

OKLAHOMA BOARD OF NURSING

RULES [TITLE 485]



Effective as of May 11, 2009

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Oklahoma Board of Nursing
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INTRODUCTION

The Oklahoma Nursing Practice Act states *the Board is authorized to adopt and revise rules, not inconsistent with the provisions of the Oklahoma Nursing Practice Act, as may be necessary to enable it to carry into effect the provisions of the act, including rules establishing fees, charges and reimbursement costs.* [59 O.S. § 567.4]

The Administrative Procedures Act defines a rule as *any agency statement or group of related statements of general applicability and future effect that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of the agency.* [75 O.S. § 250.3(15)] All rules were adopted in accordance with the procedures required in the Administrative Procedures Act.

These rules were adopted by the Board in recognition of its responsibility to safeguard and promote the public health and welfare of the citizens of Oklahoma.

This booklet contains OAC Title 485. Oklahoma Board of Nursing, the unofficial copy of rules effective on July 1, 2008.

<u>Chapter</u>	<u>Section</u>
1. Administration	485:1
[Source: Codified 7-24-1991; Amended at 8 Ok Reg 3575, eff 9-20-91(emergency); Amended at 9 Ok Reg 2099, eff 6-11-92; Amended at 18 Ok Reg 1745, eff 7-1-01; Amended at 25 Ok Reg 1413, eff 7-1-08]	
10. Licensure of Practical and Registered Nurses	485:10
[Source: Codified 7-24-1991; Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 8 Ok Reg 3579, eff 9-20-91 through 5-29-92 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 10 Ok Reg 1536, eff 4-26-93; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 14 Ok Reg 1980, eff 5-27-97; Amended at 15 Ok Reg 2038, eff 5-26-98; Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 19 Ok Reg 1461, eff 7-1-02; Amended at 20 Ok Reg 1006, eff 7-1-03; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 22 Ok Reg 1344, eff 7-1-05; Amended at 23 Ok Reg 1453 eff 7-1-06; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1413, eff 7-1-08; Amended at 26 Ok Reg 1089, eff 5-11-09]	

[Authority: 59 O.S. Sections 567.1 et seq.]

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TITLE 485. OKLAHOMA BOARD OF NURSING

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CHAPTER 1. ADMINISTRATION
SUBCHAPTER 1. ADMINISTRATION

Section

- 485:1-1-1. Functions
- 485:1-1-2. Officers
- 485:1-1-3. Staff members
- 485:1-1-4. Business meetings
- 485:1-1-5. Rules and regulations
- 485:1-1-6. Board office and written communication

[Authority: 59 O.S., §§ 567.1 et seq.; 75 O.S., §§ 302 and 305]
[Source: Codified 7-24-91]

485:1-1-1. Functions

The Board is authorized to:

- (1) *adopt and revise rules not inconsistent with . . . the Oklahoma Nursing Practice Act; [59 O.S. Section 567.4(F)]*
- (2) *prescribe standards for educational programs preparing persons for licensure to practice practical nursing, registered nursing, or preparing individuals for advanced practice nursing;*
- (3) *provide for surveys of such educational programs;*
- (4) *approve such educational programs for the preparation of practitioners of practical nursing, registered nursing, or advanced practice nursing as shall meet the requirements of this statute and of the Board;*
- (5) *deny, or withdraw approval of educational programs for failure to meet or maintain prescribed standards required by this statute and by the Board;*
- (6) *examine, license and renew the licenses of duly qualified applicants;*
- (7) *recognize Advanced Practitioners in accordance with the Rules and Regulations;*
- (8) *conduct hearings upon charges calling for disciplinary action; and*
- (9) *provide consultation, conduct conferences, forums, studies and research on nursing education and practice.*

[Source: Amended at 8 Ok Reg 3575, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2099, eff 6-11-92; Amended at 18 Ok Reg 1745, eff 7-1-01; Amended at 25 Ok Reg 1413, eff 7-1-08]

485:1-1-2. Officers

- (a) **Election of officers.** The officers of the Board shall be elected annually at the regular meeting in January. The candidate receiving the plurality of votes shall be declared elected and shall assume office on the first day of March following their election.
- (b) **Vacancies in office.**

(1) A vacancy occurring in the office of President shall be filled by the Vice-President for the unexpired term.

(2) A vacancy occurring in the office of Vice-President shall be filled by appointment by the President with the approval of the Board for the period of the unexpired term.

(3) A vacancy occurring in the office of the Secretary shall be filled by appointment by the President with the approval of the Board for the period of the unexpired term.

(c) **Duties of officers.**

(1) The President shall preside at meetings and shall appoint members to serve on such committees as may be created and shall be an ex-officio member of all committees. The President shall cause the agenda to be prepared for the meeting.

(2) The Vice-President shall preside in the absence of the President, and shall assume the duties of the President, when necessary.

(3) The Secretary shall cause to be completed the necessary arrangements for the meetings; send notices and agendas of the meetings to the members of the Board and the Secretary of State; record the minutes of the meeting; conduct the necessary correspondence of the Board and keep a register of the names of all Licensed Practical Nurses and Registered Nurses duly licensed under the provisions of the Oklahoma Nursing Practice Act.

(4) The Secretary, who is also the Treasurer, shall participate in the development of the budget and shall be responsible for the disbursement of the funds with the approval of the Board.

[Source: Amended at 8 Ok Reg 3575, eff 9-20-91(emergency); Amended at 9 Ok Reg 2099, eff 6-11-92]

485:1-1-3. Staff members

(a) **Executive Director.** *The Board shall appoint and employ a qualified person, who shall be a registered nurse, to serve as Executive Director . . . and shall define the duties.* [59 O.S. Section 567.4(E)]

(b) **Professional staff.** The Board may appoint and employ other qualified persons, who shall be Registered Nurses, to assist in the regulation of nursing education and nursing practice.

(c) **Non-professional staff.** The Board may appoint and employ other persons, who are not required to be Registered Nurses, to assist the Board in its function, and shall define the duties.

(d) **Deputy Executive Director.** When the Executive Director is out of the office, or otherwise engaged, he/she shall designate a deputy director to

act. If the position of Executive Director is vacant or the Executive Director has been unable to make the designation, the President of the Board shall designate a deputy director to serve until the next meeting of the Board, at which time the Board shall appoint an acting Executive Director.

[Source: Amended at 8 Ok Reg 3575, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2099, eff 6-11-92]

485:1-1-4. Business meetings

(a) **Special meetings.** *Special meetings may be called by the President or Secretary or petitioned by three (3) Board members with five (5) days notice to each member of the Board.* [59 O.S. Section 567.4(E)]

(b) **Emergency meetings.** Emergency meetings may be called by the President without required notice for situations of imminent peril to the public health, safety, welfare or other compelling extraordinary circumstances.

(c) **Agenda.** A copy of the agenda shall be sent to each member at least five (5) days prior to the meeting. Any member wishing to have a special topic placed on the agenda shall notify the Secretary at least ten (10) days prior to the meeting. Items of an emergency nature shall be considered at any meeting without prior notice.

(d) **Record of meeting.** The Secretary shall cause to be kept a record of all meetings which shall include a recording of votes by each member in attendance and such records shall be retained as a permanent record of the transaction of the Board.

(e) **Parliamentary authority.** The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the meetings in all instances to which they are applicable. The President shall have a vote on all matters coming before the Board.

(f) **Notice of meetings.** Notice of all meetings shall be in writing and delivered to Board members ten (10) days prior to meeting.

[Source: Amended at 8 Ok Reg 3575, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2099, eff 6-11-92]

485:1-1-5. Rules and regulations

(a) **Adoption, amendment, or repeal of rules.** The adoption, amendments, filing, or repeal of rules will be in accordance with the Oklahoma Administrative Procedures Act.

(b) **Petition requesting promulgation, amendment or repeal of a rule.**

(1) Any Registered Nurse or Licensed Practical Nurse may petition the Board in writing requesting the promulgation, amendment, or repeal of a rule. The petition shall be

accompanied by an explanation and implications of the request and shall be:

(A) co-signed by at least ten (10) Registered Nurses or Licensed Practical Nurses;

(B) submitted to the Board at least thirty (30) days prior to a regular meeting;

(C) referred to the Board's attorney for legal consideration;

(D) considered by the Board at a regular meeting; and

(E) scheduled for a Public Hearing within ninety (90) days after being considered by the Board in a regular meeting.

(2) A petition requesting promulgation, amendment or repeal of a rule shall not be considered by the Board if the subject of the Petition is the same or similar to the subject presented in a Petition and considered by the Board within the previous twelve (12) months.

(c) **Validity or applicability of rules - declaratory judgment.**

(1) Any person may request a declaratory ruling as to the applicability of any rule or order of the Board by filing a petition requesting such declaratory ruling which:

(A) is signed by the person making the request; and

(B) contains a concise statement of the facts and law supporting the request for action by the Board.

(2) The petition shall be promptly set for hearing by the Board at which hearing the Board shall consider all information relevant to the petition including argument of counsel. The declaratory ruling or the refusal to issue such ruling shall be ordered by the Board on or before the next scheduled meeting of the Board following the hearing.

[Source: Amended at 8 Ok Reg 3575, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2099, eff 6-11-92]

485:1-1-6. Board office and written communication

(a) The central office of the Oklahoma Board of Nursing is located in Oklahoma City, Oklahoma. The central office will be open during regular business hours as determined by the Board, except Saturday and Sunday and any legal holiday established by the statute or proclamation of the Governor.

