

(C) Submit fingerprint cards and fee;

(D) Submit verification of initial state of certification by examination; and

(E) Submit evidence of meeting competency under Section 12.

(e) CNA Certification by Deeming

(i) Applicant shall:

(A) Successfully complete the first semester of a state board-approved RN or LPN nursing education program within two (2) years prior to application;



- (B) Submit completed application and fee; and
- (C) Submit fingerprint cards and fee.

**Section 4. Other Certifications/Recognitions.**

(a) APRN Prescriptive Authority

(i) Applicant shall:

(A) Submit completed application and fee; and

(B) Submit evidence of completion of coursework in pharmacology and clinical management of drug therapy within the five (5) year period immediately before the date of application, specifically:

(I) Two (2) semester credit hours, or

(II) Three (3) quarter credit hours, or

(III) Thirty (30) contact hours of coursework.

(b) LPN Intravenous (IV)

(i) Applicant shall:

(A) Meet qualifications for LPN licensure by examination or endorsement;

(B) Complete a state board-approved LPN IV basic or advanced course; and

(C) Submit completed application.

(c) MA-C

(i) Applicant shall:

(A) Meet qualifications for State CNA II certification;

(B) Complete a Board-approved MA-C training and competency evaluation program;

(C) Successfully pass a MA-C examination; and

(D) Submit completed application.

(d) CNA II

(i) Applicant shall:

- (A) Meet qualifications for CNA by examination, endorsement or deeming;
- (B) Complete a Board-approved CNA II training and competency evaluation program; and
- (C) Submit completed application.

(e) Home Health Assistant

- (i) Applicant shall:
  - (A) Meet qualifications for CNA by examination, endorsement, or deeming;
  - (B) Complete a Board-approved Home Health Assistant training and competency evaluation program; and
  - (C) Submit completed application.

**Section 5. Licensure of Foreign Educated RN/LPN.**

- (a) Applicant shall:
  - (i) Graduate from a foreign nursing RN or LPN education program;
  - (ii) Submit certification from a national certifying organization;
  - (iii) Submit written evidence of English proficiency, from a national certifying body, if English is not the first language of the applicant;
  - (iv) Submit completed application and fee;
  - (v) Submit fingerprint cards and fee; and
  - (vi) Successfully pass the NCLEX specific to RN or LPN education program.
- (b) If an applicant fails the NCLEX, the applicant may retake the NCLEX and shall:
  - (i) Submit completed application and fee for licensure by re-examination; and
  - (ii) Submit fingerprint cards and fee, as needed.
- (c) The Board may allow an applicant to sit for the NCLEX no more than ten (10) times within a five (5) year period.

**Section 6. Temporary Permit.**

- (a) A temporary permit is non-renewable and may be revoked by the Board at any time.

(b) Graduate Temporary Permit

(i) The Board may issue a graduate temporary permit for APRN, RN, LPN and CNA. However, a graduate temporary permit shall not include:

- (A) Prescriptive authority for G APRNs.
- (B) Ability to work as a Home Health Assistant for GNAs.

(ii) A graduate temporary permit holder shall:

(A) Be held to the established standards of nursing practice and CNA role;  
and

(B) Practice only under appropriate direction and supervision as follows:

- (I) G APRN supervised by APRN within the same specialty or physician,
- (II) GN or GPN supervised by an APRN or RN, or
- (III) GNA supervised by an APRN, RN, or LPN.

(iii) If the applicant does not successfully pass the initial national examination, the graduate temporary permit shall expire and applicant cannot practice nursing in the State.

(c) Temporary Permit while seeking Licensure or Certification

(i) An APRN, RN, LPN, or CNA seeking licensure or certification may request a temporary permit.

(d) Temporary Permit without Licensure or Certification

(i) An APRN, RN, LPN, or CNA not seeking permanent licensure or certification may request a temporary permit.

(ii) Applicant shall:

(A) Submit evidence of current licensure or certification in good standing from another jurisdiction; and

(B) Submit completed application and fee.