(b) Every communication in writing to the Board shall be sent to the Board's central office. The filing date is the date the Board receives the document in the office, not the date it is mailed or postmarked.

[Source: Added at 18 Ok Reg 1745, eff 7-1-01]

CHAPTER 10. LICENSURE OF PRACTICAL AND REGISTERED NURSES
SUBCHAPTER 1. GENERAL PROVISIONS

Section

- 485:10-1-1. Purpose
- 485:10-1-2. Definitions
- 485:10-1-3. Fees

[Authority: 59 O.S., §§ 567.1 et seq.]
[Source: Codified 7-24-91]

485:10-1-1. Purpose

(a) The Oklahoma Nursing Practice Act requires any person who practices or offers to practice practical nursing or registered nursing to be licensed and to submit sufficient evidence of qualification so to practice and shall be licensed and recognized as provided.

(b) The Oklahoma Board of Nursing is established by the Oklahoma Nursing Practice Act for the implementation of the statute by carrying on the licensing and educational functions for practical nursing, registered nursing and advanced practice nursing.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92]

485:10-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Accountable" means assuming responsibility to the client, the public, other health-care practitioners and oneself for one's actions and/or decisions and their outcomes.

"Additional nursing function" means the nursing functions, procedures, or tasks, not usually included at the time of matriculation in most nursing education programs; requiring additional knowledge, instruction, and practice before they can be safely performed. Such functions must fall within the scope of accepted nursing practice; may become necessary due to technological advances, new practice standards, or the natural evolution of an occupation; and must not be precluded by other Oklahoma Practice Acts.

"Advanced practice nurse" is a term that includes Advanced Registered Nurse Practitioners (ARNP), Clinical Nurse Specialists (CNS), Certified Nurse Midwives (CNM), and Certified Registered Nurse Anesthetists (CRNA).

"Advanced unlicensed assistive person" means an individual, other than a licensed nurse, who performs in an assistive role and has been certified to perform core skills as delegated by a licensed nurse

and as authorized by the Rules and Regulations of the Oklahoma Board of Nursing.

"Board" means the Oklahoma Board of Nursing [59 O.S. Section 567.3(1)]

"Client" means a consumer of nursing care; may be an individual or group; is synonymous with "patient".

"Clinical learning experiences" means faculty-planned and guided activities designed to assist students to meet stated program and course outcomes and to safely apply knowledge and skills when providing nursing care to clients across the lifespan as appropriate to the role expectations of the graduates. These experiences occur in a variety of affiliating agencies or clinical practice settings including, but not limited to: acute care facilities, extended care facilities, long-term care facilities, clients' residences, and community agencies; and in associated clinical pre- and post-conferences.

"Clinical skills laboratory" means a designated area in which equipment and supplies are provided to simulate a clinical facility, allowing skills and procedures to be demonstrated and practiced.

"Controlling institution" means the agency or institution that administers the nursing education program, assumes responsibility for its financing, graduates the students, and grants the diploma, certificate or degree to the graduates.

"Core skills" means the list of functions developed by the working committee prescribed in 59 O.S. § 567.3a.13 that an advanced unlicensed assistive person shall be able to perform upon completion of the certification training program and satisfactory passage of the certification examination.

"Delegating" means entrusting the performance of selected nursing duties to individuals qualified, competent and legally able to perform such duties.

"Distance learning program" means 50% or more of the theory components of the board-approved nursing education program are offered by correspondence, on-line, through video-conferencing, or via CD-ROM.

"Legal authority" means the authorized state agency for the administration of the statutes relating to the practice of nursing in this state. The Oklahoma Board of Nursing is the only legal authority for licensing practical nurses, Registered Nurses, and issuing recognition to advanced practice nurses in Oklahoma.

"Licensed nurse" means a registered nurse or licensed practical nurse, currently licensed by the Oklahoma Board of Nursing.

"Nurse Administrator" means the Registered Nurse responsible for the administration of the nursing education program or the nurse holding the

highest level of management in an agency/facility regardless of the title used.

"Preceptor" means a licensed nurse who is employed by the facility in which the clinical experience takes place, and who agrees to provide supervision to a student for a specified period of time during the preceptor's scheduled work hours in order to assist the student to meet identified learning objectives.

"State approved program of nursing" means a nursing education program approved by the Oklahoma Board of Nursing.

"Member board jurisdiction" means a full member board of National Council of State Boards of Nursing.

"Supervising" means providing guidance by a qualified nurse for the accomplishment of the nursing task or activity with initial direction of the task or activity and periodic inspection of the actual act of accomplishing a task or activity.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 14 Ok Reg 1980, eff 5-27-97; Amended at 24 Ok Reg 1439, eff 07-1-07; Amended at 26 Ok Reg 1089, eff 5-11-09]

485:10-1-3. Fees

(a) Fee schedule.

(1) **Initial applications.** The following fees shall be charged by the Board of Nursing for initial applications:

(A) Registered Nurse/Licensed Practical Nurse

- (i) Licensure examination fee - \$85.00
- (ii) Endorsement fee - \$85.00
- (iii) Education equivalence evaluation fee - \$40.00
- (iv) Cost of national examination
- (v) R.N. examination challenge of results fee - \$200.00
- (vi) LPN examination challenge of results fee - \$125.00
- (vii) Examination review fee - \$90.00
- (viii) Temporary license fee - \$10.00

(B) Advanced Unlicensed Assistive person

- (i) Certification examination fee - \$20.00
- (ii) Cost of examination

(C) Advanced Practice Nurses

- (i) Recognition fee - \$70.00
- (ii) Temporary recognition fee - \$10.00
- (iii) Prescriptive authority fee - \$85.00
- (iv) Authority to order, select, obtain and administer drugs - \$85.00

(2) **Renewal.** The following fees shall be charged in accordance to the biennial

licensure/certificate/recognition renewal schedule established by the Board:

(A) Registered Nurse/Licensed Practical Nurse license - \$75.00

(B) Advanced Unlicensed Assistive Person certificate - \$25.00

(C) Advanced Practice Nurse recognition - \$40.00

(D) Prescriptive authority - \$40.00

(E) Authority to order, select, obtain and administer drugs - \$40.00

(F) Reinstatement of lapsed license/certificate/recognition - renewal fee(s) + \$40.00

(G) Return to active - renewal fee(s) + \$40.00

(3) **Miscellaneous fees.** The following miscellaneous fees shall be charged by the Board:

(A) Transcripts from closed schools of nursing - \$15.00

(B) Duplication or modification of license/certificate/recognition - \$25.00

(C) Certified verification of license/certificate/recognition - \$40.00

(D) Written verification of status of license/certificate/recognition - \$10.00 per name

(E) Supervisory Physician - \$10.00

(F) Requested review of contact hours for Prescriptive Authority - \$70.00

(G) Corporation certificate - \$15.00

(H) Certificate for framing - \$15.00

(I) Insufficient funds processing fee - \$25.00

(J) Facsimile (Fax) fee (per page) - \$1.00

(K) Oklahoma Nursing Practice Act, Rules - \$15.00

(L) Full survey visit to a nursing education program - \$500.00 effective July 1, 2009

(M) Consultative visit to a nursing education program - \$250.00 effective July 1, 2009

(4) **Public access, open records.** The following public access, open record fees shall be charged by the Board:

(A) Certification of public records (per page) - \$1.00

(B) Duplication of public records (per page) - \$0.25

(C) Computer address list - \$0.01/record + \$4.50/1000 labels + postage, \$40.00 minimum charge

(D) Staff research time, when available (per hour) - \$20.00

(E) Computer research time, when available (per hour) - \$100.00

(b) **Submission of fees.**

- (1) All fees assessed by the Board as set out in the fee schedule in (a) of this section shall be received prior to processing an application for licensure, certification or recognition or providing the requested service.
- (2) All fees are non-refundable.

[Source: Added at 17 Ok Reg 1362, eff 7-1-00; Amended at 22 Ok Reg 1344, eff 7-1-05; Amended at 25 Ok Reg 1414, eff 7-1-08]

**SUBCHAPTER 3. REGULATIONS FOR
APPROVED
NURSING EDUCATION PROGRAMS**

Section

- 485:10-3-1. Approval of nursing education programs
- 485:10-3-2. Establishment of new nursing education programs
- 485:10-3-3. Closing of nursing education programs
- 485:10-3-4. Change of ownership
- 485:10-3-5. Reports to the Board
- 485:10-3-6. Nursing education program visits
- 485:10-3-7. Appeal of decision of the Board

485:10-3-1. Approval of nursing education programs

(a) **Purpose of approval.** The purposes of approval of nursing education programs are:

- (1) to provide standards for legally recognizing new and established nursing education programs;
- (2) to ensure graduates are eligible to take the licensing examination;
- (3) to ensure that graduates are prepared for safe, current, and appropriate scope of practice relative to type of nursing education program and state laws governing nursing.

(b) **Categories of approval.** The categories of approval are:

- (1) **Provisional Approval:**
 - (A) is granted to new programs meeting the minimum standards;
 - (B) is approval to admit students;
 - (C) is effective until the first licensing examination results are received and evaluated by the Board.
- (2) **Full Approval:**
 - (A) is granted to programs after an initial survey visit, graduation of the first class, first licensing examination results are reported, and evidence is provided that minimum standards are met;
 - (B) is renewed periodically or reinstated following evaluation by the Board.

(3) **Conditional Approval** is granted to approved programs subsequently failing to meet or maintain minimum standards.

(A) The Board shall notify a school by letter of Conditional Approval, citing a specified time for corrective action. A period of one (1) year shall be the maximum time allowed for the correction of deficiencies resulting in Conditional Approval.

(B) A program placed on Conditional Approval may request Board action to remove the conditional status when it can provide evidence that the deficiencies have been corrected at any time prior to the time limit established by the Board.

(C) A program shall not admit new students while on Conditional Approval without authorization from the Board.

(D) A warning may be given allowing a program an opportunity to address deficiencies as identified by the Board prior to being placed on Conditional Approval. A written report must be submitted to the Board within four (4) months of receiving the warning, and four (4) weeks prior to the Board meeting.

(E) A change in a program's approval status shall not affect students who are eligible to take the first licensing examination following the change.

(c) **Withdrawal of approval.** The nursing education program that fails to correct deficiencies resulting in Conditional Approval shall be discontinued as a State Approved Nursing Education Program. Representatives from the program may attend the Board meeting when the program is reviewed. Upon withdrawal of approval, students shall be notified by the program that they will not be eligible, as a graduate of the nursing education program, to be admitted to the licensing examination.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 18 Ok Reg 2707, eff 7-1-01]

485:10-3-2. Establishment of new nursing education programs

(a) **Step I. Initial application.**

(1) An institution wishing to establish a new nursing education program shall advise the Board of its intent in writing, and shall seek Board consultation in the initial planning.

(2) The institution shall submit the Step I Initial Application to the Board office at least four weeks prior to a regularly-scheduled Board meeting, which provides the following information for the Board's consideration:

- (A) mission and organization of the educational institution;
- (B) accreditation status of the educational institution;
- (C) type of nursing program to be established;
- (D) relationship of nursing program to the educational institution;
- (E) documentation of the rationale for the establishment of the nursing program in Oklahoma;
- (F) potential effect on other nursing programs in the area;
- (G) tentative time-table for program development and implementation;
- (H) source of potential qualified Nurse Administrator and faculty, with projected times of employment;
- (I) tentative budget plans including evidence of financial resources adequate for developing, implementing, and continuing the nursing program;
- (J) source of anticipated student population;
- (K) description of support staff for the proposed program;
- (L) description of physical facilities;
- (M) description of available clinical resources with letters from clinical resources supporting development of a new program in nursing.

(3) The application shall be signed by the controlling institution's administrative official with evidence that the institution is authorized to offer educational programs in Oklahoma. Regional accreditation is recommended for institutions offering programs in nursing education.

(4) The Board shall advise the institution in writing of its decision to:

- (A) approve proceeding with development of the program-Step II; or
- (B) defer approval pending a visit to the institution and/or receipt of further information; or
- (C) deny approval specifying reasons for denial.

(b) Step II. Application for Provisional Approval.

(1) The institution shall employ a qualified Nurse Administrator ensuring adequate time is provided to develop Step II. A consultative visit will be conducted by Board staff at least one month prior to submission of the Step II application. A report of the findings from this visit will be submitted to the Board with the Step II application.

(2) The Nurse Administrator shall prepare the following materials following the Guidelines for Provisional Approval for the Board's consideration:

- (A) philosophy, program and course objectives;
- (B) curriculum plan;
- (C) policy statements;
- (D) survey of clinical facilities and existing nursing education programs in the service area, with evidence that a sufficient amount and variety of clinical experience is available to support an additional nursing education program in the service area;
- (E) faculty qualifications, criteria and job descriptions;
- (F) budget plan projected for a three (3) year period;
- (G) learning resources; and
- (H) institutional and program organizational plans.

(3) At least four months prior to the anticipated admission of students and at least four weeks prior to a regularly-scheduled Board meeting, the Nurse Administrator shall submit the "Application for Provisional Approval" for Board review.

(4) Nursing education and institutional representatives may be present during the Board meeting. The Board shall advise the institution in writing of its decision to:

- (A) grant Provisional Approval, authorizing the institution to proceed with implementation of the nursing education program and admission of students; or
- (B) defer Provisional Approval and program implementation pending further development; or
- (C) deny Provisional Approval.

(5) The program cannot admit students until Provisional Approval is granted.

(6) Faculty qualification forms must be submitted to the Board and qualified faculty employed at least thirty days prior to the admission of students.

(7) Progress reports shall be made by the Nurse Administrator as requested by the Board while on Provisional Approval.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-1-92; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 25 Ok Reg 1416, eff 7-1-08]

485:10-3-3. Closing of nursing education programs

(a) Methods.

(1) When the decision to close a nursing education program has been made, the program shall advise the Board and submit a written plan for the discontinuation of the program. The closure may be accomplished in one of two ways:

(A) students may be transferred to another approved nursing education program; or

(B) the nursing education program may close gradually by discontinuing student admissions and officially closing the nursing education program on the date that the last student completes the program.

(2) All the requirements and standards for students in the nursing education program shall be maintained until the last student is transferred or completes the nursing education program.

(3) It is recommended that the transfer of students be accomplished in a manner which provides for a minimum loss of student time and credits earned.

(b) **Records.**

(1) The Board shall accept custody of records in the image format designated by the Board in accordance with the procedures in the Board office as defined by the Archives and Records Commission of the Oklahoma Department of Libraries Archives Division. [74 O.S. Sections 564-576]

(2) The cost of formatting the record to the designated image and their transfer to the Board office shall be the responsibility of the nursing education program.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01]

485:10-3-4. Change of ownership

If an institution operating a nursing education program should change ownership, the program automatically is removed from the list of Approved Nursing Education Programs until the new governing body has given to the Board, in writing, assurance that the minimum standards will be maintained.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92]

485:10-3-5. Reports to the Board

The Board shall take action on all reports as appropriate.

(1) **Faculty qualification report.**

(A) A faculty qualification record shall be submitted for all instructional staff (full-time, part-time, classroom, or clinical), and shall include educational preparation and employment experience.

(B) The faculty qualification record shall be submitted within two weeks following the appointment by the Nurse Administrator on a form provided by the Board.

(2) **Enrollment and annual reports.**

Enrollment and annual reports shall be submitted in formats requested by the Board.

(3) **Special reports.** Special reports to the Board shall include but not be limited to:

(A) notifying in writing of administrative changes relating to and affecting the program;

(B) requesting approval prior to implementation for:

(i) major curriculum changes that alter the length of the program, substantially change the objectives, reorganize the course offerings, or reflect a significant philosophical or conceptual shift;

(ii) extended, distance learning, or off-campus offerings, when any nursing course is offered;

(iii) a significant change in instructional format;

(iv) a pilot or experimental program.

(4) **Pass Rate Reports.** Pass Rate Reports are required when the first-time NCLEX writer pass rate falls ten (10) percentage points or more below the national average and at least ten candidates wrote the examination (based on a calendar year.)

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1417, eff 7-1-08]

485:10-3-6. Nursing education program visits

(a) **Survey visit.**

(1) Each nursing education program shall be surveyed:

(A) prior to receiving Full Approval;

(B) within three (3) years after receiving initial Full Approval; and

(C) at least every five (5) years thereafter unless otherwise notified.

(D) Special and focused survey visits may be directed by the Board.

(2) A self evaluation report shall be completed by the nursing education program and submitted with the applicable fee thirty days prior to the survey visit.

(3) A draft of the survey visit report shall be available to the nursing education program for additions and corrections.

(4) The final report of the survey visit including commendations, recommendations and the decision of the Board shall be provided to the institution.

(b) **Consultation visit.** Consultation visits are available to the nursing education programs upon written request giving the purpose for the visit and are mandatory as indicated in 485:10-3-2 (b-1).

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 25 Ok Reg 1417, eff 7-1-08]

485:10-3-7. Appeal of decision of the Board

Any nursing education program deeming itself aggrieved by a decision of the Board shall have the right of appeal as provided in The Administrative Procedures Act.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92]

**SUBCHAPTER 5. MINIMUM STANDARDS
FOR APPROVED
NURSING EDUCATION PROGRAMS**

Section

- 485:10-5-1. Philosophy and objectives
[REVOKED]
- 485:10-5-2. Administration and organization
- 485:10-5-3. Faculty [AMENDED AND
RENUMBERED TO 485:10-5-5.2]
- 485:10-5-3.1. Nursing administrator
[TERMINATED]
- 485:10-5-3.2. Nursing administrator for
registered nurse programs
- 485:10-5-4. Resources, facilities, and services
- 485:10-5-5. Students
- 485:10-5-5.1. Faculty [TERMINATED]
- 485:10-5-5.2. Faculty for registered nurse
programs
- 485:10-5-6. Curriculum
- 485:10-5-7. Evaluation
- 485:10-5-8. Experimentation
- 485:10-5-9. Length of approved nursing
programs
- 485:10-5-10. Records
- 485:10-5-11. Advisory committee [REVOKED]
- 485:10-5-12. Out-of-State nursing education
programs conducting clinical
experiences in Oklahoma

**485:10-5-1. Philosophy and objectives
[REVOKED]**

[Source: Revoked at 8 Ok Reg 3579, eff 9-20-91 (emergency); Revoked at 9 Ok Reg 2103, eff 6-11-92]

485:10-5-2. Administration and organization

(a) The nursing education program shall be an integral part of an educational institution authorized

by the state to confer credentials in nursing. Regional and national accreditation are desirable.

(b) The nursing education program shall have comparable status with other programs in the institution and relationships shall be clearly delineated.

(c) The nursing education program shall be organized with the lines of authority, responsibility, and channels of communication clearly defined.

(d) Organization of the nursing education program shall assure faculty involvement in determining nursing program policies and procedures and faculty responsibility for planning, implementing, and evaluating the curriculum.