**Section 7. Biennial Renewal of Licensure, Certification and/or Recognition.**

(a) The Board shall make application(s) for renewal of licensure, certification and/or recognition available on the Board website on or before October 1st of every even year.

(b) Failure to receive a renewal notice from the Board does not excuse an APRN,

RN, LPN or CNA from the requirements for renewal under the NPA or these Board Rules.

- (c) An APRN, RN, LPN, or CNA seeking renewal shall:
  - (i) Submit completed renewal application and fees; and
  - (ii) Submit evidence of meeting competency under Section 12.

**Section 8. Failure to Renew.**

(a) All licenses, certificates, and/or recognitions **expire on December 31<sup>st</sup>** of the renewal year.

(b) Unless an APRN, RN, LPN or CNA renews their license, certification or recognition on or before December 31<sup>st</sup>, the APRN, RN, LPN, or CNA **shall not practice after December 31<sup>st</sup>** of the renewal year.

(c) On January 1<sup>st</sup> after the renewal year an APRN, RN, LPN, or CNA who did not renew their license, certificate or recognition, their license, certification or recognition shall lapse.

(d) An APRN, RN, LPN or CNA **shall not resume practice until** the APRN, RN, LPN or CNA submits a completed relicensure/recertification application and the Board issues a license, certificate or recognition.

(e) Any APRN, RN, LPN or CNA that practices on an expired or lapsed license, certificate or recognition before the Board issues a license, certificate or recognition shall be grounds for discipline.

**Section 9. Relicensure/Recertification.**

- (a) Applicant seeking relicensure or recertification shall:
  - (i) Submit completed application and fees; and
  - (ii) Submit evidence of meeting competency under Section 12.

**Section 10. Inactive Status and Reactivation.**

- (a) The Board may grant a RN or LPN request for inactive status.
- (b) Applicant shall submit a completed application and fee.
- (c) The RN or LPN shall not practice nursing in this State until the license is reactivated. Applicant may apply for reactivation and shall:
  - (i) Submit completed application and fee; and

(ii) Submit evidence of meeting competency under Section 12.

(d) If the RN or LPN was under investigation or on a conditional license at the time inactive status was granted, the investigation or conditions shall continue upon reactivation.

**Section 11. Reinstatement of Licensure, Certification and/or Recognition.**

(a) An APRN, RN, LPN or CNA whose license, certificate, or recognition has been revoked, surrendered, suspended, or conditioned may apply for reinstatement and shall:

(i) Submit completed application and fees;

(ii) Submit evidence of meeting competency under Section 12.

(iii) Submit evidence of meeting requirements of the previous Board's order; and

(iv) Submit evidence demonstrating just cause for reinstatement.

(b) Licenses, certificates, or recognitions which have been suspended solely pursuant W.S. 33-21-146(b) shall be reinstated pursuant to W.S. 20-6-112(c).

**Section 12. Competency for Licensure/Certification Continuing In Or Returning To Practice.**

(a) Timeframe for meeting competency

(i) If applicant is renewing their license, certificate or recognition, then competency shall be met during the renewal cycle which is from January 1<sup>st</sup> of the odd year through December 31<sup>st</sup> of the even year.

(ii) For those applicants seeking licensure, certification or recognition by endorsement, reactivation, reinstatement, relicensure/recertification, or returning to practice, competency shall be met during the timeframe identified prior to date of application.

(b) APRN

(i) An APRN shall demonstrate competency by submitting evidence of:

(A) Current national certification as an APRN in the recognized role and population focus area; or

(B) If recognized APRN in the State prior to July 1, 2005, and has maintained continuous recognition, but not nationally certified, the APRN shall submit evidence of:

(I) Completion of sixty (60) or more contact hours of continuing education related to the APRN's recognized role and population focus area; and

(II) Completion of four hundred (400) or more hours practicing as an APRN

during the last two (2) years.

(ii) An APRN with prescriptive authority shall submit documentation of completion of fifteen (15) hours of coursework in pharmacology and clinical management of drug therapy within the two (2) years prior to license expiration.

(c) RN/LPN

(i) A RN or LPN shall demonstrate competency by submitting evidence of:

(A) Employment in the practice of nursing prior to license expiration for a minimum of:

(I) Sixteen hundred (1600) hours during the last five (5) years; or

(II) Five hundred (500) hours during the last two (2) years; or

(B) If the applicant has not practiced nursing during the last five (5) years, applicant shall:

(I) Successfully complete a refresher course or the equivalent, accepted by the Board;

(II) Successfully complete a nursing education program which confers a degree beyond the licensee's basic nursing education;

(III) Obtain certification by a nationally recognized professional accrediting agency in a specialty area of nursing that is accepted by the Board;

(IV) Successfully pass NCLEX; or

(V) Successfully complete twenty (20) hours of CEUs within two (2) years and which adhere to the following guidelines:

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

(2.) Fifty (50) minutes of theory is equivalent to one (1) CEU; and

(3.) Academic courses relevant to nursing may be accepted as meeting the requirements for continuing education.

a. Ten (10) contact hours is equivalent to one (1) CEU ; or

b. One (1) semester credit hour is equivalent to fifteen (15) CEUs; or

c. One (1) quarter credit hour is equivalent to ten (10) CEUs.



(d) LPN IV

(i) A LPN IV shall demonstrate competency by submitting evidence of:

(A) Satisfactory completion of ten (10) contact hours and/or in-service education in IV within two (2) years; or

(B) Successful completion of a Board-approved LPN IV refresher course.

(e) CNA

(i) A CNA shall demonstrate competency by submitting evidence of:

(A) Employment as a CNA prior to certification expiration for a minimum of sixteen (16) hours and twenty-four (24) hours of education which may include in-service presentations, contact hours or other means which provide learning activities related to CNA practice; or

(B) Participation in direct patient care through an approved nursing program since the last renewal cycle.

(ii) A CNA who is unable to meet competency shall be required to meet the requirements for certification by examination.

**Section 13. Nurse Volunteer License.**

(a) Applicant shall:

(i) Meet qualifications under W.S. 33-21-157; and

(ii) Submit completed application.

## CHAPTER 2

### LICENSURE / CERTIFICATION REQUIREMENTS

#### Section 1. Statement of Purpose.

(a) These Board Rules are adopted to implement the Board's authority to establish and regulate the requirements and procedures for application and renewal of a license, certificate, recognition or permit.

(b) An applicant for licensure, certification, recognition or permit 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.

#### Section 2. Licensure/Certification by Examination.

##### (a) APRN Recognition

(i) Applicant shall:

(A) Meet qualifications for RN licensure by examination or endorsement;

(B) Graduate from a graduate or post-graduate level advanced practice nurse educational program;

(C) Complete a program of study in a role and population focus area of advanced practice registered nursing;

(D) Successfully pass a national certification examination;

(E) Submit completed application and fees;

(F) Submit fingerprints [cards](#) and fee; and

(G) Submit evidence of meeting competency under Section 12.

##### (b) RN/LPN

(i) Applicant shall:

(A) Graduate from a state board-approved nursing RN or LPN education program;

(B) Submit completed application and fee;

(C) Submit fingerprints [cards](#) and fee; and

- (D) Successfully pass the NCLEX specific to RN or LPN education program.
  - (ii) The Board shall notify the applicant by mail of official test results.
  - (iii) If an applicant fails the NCLEX, the applicant may retake the NCLEX and shall:
    - (A) Submit completed application and fee for licensure by re-examination;
- and
- (B) Submit fingerprints [cards](#) and fee, as needed.
  - (iv) The Board may allow an applicant to sit for the NCLEX no more than ten (10) times within a five (5) year period following graduation.

(c) CNA

- (i) Applicant shall:
  - (A) Graduate from a state board-approved CNA training and competency evaluation program;
  - (B) Submit completed application and fee;
  - (C) Submit fingerprints [cards](#) and fee; and
  - (D) Successfully pass the NATCEP.
- (ii) The Board shall notify the applicant by mail of official test results.
- (iii) The Board may allow an applicant to sit for the NATCEP no more than five (5) times within a one (1) year period following graduation.