(e) Nursing education program policies and procedures shall be in written form, congruent with those of the controlling institution, and shall be reviewed periodically.

(f) The mission and philosophy of the nursing education program shall be consistent with the controlling institution's mission and philosophy and with the law governing the practice of nursing.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 19 Ok Reg 1461, eff 7-1-02; Amended at 22 Ok Reg 1345, eff 7-1-05]

**485:10-5-3. Faculty [AMENDED AND
RENUMBERED TO 485:10-5-5.2]**

[Source: Amended and renumbered to 485:10-5-5.1 at 8 Ok Reg 3579, eff 9-20-91 through 5-29-92 (emergency); Amended and renumbered to 485:10-5-5.2 at 10 Ok Reg 1536, eff 4-26-93]

**485:10-5-3.1. Nursing administrator
[TERMINATED]**

[Source: Added at 8 Ok Reg 3579, eff 9-20-91 through 5-29-92 (emergency)]

**485:10-5-3.2. Nursing administrator for
nursing education programs**

(a) The nursing education program leading to registered nurse licensure shall be administered by a Registered Nurse currently licensed in Oklahoma with the following qualifications:

(1) a minimum of a master's degree in nursing, preferably an earned doctorate from a regionally accredited institution;

(2) present evidence of current practice with a minimum of two (2) years full-time equivalent practice as a Registered Nurse in a clinical setting preceding the first date of first employment as a nursing faculty member; and

(3) one year teaching experience as a full-time nursing faculty member in a nursing education program leading to licensure.

(b) The administrator of the nursing education program, with institutional input, shall have the authority and responsibility for:

- (1) the administration of the nursing program;
- (2) preparation and administration of the budget for the nursing program;
- (3) implementation of faculty development and performance review;
- (4) recommendation of qualified faculty for appointment, promotion, tenure (if applicable), and retention;
- (5) notification to the Board of faculty appointments, changes in the program or its administration, and reports as directed by the Board.

(c) If the Nurse Administrator has teaching or other responsibilities, adequate time will be provided to fulfill administrative duties for the nursing education program.

(d) An acting Nurse Administrator may be appointed, after Board approval, to fill the position of the Nurse Administrator, for a period of time not to exceed one (1) calendar year.

[Source: Added at 10 Ok Reg 1535, eff 4-26-93; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 19 Ok Reg 1461, eff 7-1-02; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 25 Ok Reg 1417, eff 7-1-08]

485:10-5-4. Resources, facilities, and services

(a) The nursing education program shall receive adequate financial support for faculty, other necessary personnel, equipment, supplies, learning resources, and services, in accord with the program needs.

(b) Sufficient secretarial and related clerical services shall be provided to ensure appropriate use of faculty time and talents.

(c) Adequate facilities, including classrooms, conference rooms, clinical skills laboratories, and offices shall be available to meet the needs of the nursing education program.

(d) Library space shall be adequate for size of nursing education program; and holdings shall be current, appropriate and adequate for the type of nursing education program, accessible to students and faculty, and provisions made for regular and current acquisitions to holdings.

(e) Clinical skills laboratory equipment and supplies should be up-to-date, accessible to students and faculty, and appropriate for the level of nursing education, so that students will have adequate opportunity to practice psychomotor skills.

(f) Current and adequate audiovisual and computer-assisted instructional resources shall be available to assist students to meet their learning objectives.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01;

Amended at 19 Ok Reg 1461, eff 7-1-02; Amended at 24 Ok Reg 1439, eff 7-1-07]

485:10-5-4.1. Clinical learning experiences

(a) An adequate amount and variety of clinical learning experience to prepare students for practice at the appropriate educational level shall be planned by the faculty.

(b) Clinical facilities utilized shall provide a safe environment for students' learning experiences and shall provide the type of experiences needed to meet the objectives of the rotation.

(c) Written criteria for the selection of clinical facilities shall be utilized by the faculty, and the faculty shall evaluate the quality of the learning experiences provided by the facility on a regular basis.

(d) Written agreements with cooperating agencies shall be mutually developed and maintained, annually reviewed, shall specify the respective responsibilities, and include provisions for continuing use by currently enrolled students.

(e) Cooperating agencies shall be acceptable to the Board for students' clinical learning and shall be approved by accreditation, evaluation or licensing bodies as appropriate.

(f) The maximum ratio of faculty to students in clinical areas involving direct care of patients or clients shall be defensible in light of safety, learning objectives, students' level, and patient acuity.

(g) Clinical preceptors may be used for supervision of students in community health, leadership/management, independent study, elective courses, home health and selected hospitals and long-term care facility experiences consistent with Board policy.

(h) Clinical skills laboratory experiences, which may include simulated patient care experiences, shall be developed, implemented, and evaluated by the faculty to facilitate student preparation for clinical learning experiences.

[Source: Added at 19 Ok Reg 1461, eff 7-1-02; Amended at 24 Ok Reg 1439, eff 7-1-07]

485:10-5-5. Students

(a) Admission, readmission, progression, retention, dismissal and graduation requirements shall be:

- (1) developed by the faculty;
- (2) supported by administration;
- (3) made available to the applicants and students in written form;
- (4) congruent with those of the controlling institution, with differences being justified by the nature of the program;
- (5) appropriate for type of nursing education program;

- (6) selective enough to distinguish students capable of achieving program objectives;
 - (7) reflective of up-to-date educational practices;
 - (8) based on objective criteria and supported by a logical rationale, and implemented fairly and consistently;
 - (9) appropriate to ensure that the program is able to maintain an acceptable completion rate and licensing examination pass rate.
- (b) Facilities and services of the controlling institution shall be publicized and made available to nursing students in order to assist them to meet their learning objectives.
 - (c) There shall be written policies for student welfare including health, safety, students rights and responsibilities, financial aid, and an appropriate appeal process.
 - (d) Advanced placement policies shall be written and employed, allowing fair, consistent, valid, and defensible evaluation of students' didactic knowledge and clinical competence.
 - (e) Students shall be informed of fees and expenses associated with the nursing education program.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 19 Ok Reg 1461, eff 7-1-02]

485:10-5-5.1. Faculty [TERMINATED]

[Source: Amended and renumbered from 485:10-5-3 at 8 Ok Reg 3579, eff 9-20-91 through 5-29-92 (emergency)]

485:10-5-5.2. Faculty for nursing education programs

- (a) There shall be sufficient number of qualified full-time faculty to meet the purpose and objectives of the nursing program.
- (b) Qualifications, rights, and responsibilities of faculty members shall be available in writing.
- (c) Faculty policies shall be available in writing, shall include those used in evaluating performance, specify the teaching load for the faculty and Nurse Administrator, and be in keeping with accepted educational standards.
- (d) Sufficient time shall be provided faculty to accomplish those activities related to the teaching-learning process.
- (e) All nurse faculty shall:
 - (1) hold a valid license to practice as a Registered Nurse in the State of Oklahoma;
 - (2) present evidence of current practice with a minimum of two (2) years full-time equivalent practice as a Registered Nurse in a clinical setting preceding the first date of first employment as a teacher;

- (3) submit a Faculty Qualification Record to the Board office within two weeks of day of appointment, and anytime that an advanced degree is attained;
 - (4) participate in research projects, surveys, professional writing, continuing education, academic study, or clinical practice to improve own nursing competence in areas of responsibility.
- (f) All programs leading to licensure as a Registered Nurse in this state shall establish comparable educational qualifications for the nursing faculty as required for other teaching faculty in the controlling institution. The minimum requirements shall be as follows:
 - (1) a master's or higher degree in nursing; or
 - (2) a baccalaureate degree in nursing plus evidence of continued progress toward a master's or higher degree in nursing with completion of a minimum of six (6) semester hours per calendar year; and
 - (3) at least one-half of the full-time faculty having a master's or higher degree in nursing; and
 - (4) part-time clinical instructors, regardless of title used, having a minimum of a baccalaureate degree in nursing.
 - (g) There shall be a faculty organization with written policies and procedures to guide its activities and shall:
 - (1) hold regular meetings for all members to participate in planning, developing, implementing, and evaluating the nursing program;
 - (2) establish committees as necessary to carry out the functions of the program;
 - (3) provide for student participation; and
 - (4) maintain minutes of all meetings documenting actions and decisions of the faculty.

[Source: Amended and renumbered from 485:10-5-3 at 10 Ok Reg 1535, eff 4-26-93; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 19 Ok Reg 1461, eff 7-1-02]

485:10-5-6. Curriculum

- (a) The curriculum shall be planned, developed, implemented, and evaluated by the faculty with opportunities for input from students, graduates, and employers.
- (b) The curriculum plan shall be based upon the mission, philosophy and objectives of the program and supported by a logical rationale for organizing and sequencing the content. Classroom content shall be taught concurrently with or prior to related clinical experiences.

(c) A syllabus shall be made available to students at the beginning of each course, and shall include course objectives, methods of instruction and evaluation, an outline of content, and, when appropriate, a schedule for course activities.

(d) The curriculum of registered nursing programs shall prepare the graduate for licensure and the full scope of practice as a Registered Nurse, as defined in state law, and shall address the NCLEX-RN test content, current standards for nursing practice, and expected competencies of graduates at the appropriate educational level. The curriculum shall include, but not be limited to:

(1) principles and clinical practice in utilization of scientific problem solving for the attainment and maintenance of physical and mental health and the prevention of illness for individuals and groups throughout the life process in a variety of settings, including clinical practice in nursing care of the adult, nursing care of children, maternal-infant nursing, and psychiatric-mental health nursing;

(2) incorporation of principles of nutrition, pharmacology, growth and development, and ethical, legal, and professional roles of the registered nurse; and

(3) supporting content from biological and physical sciences, social and behavioral sciences, and the humanities.