**Section 3. Licensure/Certification by Endorsement.**

(a) An applicant who is unable to provide satisfactory verification of education, training or competency shall be required to meet the requirements for licensure or certification by examination.

(b) APRN Recognition

- (i) Applicant shall:
  - (A) Meet qualifications for RN licensure by examination or endorsement;
  - (B) Graduate from a graduate or post-graduate level advanced practice registered nurse educational program or has completed an accredited APRN education program prior to January 1, 1999;

(C) Complete a program of study in a role and population focus area of advanced practice registered nursing;

(D) Submit evidence of current national certification;

(E) Submit completed application and fees;

(F) Submit fingerprints cards and fee; and

(G) Submit evidence of meeting competency under Section 12.

(c) RN/LPN

(i) Applicant shall:

(A) Graduate from a state board-approved nursing RN or LPN education program;

(B) Submit completed application and fee;

(C) Submit fingerprints cards and fee;

(D) Submit ~~the~~ verification of initial state of licensure by examination; and

(E) Submit evidence of meeting competency under Section 12.

(d) CNA

(i) Applicant shall:

(A) Graduate from a state board-approved CNA training and competency evaluation program;

(B) Submit completed application and fee;

(C) Submit fingerprints cards and fee;

(D) Submit ~~the~~ verification of initial state of certification by examination; and

(E) Submit evidence of meeting competency under Section 12.

(e) CNA Certification by Deeming

(i) Applicant shall:

(A) Successfully complete the first semester of a state board-approved RN or LPN nursing education program within two (2) years prior to application;

- (B) Submit completed application and fee; and
- (C) Submit fingerprints [cards](#) and fee.

**Section 4. Other Certifications/Recognitions.**

(a) APRN Prescriptive Authority

(i) Applicant shall:

(A) Submit completed application and fee; and

(B) Submit evidence of completion of coursework in pharmacology and clinical management of drug therapy within the five (5) year period immediately before the date of application, specifically:

(I) Two (2) semester credit hours, or

(II) Three (3) quarter credit hours, or

(III) Thirty (30) contact hours of coursework.

(b) LPN Intravenous (IV)

(i) Applicant shall:

(A) Meet qualifications for LPN licensure by examination or endorsement;

(B) Complete a state [B](#)oard-approved LPN IV basic or advanced course; and

(C) Submit completed application.

(c) MA-C

(i) Applicant shall:

(A) Meet qualifications for State CNA II certification;

(B) Complete a Board-approved MA-C training and competency evaluation program;

(C) Successfully pass a MA-C examination; and

(D) Submit completed application.

(d) CNA II

(i) Applicant shall:

- (A) Meet qualifications for CNA by examination, endorsement or deeming;
  - (B) Complete a Board-approved CNA II training and competency evaluation program; and
  - (C) Submit completed application.
- (e) Home Health Assistant
- (i) Applicant shall:
    - (A) Meet qualifications for CNA by examination, endorsement, or deeming;
    - (B) Complete a Board-approved Home Health Assistant training and competency evaluation program; and
    - (C) Submit completed application.

**Section 5. Licensure of Foreign Educated RN/LPN.**

- (a) Applicant shall:
  - (i) Graduate from a foreign nursing RN or LPN education program;
  - (ii) Submit certification from a national certifying organization;
  - (iii) Submit written evidence of English proficiency, from a national certifying body, if English is not the first language of the applicant;
  - (iv) Submit completed application and fee;
  - (v) Submit fingerprints [cards](#) and fee; and
  - (vi) Successfully pass the NCLEX specific to RN or LPN education program.
- (b) If an applicant fails the NCLEX, the applicant may retake the NCLEX and shall:
  - (i) Submit completed application and fee for licensure by re-examination; and
  - (ii) Submit fingerprints [cards](#) and fee, as needed.
- (c) The Board may allow an applicant to sit for the NCLEX no more than ten (10) times within a five (5) year period.