(e) The curriculum of practical nursing programs shall prepare the graduate for licensure and the full scope of practice as a practical nurse, as defined in state law, and shall address the NCLEX-PN test content, current standards for practical nursing practice, and expected competencies of practical nursing graduates. The curriculum shall include, but not be limited to:

(1) principles and clinical practice in utilization of the nursing process, within the scope of practice as a practical nurse, to assist clients in all age groups to meet relatively stable nursing requirements and to assist the Registered Nurse in complex nursing situations, including clinical practice in nursing care of the adult, nursing care of children, and maternal-infant nursing;

(2) incorporation of basic concepts of anatomy and physiology and related sciences, nutrition, pharmacology, growth and development, mental health concepts, and ethical, legal, and professional roles of the practical nurse;

(f) A variety of instructional methods, based upon authenticated educational principles, shall be used to provide for individual learning needs. Programs offering non-traditional learning options to facilitate instruction shall establish policies and procedures in accordance with the Board's guidelines.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 19 Ok Reg 1461, eff 7-1-02; Amended at 20 Ok Reg 1006, eff 7-1-03; Amended at 24 Ok Reg 1439, eff 7-1-07]

485:10-5-7. Evaluation

(a) Program.

(1) There shall be a written systematic program evaluation plan that effectively supports the planning process for the program and specifies responsibilities, time-frames and procedures for evaluating each aspect of the program;

(2) Evaluation of the program shall include, but not be limited to, administration and organization, clinical facilities, physical facility, learning resources, student services, student and faculty policies and procedures, curriculum, methods of evaluation, and program outcomes (including data related to factors impacting completion rate and NCLEX pass rate).

(3) Opportunities shall be provided for input into the evaluation process by students, faculty, and clinical staff and/or employers of graduates.

(4) There shall be methodical documentation of the evaluation activity, including summaries of results of surveys and outcome measurements. Actions taken as a result of the evaluation activity will be documented and will reflect the evaluation findings.

(b) Students. Evaluation of student achievement shall be the responsibility of the faculty, and shall:

(1) be consistent with policies of controlling institution, with differences justified by the nature of the program;

(2) provide valid and reliable evidence of student's progress and achievement;

(3) adequately discriminate between students with differing levels of achievement;

(4) measure competencies essential for safe and effective nursing practice appropriate to type of nursing education program; and

(5) provide evidence that students are notified in a timely manner of their progress in the classroom and clinical area.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 19 Ok Reg 1461, eff 7-1-02; Amended at 22 Ok Reg 1345, eff 7-1-05]

485:10-5-8. Experimentation

A nursing education program which wishes to initiate an experimental program shall apply to the Board in writing for the approval of its plan.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92]

485:10-5-9. Length of approved nursing programs

- (a) College or university nursing education programs shall have a minimum of two (2) academic years with at least 64 semester hours and a plurality of the hours in the nursing major not to exceed five (5) semesters for associate degree and ten (10) semesters for baccalaureate degree of full-time study, including nursing education program pre-requisites.
- (b) Practical nursing education programs shall have a minimum of 1300 clock hours or 32 semester credit hours in practical nursing education, including classroom, clinical, and laboratory courses; and not to exceed 1600 clock hours or 40 semester credit hours.
- (c) The total number of hours and ratio between nursing and non-nursing courses shall be:
 - (1) based on a rationale to ensure sufficient preparation for the safe and effective practice of nursing;
 - (2) appropriate for the type of nursing education program;
 - (3) reflect educational practices of controlling institution; and
 - (4) conform to current beliefs about nursing education.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 19 Ok Reg 1461, eff 7-1-02]

485:10-5-10. Records

- (a) **Student.** There shall be a record-keeping system that provides for accurate recording and safe preservation of student and graduate records related to admission, progress, withdrawal, academic failure, and graduation.
- (b) **Faculty.** There shall be faculty records that provide for verification of academic credentials and course work, current licensure as a Registered Nurse, continuing education, clinical practice, and periodic performance evaluation.
- (c) **Administrative.** Administrative records shall include general nursing education program records, minutes of faculty and committee meetings, reports to the controlling board and program bulletins.
- (d) **Program bulletin.** The program bulletin shall be current and give an accurate description of the nursing education program.

[Source: Amended at 18 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 19 Ok Reg 2103, eff 6-11-92]

485:10-5-11. Advisory committee
[REVOKED]

[Source: Amended at 18 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 19 Ok Reg 2103, eff 6-11-92; Revoked at 31Ok Reg 1345, eff 7 -1-05]

485:10-5-12. Out-of-State nursing education programs conducting clinical experiences in Oklahoma

- (a) Nursing education programs leading to initial licensure that wish to conduct clinical experiences in Oklahoma must obtain prior permission from the Board.
- (b) To apply for permission from the Board, the program must submit a letter of request to the Board and provide evidence that the following standards will be met:
 - (1) The program must be on full approval status with the board of nursing in another member board jurisdiction;
 - (2) The program will provide for supervision of students while in the clinical area by a nursing faculty member licensed in Oklahoma;
 - (3) A written clinical affiliation agreement with the clinical facility will be in place; and
 - (4) If precepted clinical experiences are requested, the program will ensure they are conducted in accordance with the Board's policy.
- (c) Registered Nurses enrolled in out-of-state advanced practice educational programs may participate in clinical experiences and clinical preceptorship in Oklahoma as part of the advanced practice educational program, under the following conditions:
 - (1) The advanced practice student has an Oklahoma license to practice registered nursing, and
 - (2) The advanced practice educational program meets the requirements established by the Oklahoma Board of Nursing for educational preparation of advanced practice registered nurses.

[Source: Added at 22 Ok Reg 1345, eff 7-1-05; Amended at 24 Ok Reg 1439, eff 7-1-07]

SUBCHAPTER 7. REQUIREMENTS FOR REGISTRATION AND LICENSURE AS A REGISTERED NURSE

Section

- 485:10-7-1. Licensure by examination
- 485:10-7-2. Licensure by endorsement
- 485:10-7-3. Renewal of license
- 485:10-7-4. Reinstatement of license
- 485:10-7-5. Inactive status
- 485:10-7-6. Duplicate license card
- 485:10-7-7. Replacement certificate of licensure
- 485:10-7-8. Endorsement of a Registered Nurse to another state
- 485:10-7-9. Change of name and address

485:10-7-1. Licensure by examination

(a) **Qualifications.** An applicant for licensure by examination as a Registered Nurse must meet the following qualifications:

- (1) Submits an application containing such information as the Board may prescribe.
- (2) Submits proof satisfactory to the Board in such manner and upon such forms as the Board may require to show that the applicant has completed the basic professional curricula of a state Board-approved registered nursing education program conducted in a member board jurisdiction that meets the requirements of 485:10-5-6 (d-1, 2, and 3), and holds or is entitled to hold a diploma or degree therefrom.

(b) **Applications.**

(1) Applications for licensure by examination must be completed, notarized, and filed with the Board prior to the examination. If the application is not completed within one (1) year, a new application and new fee will be required.

(2) One (1) photograph signed by the applicant must be filed with the application.

(c) **Admission to the examination.** The candidate must register with the authorized testing service and submit the required fee. An authorization to test will be issued by the testing service allowing the candidate to schedule the examination.

(d) **Fee for examination.**

(1) The fee for writing the licensing examination adopted by the Board for Registered Nurse licensure shall be established by the Board in accordance with statutory guidelines and shall accompany the application.

(2) The fee for rewriting the licensing examination adopted by the Board for Registered Nurse licensure shall be the same as the fee established for the first-time writing.

(3) The fee for the examination is not refundable.

(e) **Policies for the examination.**

(1) Applicants must pass the National Council Licensure Examination for Registered Nurses (NCLEX-RN).

(2) Applicants who fail the NCLEX-RN may be eligible to repeat the examination upon filing an application and fee, and upon meeting Board requirements.

(3) To be eligible to write or rewrite the NCLEX-RN, the applicant must submit a completed application, transcript, and fee to the Board and a completed registration form and fee to the authorized testing service within two years of completion of the nursing education program. If more than two years has elapsed, the applicant must complete additional education as follows:

(A) Successfully complete a Board-approved refresher course in accordance with the Board's policy; or

(B) Successfully complete nursing didactic coursework and faculty-supervised clinical experience in a board-approved nursing education program at the appropriate educational level, to include at least 80 hours in classroom and skills laboratory review and at least 80 hours participating in patient care activities in the clinical setting.

(4) After completion of the required additional education, the applicant will have two years from the completion date of the additional education to take and pass the NCLEX-RN.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 20 Ok Reg 1006, eff 7-1-03; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1417, eff 7-1-08]

485:10-7-2. Licensure by endorsement

(a) **Qualifications.**

(1) The applicant must submit an application containing such information as the Board may prescribe.

(2) An applicant for licensure by endorsement as a Registered Nurse must meet the requirements of the Oklahoma Nursing Practice Act. An evaluation of educational requirements may be completed to ensure the applicant meets educational standards.

(3) An applicant licensed in another state or U.S. territory since January 1, 1952 must have written the licensing examination adopted by the Board with a passing score as established by the Board. A license to practice nursing in Oklahoma will not be issued until this requirement is met.

(4) An applicant must submit evidence of either:
(A) successful completion of the National Council Licensure Examination for Registered Nurses since July 1, 1982; or
(B) passing the State Board Test Pool Examination for Registered Nurse licensure prior to July 1, 1982.

(5) In addition to meeting other requirements for endorsement established by the Board in these rules, effective January 1, 2005, each applicant for endorsement must demonstrate evidence of continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to receipt of the completed application in the Board office:

(A) Submission of an official transcript or certificate of completion verifying

completion of a nurse refresher course with content consistent with Board policy;

(B) Successfully pass the National Council Licensure Examination for Registered Nurses;

(C) Submission of an official transcript verifying successful completion of at least seven (7) academic semester credit hours of nursing courses which include classroom and clinical instruction; and/or

(D) Present evidence of licensure as a registered nurse in another state with employment in a position that requires nursing licensure with verification of at least 520 work hours during the past two (2) years.

(6) Applicants for endorsement who took the National Council Licensure Examination for Registered Nurses for initial licensure within the last two years must:

(A) Provide evidence of completion of the nursing education program within two years of initial application for licensure by examination; or

(B) Provide evidence of at least six months work experience as a registered nurse in the state, U.S. territory, or country of original licensure.

(b) Applications.

(1) Applications must be completed, notarized and accompanied by a photograph signed by the applicant and filed with the Board.

(2) Endorsement may be accepted from the original state or U.S. territory of licensure by examination.

(3) If the applicant has written the licensing examination adopted by the Board in a state other than the state or U.S. territory of original licensure, an endorsement will be requested from that state, also.

(4) If the application is not completed within one (1) year after receipt of fee, the application must be refiled.

(c) Fee for licensure by endorsement.

(1) The fee shall accompany the application.

(2) The fee is not refundable.

(3) If the application is not completed within one (1) year, a new application and new fee will be required for licensure.

(d) Qualifications for applicants educated in foreign countries or in a U.S. territory.

An applicant educated in a foreign country must meet the current educational requirements for licensure in Oklahoma. An applicant educated in a U.S. territory not recognized as a full member of National Council of State Boards of Nursing (NCSBN) must meet the

requirements for applicants educated in foreign countries. An applicant educated in a U.S. territory that is a full member of NCSBN but in a nursing education program not included on the NCSBN state-approved programs of nursing list at the time of the applicant's graduation from the program must meet the requirements for applicants educated in foreign countries.

(1) The applicant must present evidence of:

(A) graduation from a government-approved nursing education program, as verified from the Commission of Graduates of Foreign Nursing Schools (CGFNS);

(B) completion of formal courses including theory and clinical experience in nursing care of the adult, nursing care of children, maternal-infant nursing, psychiatric-mental health nursing as evidenced by:

(i) a translated transcript with certified proof of translation received directly from the nursing education program in the original country of licensure, or

(ii) a certified copy of original transcript obtained directly from the Commission of Graduates of Foreign Nursing Schools (CGFNS)

(C) licensure in country of graduation as evidenced by official verification received directly from the Commission of Graduates of Foreign Nursing Schools;

(D) current competence in oral and written English as evidenced by receipt of current, valid scores directly from the approved testing service verifying successful completion of:

(i) Test of English as a Foreign Language (TOEFL) and Test of Spoken English (TSE) and Test of Written English (TWE) of the Educational Testing Service, or

(ii) Test of English for International Communication (TOEIC) and Test of Spoken English and Test of Written English of the Educational Testing Service, or

(iii) International English Language Testing System (IELTS), or

(iv) Test of English as a Foreign Language Internet-based test (TOEFL iBT) of the Educational Testing Service.

(E) An evaluation of educational credentials as evidenced by:

(i) CGFNS Certificate Status or

(ii) CGFNS Healthcare Profession and Science Course-by-Course Report;

- (iii) Reports received from CGFNS must have been completed within the five (5) years immediately preceding the date of application for licensure by endorsement. The five-year requirement is waived if the applicant holds a license in another state.
- (F) Evidence of either:
 - (i) successful completion of the National Council Licensure Examination for Registered Nurses since July 1, 1982; or
 - (ii) passing the State Board Test Pool Examination for Registered Nurse licensure prior to July 1, 1981;
- (2) The requirements for competence in spoken and written English are waived for applicants who are:
 - (A) Graduates of nursing education programs taught in English in Australia, Canada (except Quebec), Ireland, New Zealand, the United Kingdom, Trinidad, Tobago, Jamaica, Barbados, South Africa, and the United States.
 - (B) Licensed in another US State or Territory, have successfully completed the licensure examination approved by the Board and provide evidence of at least one year full-time equivalent work experience in a clinical setting as a registered nurse in the state of licensure.
 - (3) Applicants must submit a completed application and the required fee.
- (e) Temporary license for endorsement applicants.**
 - (1) A temporary license may be issued to the applicant on proof of
 - (A) Current unrestricted licensure in another state;
 - (B) Evidence of having successfully passed the licensure examination;
 - (C) Evidence of meeting educational qualifications through completion of a state board-approved nursing education program, or an evaluation of educational credentials and nursing licensure in country of origin for the foreign-educated nurse as evidenced by:
 - (i) Commission on Graduates of Foreign Nursing Schools (CGFNS) Healthcare Profession and Science Course-by-Course Report with verification of equivalent educational credentials and unrestricted licensure in country of origin, or

- (ii) Commission on Graduates of Foreign Nursing Schools (CGFNS) Certificate status, accompanied by a verification of graduation from a government approved nursing education program, the translated transcript, and verification of unrestricted nursing licensure in country of graduation;
- (D) Payment of the fee for licensure by endorsement and temporary license; and
- (E) Foreign-educated applicants must provide evidence of current competence in oral and written English by meeting the requirements of 485: 10-7-2(d)(1)(D)(i-iv).
- (2) The temporary license may not be issued for a period longer than ninety (90) days.
- (3) The temporary license may be extended, but such period shall be no longer than one (1) year for any applicant.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1418, eff 7-1-08]

485:10-7-3. Renewal of license

- (a) All Registered Nurse licenses issued may be renewed in accordance with the schedule published by the Board.
- (b) The applicant must submit an application containing such information as the Board may prescribe.
- (c) The application for renewal of license must be completed and accompanied by the established fee before a new license is issued.
- (d) The fee for renewal of license shall be established by the Board in accordance with statutory guidelines.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91(emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 25 Ok Reg 1420, eff 7-1-08]

485:10-7-4. Reinstatement of license

- (a) The Registered Nurse license is lapsed if not renewed by expiration date thereof.
- (b) The applicant must submit an application containing such information as the Board may prescribe.
- (c) A completed application for reinstatement must be submitted to the Board office with the required fee. If the application is not completed within one (1) year, a new application and new fee will be required.
- (d) The fee for reinstatement of license shall be established by the Board.
- (e) An application for reinstatement for a license that has been suspended or surrendered must be in

compliance with all terms and conditions of any Order entered with regard to the suspension or surrender and shall be considered by the Board.

(f) An application for reinstatement of a license that has been revoked by the Board shall be considered by the Board.

(g) An application for reinstatement for a license not previously revoked, suspended or surrendered may be granted on such terms and conditions as the Board may require.

(h) In addition to meeting other reinstatement requirements established by the Board in these rules, effective January 1, 2005, if the Oklahoma nursing license has not been in an active licensure status for a period of two (2) years or more, the applicant for reinstatement must demonstrate continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to receipt of the completed application in the Board office:

(1) Submission of an official transcript or certificate of completion verifying completion of a nurse refresher course with content consistent with Board policy;

(2) Successfully pass the National Council Licensure Examination for Registered Nurses;

(3) Submission of an official transcript verifying successful completion of at least seven (7) academic semester credit hours of nursing courses which include classroom and clinical instruction; and/or

(4) Present evidence of licensure as a registered nurse in another state with employment in a position that requires nursing licensure with verification of at least 520 work hours during the past two (2) years preceding receipt of the application for reinstatement in the Board office.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 20 Ok Reg 1006, eff 7-1-03; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 25 Ok Reg 1420, eff 7-1-08]

485:10-7-5. Inactive status

(a) Any Registered Nurse licensee who desires to retire from the practice of nursing shall submit a written request to be placed on the Inactive List.

(b) The date of transfer to the inactive status will be the date of approval by the Board. The Board may delegate approval of the licensee's request to be placed on inactive status to the Board Staff.

(c) A licensee shall remain on the Inactive List unless otherwise indicated without the payment of the renewal fee.

(d) The return to active fee shall be due when the licensee desires to return to active practice. The

applicant must submit an application containing such information as the Board may prescribe.

(e) An application for return to active status for a license that has been placed on Inactive Status by Order of the Board shall be considered by the Board.

(f) In addition to meeting other requirements to return to active status as established by the Board in these rules, effective January 1, 2005, if the nursing license has been on the Inactive List for a period of two (2) years or more, the licensee must demonstrate continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to receipt of the completed application in the Board office:

(1) Submission of an official transcript or certificate of completion verifying completion of a nursing refresher course with content consistent with Board policy;

(2) Successfully pass the National Council Licensure Examination for Registered Nurses;

(3) Submission of an official transcript verifying successful completion of at least seven (7) academic semester credit hours of nursing courses which include classroom and clinical instruction; and/or

(4) Present evidence of licensure as a nurse in another state with employment in a position that requires nursing licensure with verification of at least 520 work hours during the past two (2) years preceding receipt of the request for return to active status in the Board office.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 25 Ok Reg 1420, eff 7-1-08]

485:10-7-6. Duplicate license card

(a) One duplicate Registered Nurse license card may be issued per renewal cycle.