**Section 6. Temporary Permit.**

- (a) A temporary permit is non-renewable and may be revoked by the Board at any time.



(b) Graduate Temporary Permit

(i) The Board may issue a graduate temporary permit for APRN, RN, LPN and CNA. However, a graduate temporary permit shall not include:

- (A) Prescriptive authority for G APRNs.
- (B) Ability to work as a Home Health Assistant for GNAs.

(ii) A graduate temporary permit holder shall:

(A) Be held to the established standards of nursing practice and CNA role;  
and

(B) Practice only under appropriate direction and supervision as follows:

- (I) G APRN supervised by APRN within the same specialty or physician,
- (II) GN or GPN supervised by an APRN or RN, or
- (III) GNA supervised by an APRN, RN, or LPN.

(iii) If the applicant does not successfully pass the initial national examination, the graduate temporary permit shall expire and applicant cannot practice nursing in the State.

(c) Temporary Permit while seeking Licensure or Certification

(i) An APRN, RN, LPN, or CNA seeking licensure or certification may request a temporary permit.

(d) Temporary Permit without Licensure or Certification

(i) An APRN, RN, LPN, or CNA not seeking permanent licensure or certification may request a temporary permit.

(ii) Applicant shall:

(A) Submit evidence of current licensure or certification in good standing from another jurisdiction; and

(B) Submit completed application and fee.

**Section 7. Biennial Renewal of Licensure, Certification and/or Recognition.**

(a) The Board shall make application(s) for renewal of licensure, certification and/or recognition available on the Board website on or before October 1st of every even year.

(b) Failure to receive a renewal notice from the Board does not excuse an APRN,

RN, LPN or CNA from the requirements for renewal under the NPA or these Board Rules.

- (c) An APRN, RN, LPN, or CNA seeking renewal shall:
  - (i) Submit completed renewal application and fees; and
  - (ii) Submit evidence of meeting competency under Section 12.

~~(d) Completed renewal application, fees, and competency received by the Board:~~

~~(i) On or before December 31<sup>st</sup> of the renewal year shall incur no penalty;~~

~~(ii) January 1<sup>st</sup> through March 1<sup>st</sup> after the renewal year shall be assessed a late fee;~~

~~(iii) On or after March 2<sup>nd</sup> after the renewal year, the license, certificate or recognition shall lapse.~~

### **Section 8. Failure to Renew.**

(a) All licenses, certificates, and/or recognitions **expire on December 31<sup>st</sup>** of the renewal year.

(b) Unless an APRN, RN, LPN or CNA renews their license, certification or recognition on or before December 31<sup>st</sup>, the APRN, RN, LPN, or CNA shall not practice after December 31<sup>st</sup> of the renewal year.

~~(b)~~(c) On January 1<sup>st</sup> after the renewal year an APRN, RN, LPN, or CNA who did not renew their license, certificate or recognition, their license, certification or recognition shall lapse.

~~(e) An APRN, RN, LPN or CNA shall not resume practice until:~~

~~(d) The APRN, RN, LPN or CNA submits a completed renewal application, fees (including late fee), and competency requirements **and the Board issues a license, certificate or recognition between January 1<sup>st</sup> through March 1<sup>st</sup> after the renewal year; or**~~

~~(e)~~(d) The APRN, RN, LPN or CNA submits a completed relicensure/recertification application **and the Board issues a license, certificate or recognition on or after March 2<sup>nd</sup> after the renewal year.**

~~(f)~~(e) Any APRN, RN, LPN or CNA that practices on an expired or lapsed license, certificate or recognition ~~or~~ before the Board issues a license, certificate or recognition **after submission of either late renewal or relicensure/recertification application** shall be grounds for discipline.

### **Section 9. Relicensure/Recertification.**

(a) Applicant seeking relicensure or recertification shall:

- (i) Submit completed application and fees; and
- (ii) Submit evidence of meeting competency under Section 12.