(b) If a license card is lost, stolen or destroyed, the licensee must submit written evidence of the situation and a duplicate license may be issued for a fee as established by the Board. A duplicate license card will be issued upon notification by the licensee of a name change.

(c) If a license card is not received and the Board office receives written notification within ninety (90) days of date of issuance, a duplicate license may be issued without fee.

[Source: Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 19 Ok Reg 1465, eff 7-1-02; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1420, eff 7-1-08]

485:10-7-7. Replacement certificate of licensure

(a) A replacement certificate of licensure as a Registered Nurse may be issued when the licensee notifies the Board, by notarized statement, that the original certificate of licensure has been lost, stolen, or destroyed.

(b) The certificate shall be marked "Replacement" and date of issuance indicated.

(c) The fee for a replacement certificate of licensure shall be established by the Board.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00]

485:10-7-8. Endorsement of a Registered Nurse to another state

(a) A Registered Nurse wishing to be licensed in another state may have a certified statement of Oklahoma licensure issued to the Board of Nursing in such state upon payment of a fee as established by the Board.

(b) If a transcript is provided from the files of a closed nursing education program, a fee as established by the Board will be charged.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103 eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00]

485:10-7-9. Change of name and address

(a) Each Registered Nurse licensee must provide certified evidence (a copy of marriage license or court action) regarding any change of name within 30 days of the change.

(b) Evidence of change of name shall be accompanied by a fee as established by the Board.

(c) Notice of change of address must be submitted in writing by each licensee within 30 days of the change.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 24 Ok Reg 1439, eff 7-1-07]

SUBCHAPTER 9. REQUIREMENTS FOR REGISTRATION AND LICENSURE AS A LICENSED PRACTICAL NURSE

Section

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485:10-9-1. Licensure by examination

(a) **Qualifications.** An applicant for licensure by examination as a Licensed Practical Nurse must meet the following qualifications:

(1) has received a high school diploma or a high school equivalency certificate (GED), or meets criteria for an Adult High School Diploma;

(2) submits an application containing such information as the Board may prescribe;

(3) submits proof satisfactory to the Board in such manner and upon such forms as the Board may require to show that the applicant has completed the basic curricula of a state Board-approved practical nursing education program conducted in a member board jurisdiction that meets the requirements of 485:10-5-6 (e-1, 2), and holds or is entitled to hold a diploma or degree therefrom;

(4) has completed equivalent courses through one of the following methods:

(A) in a state approved program of nursing with a minimum overall grade point average of 2.0, and a grade of a "C" or higher in all nursing courses. Evidence must be provided that verifies successful completion of a minimum of one academic year of instruction in a registered nursing education program, including classroom instruction and clinical practice in nursing care of the adult, nursing care of children, and maternal-infant nursing. Course content in anatomy and physiology, growth and development, mental health, pharmacology and nutrition also must have been successfully completed. Courses in external degree programs or completed by challenge examination are not acceptable for PN equivalency; or

(B) has completed a registered nursing education program in a foreign country and meets the requirements of 485:10-7-2(d).

(5) Board-approved role transition learning packet related to legal and ethical aspects of practical nursing must be successfully completed by all PN equivalency applicants prior to approval to write the examination for licensure.

(b) **Applications.**

(1) Applications for licensure by examination must be completed, notarized and filed with the Board prior to the examination. If the application is not completed within one (1) year, a new application and new fee will be required.

(2) One (1) photograph signed by the applicant must be filed with the application.

(c) **Admission to the examination.** The candidate must register with the authorized testing service and submit required fee. An authorization to test will be mailed to the candidate by the testing service allowing them to schedule the exam.

(d) **Fee for examination.**

(1) The fee for writing the licensing examination adopted by the Board for practical nurse licensure shall be established by the Board in accordance with statutory guidelines and shall accompany the application.

(2) The fee for rewriting the licensing examination adopted by the Board for practical nurse licensure shall be the same as the fee established for the first-time writing.

(3) The fee for the examination (first time and rewrite) is not refundable.

(e) **Policies for the examination.**

(1) Applicants must pass the National Council Licensure Examination for Practical Nurses (NCLEX-PN).

(2) Applicants who fail the NCLEX-PN may be eligible to repeat the examination upon filing an application and fee meeting Board requirements.

(3) To be eligible to write or rewrite the NCLEX-PN, the applicant must submit a completed application, transcript, and fee to the Board and a completed registration form and fee to the authorized testing service within two years of completion of the nursing education program or the equivalent coursework and/or related experience. If more than two years has elapsed, the applicant must complete additional education as follows:

(A) Successfully complete a Board-approved refresher course in accordance with the Board's policy; or

(B) Successfully complete nursing didactic coursework and faculty-supervised clinical experience in a board-approved nursing education program at the appropriate educational level, to include at least 80 hours in classroom and skills laboratory review and at least 80 hours participating in patient care activities in the clinical setting.

(4) After completion of the required additional education, the applicant will have two years from the completion of the additional education to take and pass the NCLEX-PN.

485:10-9-2. Licensure by endorsement

(a) **Qualifications.**

(1) The applicant must submit an application containing such information as the Board may prescribe.

(2) An applicant for licensure by endorsement as a Licensed Practical Nurse shall meet the requirements of the Oklahoma Nursing Practice Act. An evaluation of educational requirements may be completed to ensure the applicant meets educational standards.

(3) An applicant licensed in another state or U.S. territory since June 30, 1954 must have passed the licensing examination adopted by the Board. A license to practice practical nursing in Oklahoma will not be issued until this requirement is met.

(4) In addition to meeting other requirements for endorsement established by the Board in these rules, effective January 1, 2005, each applicant for endorsement must demonstrate evidence of continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to receipt of the completed application in the Board office:

(A) Submission of an official transcript or certificate of completion verifying completion of a nurse refresher course with content consistent with Board policy;

(B) Successfully pass the National Council Licensure Examination for Practical Nurses;

(C) Submission of an official transcript verifying successful completion of at least seven (7) academic semester credit hours or 105 contact hours of nursing courses in a state-approved practical or registered nursing education program, which includes classroom and clinical instruction; and/or

(D) Present evidence of licensure as a practical nurse in another state with employment in a position that requires practical nursing licensure with verification of at least 520 work hours during the past two (2) years.

(5) Applicants for endorsement who took the National Council Licensure Examination for Practical Nurses for initial licensure within the last two years must

(A) Provide evidence of completion of the nursing education program within two years of initial application for licensure by examination; or

(B) Provide evidence of at least six months work experience as a practical nurse in the

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 20 Ok Reg 1006, eff 7-1-03; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1421, eff 7-1-08]

state, U.S. territory, or country of original licensure.

(b) Applications.

(1) Applications must be completed, certified and accompanied by a photograph signed by the applicant and filed with the Board.

(2) Endorsement may be accepted from the original state of licensure by examination.

(3) If the applicant has written the licensing examination adopted by the Board in a state other than the state or U.S. territory of original licensure, an endorsement will be requested from that state, also.

(4) If the application is not completed within one (1) year after receipt of fee, the application must be refiled.

(c) Fee for licensure by endorsement.

(1) The fee shall accompany the application.

(2) The fee is not refundable.

(3) If the application is not completed within one (1) year, a new application and new fee will be required for licensure.

(d) Qualifications for applicants educated in foreign countries or in a U.S. territory.

An applicant educated in a foreign country must meet the current educational requirements for licensure in Oklahoma. An applicant educated in a U.S. territory not recognized as a full member of National Council of State Boards of Nursing (NCSBN) must meet the requirements for applicants educated in foreign countries. An applicant educated in a U.S. territory that is a full member of NCSBN but in a nursing education program not included on the NCSBN state-approved programs of nursing list at the time of the applicant's graduation from the program must meet the requirements for applicants educated in foreign countries.

(1) The applicant must present evidence of:

(A) completion of a high school diploma or high school equivalency certificate (GED), or meet criteria for an Adult High School Diploma;

(B) current competence in oral and written English as evidenced by receipt of current, valid scores directly from the testing service verifying successful completion of:

(i) Test of English as a Foreign Language (TOEFL), Test of Written English (TWE), and Test of Spoken English (TSE) of the Educational Testing Service; or

(ii) Test of English for International Communication (TOEIC) and Test of Spoken English and Test of Written English of the Educational Testing Service; or

(iii) International English Language Testing System (IELTS); or

(iv) Test of English as a Foreign Language Internet-based test (TOEFL iBT) of the Educational Testing Service.

(C) graduation from a government approved practical nursing education program or equivalent courses in a government approved nursing education program, as verified from the Commission of Graduates of Foreign Nursing Schools (CGFNS);

(D) licensure in country of graduation as evidenced by official verification completed within the last 12 months immediately preceding the date of application for licensure by endorsement received directly from the Commission of Graduates of Foreign Nursing Schools,

(E) completion of formal courses including theory and clinical experience in nursing care of the adult, nursing care of children, and maternal-infant nursing in a government-approved school of nursing as evidenced by:

(i) a translated transcript received directly from the nursing education program in the original country of licensure with certified proof of translation; or

(ii) a certified copy of the transcript received directly from the Commission on Graduates of Foreign Nursing Schools (CGFNS).