**Section 10. Inactive Status and Reactivation.**

- (a) The Board may grant a RN or LPN request for inactive status.
- (b) Applicant shall submit a completed application and fee.
- (c) The RN or LPN shall not practice nursing in this State until the license is reactivated. Applicant may apply for reactivation and shall:
  - (i) Submit completed application and fee; and
  - (ii) Submit evidence of meeting competency under Section 12.
- (d) If the RN or LPN was under investigation or on a conditional license at the time inactive status was granted, the investigation or conditions shall continue upon reactivation.

**Section 11. Reinstatement of Licensure, Certification and/or Recognition.**

- (a) An APRN, RN, LPN or CNA whose license, certificate, or recognition has been revoked, surrendered, suspended, or conditioned may apply for reinstatement and shall:
  - (i) Submit completed application and fees;
  - (ii) Submit evidence of meeting competency under Section 12.
  - (iii) Submit evidence of meeting requirements of the previous Board's order; and
  - (iv) Submit evidence demonstrating just cause for reinstatement.
- (b) Licenses, certificates, or recognitions which have been suspended solely pursuant W.S. 33-21-146(b) shall be reinstated pursuant to W.S. 20-6-112(c).

**Section 12. Competency for Licensure/Certification Continuing In Or Returning To Practice.**

- (a) Timeframe for meeting competency
  - (i) If applicant is renewing their license, certificate or recognition, then competency shall be met during the renewal cycle which is from January 1<sup>st</sup> of the odd year through December 31<sup>st</sup> of the even year.
  - (ii) For those applicants seeking licensure, certification or recognition by endorsement, reactivation, reinstatement, relicensure/recertification, or returning to practice, competency shall be met during the timeframe identified prior to date of application.

(b) APRN

(i) An APRN shall demonstrate competency by submitting evidence of:

(A) Current national certification as an APRN in the recognized role and population focus area; or

(B) If recognized APRN in the State prior to July 1, 2005, and has maintained continuous recognition, but not nationally certified, the APRN shall submit evidence of:

(I) Completion of sixty (60) or more contact hours of continuing education related to the APRN's recognized role and population focus area; and

(II) Completion of four hundred (400) or more hours practicing as an APRN during the last two (2) years.

(ii) An APRN with prescriptive authority shall submit documentation of completion of fifteen (15) hours of coursework in pharmacology and clinical management of drug therapy within the two (2) years prior to license expiration.

(c) RN/LPN

(i) A RN or LPN shall demonstrate competency by submitting evidence of:

(A) Employment in the practice of nursing prior to license expiration for a minimum of:

(I) Sixteen hundred (1600) hours during the last five (5) years; or

(II) Five hundred (500) hours during the last two (2) years; or

(B) If the applicant has not practiced nursing during the last five (5) years, applicant shall:

(I) Successfully complete a refresher course or the equivalent, accepted by the Board;

(II) Successfully complete a nursing education program which confers a degree beyond the licensee's basic nursing education;

(III) Obtain certification by a nationally recognized professional accrediting agency in a specialty area of nursing that is accepted by the Board;

(IV) Successfully pass NCLEX; or

(V) Successfully complete twenty (20) hours of CEUs within two (2) years and which adhere to the following guidelines:

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

(2.) Fifty (50) minutes of theory is equivalent to one (1) CEU; and

(3.) Academic courses relevant to nursing may be accepted as meeting the requirements for continuing education.

a. Ten (10) contact hours is equivalent to one (1) CEU ; or

b. One (1) semester credit hour is equivalent to fifteen (15) CEUs; or

c. One (1) quarter credit hour is equivalent to ten (10) CEUs.

(d) LPN IV

(i) A LPN IV shall demonstrate competency by submitting evidence of:

(A) Satisfactory completion of ten (10) contact hours and/or in-service education in IV within two (2) years; or

(B) Successful completion of a Board-approved LPN IV refresher course.

(e) CNA

(i) A CNA shall demonstrate competency by submitting evidence of:

(A) Employment as a CNA prior to certification expiration for a minimum of sixteen (16) hours and twenty-four (24) hours of education which may include in-service presentations, contact hours or other means which provide learning activities related to CNA practice; or

(B) Participation in direct patient care through an approved nursing program since the last renewal cycle.

(ii) A CNA who is unable to meet competency shall be required to meet the requirements for certification by examination.

**Section 13. Nurse Volunteer License.**

(a) Applicant shall:

(i) Meet qualifications under W.S. 33-21-157; and

(ii) Submit completed application.

## CHAPTER 5

### FEES

**Section 1. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to determine and collect reasonable fees.

**Section 2. General Information.**

(a) Fees shall be payable in the exact amount, by money order, cashier's check, or credit card, for all services, and shall be paid in advance of the services rendered.

(b) All fees collected by the Board are not refundable, though any fee overpayment greater than \$5.00 will be refunded.

**Section 3. Fee Schedule.** Services for which the Board charges a fee shall include, but not limited to, the following fee schedule:

(a)	DCI Background Check Fees	\$60
(b)	Licensure/Certification by Examination	
(i)	RN	\$130
(ii)	LPN	\$130
(iii)	CNA	\$60
(c)	Licensure/Certification by Endorsement	
(i)	RN	\$135
(ii)	LPN	\$120
(iii)	CNA	\$60
(d)	Renewal Fees	
(i)	RN	\$110
(ii)	LPN	\$90
(iii)	CNA	\$50
(e)	APRN Recognition Fee	
(i)	Initial Application	
(A)	Initial Recognition	\$120
(B)	Additional Recognition	\$70
(C)	Prescriptive Authority	\$70



(ii)	Renewal	
(A)	Renewal of Each Recognition	\$70
(B)	Prescriptive Authority	\$70
(f)	Relicensure/Recertification/Reinstatement Fees	
(i)	RN	\$135
(ii)	LPN	\$120
(iii)	CNA	\$60
(g)	Inactive Licensure Fees (RN/LPN)	\$30
(h)	Reactivation Licensure Fees	
(i)	RN	\$110
(ii)	LPN	\$90
(j)	Temporary Permit Fees	
(i)	RN	\$135
(ii)	LPN	\$120
(k)	Verification of Licensure & Certification	\$40
(l)	Name Change Fee	\$20
(m)	Insufficient Fund Check Fee	\$35
(n)	Credit Card Processing Fee	\$5
(o)	Copy Charge Fees	
(i)	Photocopy Charge per page	20¢
(ii)	Mailing Lists/Labels, Publications, Data Requests	TO BE DETERMINED
ON AN INDIVIDUAL BASIS		

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(i)	RN	\$135
(ii)	LPN	\$120
(iii)	CNA	\$60
(d)	Renewal Fees	
(i)	RN	\$110
(ii)	LPN	\$90
(iii)	CNA	\$50
	<del>(iv) Additional Late Renewal Fee</del>	<del>\$35</del>
(e)	APRN Recognition Fee	
(i)	Initial Application	
(A)	Initial Recognition	\$120
(B)	Additional Recognition	\$70

(C)	Prescriptive Authority	\$70	
(ii)	Renewal		
(A)	Renewal of Each Recognition	\$70	
(B)	Prescriptive Authority	\$70	
(f)	Relicensure/ <u>Recertification</u> /Reinstatement Fees		
(i)	RN	\$135	
(ii)	LPN	<u>\$120</u>	
	<del>(ii)</del> (iii) CNA	<u>        </u>	<u>\$60</u>
		\$120	
(g)	Inactive Licensure Fees (RN/LPN)	\$30	
(h)	Reactivation Licensure Fees		
(i)	RN	\$110	
(ii)	LPN	\$90	
(j)	Temporary Permit Fees		
(i)	RN	\$135	
(ii)	LPN	\$120	
(k)	Verification of Licensure & Certification	\$40	
(l)	Name Change Fee	\$20	
(m)	Insufficient Fund Check Fee	\$35	
(n)	Credit Card Processing Fee	\$5	
(o)	Copy Charge Fees		
(i)	Photocopy Charge per page	20¢	
(ii)	Mailing Lists/Labels, Publications, Data Requests		TO BE DETERMINED
	ON AN INDIVIDUAL BASIS		