(F) An evaluation of educational credentials as evidenced by:

(i) Commission on Graduates of Foreign Nursing Schools (CGFNS) Healthcare Profession and Science Course-by-Course Report or

(ii) Commission on Graduates of Foreign Nursing Schools (CGFNS) Certificate status;

(iii) Reports received from CGFNS must have been completed within the five (5) years immediately preceding the date of application for licensure by endorsement. The five-year requirement is waived if the applicant holds a license in another state.

(2) The applicant must successfully complete the licensing examination adopted by the Oklahoma Board of Nursing.

(3) The requirements for competence in spoken and written English are waived for applicants who are:

(A) Graduates of nursing education programs taught in English in Australia, Canada (except Quebec), Ireland, New Zealand, the United Kingdom, Trinidad, Tobago, Jamaica, Barbados, South Africa, and the United States or

(B) Licensed in another US State or Territory, have successfully completed the licensure examination approved by the Board and provide evidence of at least one year full-time equivalent work experience in a clinical setting as a practical nurse in the state of licensure.

(4) Applicants must submit a completed application with the required application and evaluation fees.

(e) Temporary license for endorsement applicants.

(1) A temporary license may be issued to the applicant on proof of

(A) Current unrestricted licensure in another state;

(B) Evidence of having successfully passed the licensure examination;

(C) Evidence of meeting educational qualifications through completion of a state board-approved nursing education program, or an evaluation of educational credentials and nursing licensure in country of origin for the foreign-educated nurse as evidenced by:

(i) Commission on Graduates of Foreign Nursing Schools (CGFNS) Healthcare Profession and Science Course-by-Course Report with verification of equivalent educational credentials and unrestricted licensure in country of origin, or

(ii) Commission on Graduates of Foreign Nursing Schools (CGFNS) Certificate status, accompanied by a verification of graduation from a government approved nursing education program, the translated transcript, and verification of unrestricted nursing licensure in country of graduation; and

(D) Payment of the fee for licensure by endorsement and temporary license; and

(E) Foreign-educated applicants must provide evidence of current competence in oral and written English by meeting the requirements of 485:10-9-2(d)(1)(B)(i-iv).

(2) The temporary license may not be issued for a period longer than ninety (90) days.

(3) The temporary license may be extended, but such period shall be no longer than one (1) year.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1421, eff 7-1-08]

485:10-9-3. Renewal of license

(a) All licenses issued may be renewed in accordance with a schedule published by the Board.

(b) The applicant must submit an application containing such information as the Board may prescribe.

(c) The application for renewal of license must be completed and accompanied by the established fee before a new license is issued.

(d) The fee for renewal of license shall be established by the Board in accordance with statutory guidelines.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 25 Ok Reg 1423, eff 7-1-08]

485:10-9-4. Reinstatement of license

(a) The Licensed Practical Nurse license is lapsed if not renewed by expiration date thereof.

(b) The applicant must submit an application containing such information as the Board may prescribe.

(c) A completed application for reinstatement must be submitted to the Board office with the required fee. If the application is not completed within one (1) year, a new application and new fee will be required.

(d) The fee for reinstatement of license shall be established by the Board.

(e) An application for reinstatement for a license that has been suspended or surrendered must be in compliance with all terms and conditions of any Order entered with regard to the suspension or surrender and shall be considered by the Board.

(f) An application for reinstatement of a license that has been revoked by the Board shall be considered by the Board.

(g) An application for reinstatement for a license not previously revoked, suspended or surrendered may be granted on such terms and conditions as the Board may require.

(h) In addition to meeting other reinstatement requirements established by the Board in these rules, effective January 1, 2005, if the Oklahoma practical nursing license has not been in an active licensure status for a period of two (2) years or more, the applicant for reinstatement must demonstrate continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to

receipt of the completed application in the Board office:

- (1) Submission of an official transcript or certificate of completion verifying completion of a nurse refresher course with content consistent with Board policy;
- (2) Successfully pass the National Council Licensure Examination for Practical nurses;
- (3) Submission of an official transcript verifying successful completion of at least seven (7) academic semester credit hours or 105 contact hours of nursing courses in a state-approved practical or registered nursing education program, which includes classroom and clinical instruction; and/or
- (4) Present evidence of licensure as a practical nurse in another state with employment in a position that requires practical nursing licensure with verification of at least 520 work hours during the past two (2) years preceding receipt of the application for reinstatement in the Board office.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91(emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 20 Ok Reg 1006, eff 7-1-03; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 25 Ok Reg 1423, eff 7-1-08]

485:10-9-5. Inactive status

- (a) Any licensee who desires to retire from the practice of practical nursing shall submit a written request to be placed on the inactive list.
- (b) The date of transfer to the inactive status will be the date of approval by the Board. The Board may delegate approval of the licensee's request to be placed on inactive status to the Board Staff.
- (c) A licensee shall remain on the Inactive List unless otherwise indicated without the payment of the renewal fee.
- (d) The return to active fee shall be due when the licensee desires to return to active practice. The applicant must submit an application containing such information as the Board may prescribe.
- (e) An application for return to active status for a license that has been placed on Inactive Status by Order of the Board shall be considered by the Board.
- (f) In addition to meeting other requirements to return to active status as established by the Board in these rules, effective January 1, 2005, if the practical nursing license has been on the Inactive List for a period of two (2) years or more, the licensee must demonstrate continued qualifications for practice through completion of one or more of the following requirements within the last two (2) years prior to receipt of the completed application in the Board office:

- (1) Submission of an official transcript or certificate of completion verifying completion of a nursing refresher course with content consistent with Board policy;
- (2) Successfully pass the National Council Licensure Examination for Practical Nurses;
- (3) Submission of an official transcript verifying successful completion of at least seven (7) academic semester credit hours or 105 contact hours of nursing courses in a state-approved practical or registered nursing education program, which includes classroom and clinical instruction; and/or
- (4) Present evidence of licensure as a practical nurse in another state with employment in a position that requires practical nursing licensure with certification of at least 520 work hours during the past two (2) years preceding receipt of the request for return to active status in the Board office.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 25 Ok Reg 1424, eff 7-1-08]

485:10-9-6. Duplicate license card

- (a) One duplicate Licensed Practical Nurse license card may be issued per renewal cycle.
- (b) If a license card is lost, stolen or destroyed, the licensee must submit written evidence of the situation and a duplicate license may be issued for a fee as established by the Board. A duplicate license card will be issued upon notification by the licensee of a name change.
- (c) If a license card is not received and the Board office receives written notification within ninety (90) days of date of issuance, a duplicate license may be issued without fee.

[Source: Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 19 Ok Reg 1465, eff 7-1-02; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1424, eff 7-1-08]

485:10-9-7. Replacement certificate of licensure

- (a) A replacement certificate of licensure as a Licensed Practical Nurse may be issued when the licensee notifies the Board, with a notarized statement, that the original certificate of licensure has been lost, stolen, or destroyed.
- (b) The certificate shall be marked "Replacement" and date of issuance indicated.
- (c) The fee for a replacement certificate of licensure shall be established by the Board.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00]

485:10-9-8. Endorsement of a Licensed Practical Nurse to another state

- (a) A Licensed Practical Nurse wishing to be licensed in another state may have a certified statement of Oklahoma licensure issued to the Board of Nursing in such state upon receipt of a fee as established by the Board.
- (b) If a transcript is provided from the files of a closed school of nursing, a fee as established by the Board will be charged.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00]

485:10-9-9. Change of name and address

- (a) Each Licensed Practical Nurse licensee must provide certified evidence (a copy of marriage license or court action) regarding any change of name within 30 days of the change.
- (b) Evidence of change of name shall be accompanied by a fee as established by the Board.
- (c) Notice of change of address must be submitted in writing by each licensee within 30 days of the change.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 24 Ok Reg 1439, eff 7-1-07]

SUBCHAPTER 10. ADVANCED UNLICENSED ASSISTIVE PERSONNEL

Section

485:10-10-1.	Purpose
485:10-10-2.	Certification training program
485:10-10-3.	Curriculum
485:10-10-4.	Faculty
485:10-10-5.	Applicants
485:10-10-6.	Certification examination
485:10-10-7.	Certification
485:10-10-8.	Recertification
485:10-10-8.1.	Reinstatement of certification
485:10-10-9.	Records
485:10-10-10.	Disciplinary action

[Source: Codified 5-27-97]

485:10-10-1. Purpose

The rules of this Subchapter have been adopted for the purpose of complying with the provisions of the Oklahoma Nursing Practice Act. [59 O.S. § 567.3] This Subchapter sets forth standards for advanced unlicensed assistive personnel employed in acute health-care settings.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97]

485:10-10-2. Certification training program

- (a) The certification training program shall consist of classroom and clinical instruction in the performance of specific core skills submitted by the working committee prescribed in 59 O.S. § 567.3a.13 and approved by the Board;
- (b) Any certified training program submitted to the Board by the working committee prescribed in 59 O.S. § 567.3a.13 shall meet the following requirements:

- (1) Any health-care facility, educational institution or education provider that meets the Board's criteria for approved programs and is approved by the Board may provide the certification training program.
- (2) Any health-care facility, educational institution or education provider wishing to establish a certification training program for advanced unlicensed assistive personnel shall file the appropriate forms with the Board. The application shall include, but is not limited to:
 - (A) program plan following the curriculum approved by the Board;
 - (B) clock hours of classroom and supervised clinical instruction;
 - (C) description of classroom and skills training facility;
 - (D) evidence of adequate learning resources; and
 - (E) faculty qualification record for each instructor.
- (3) The Board shall advise the institution in writing of its decision to:
 - (A) approve proceeding with the program;
 - or
 - (B) defer approval pending a site visit and/or receipt of further information; or
 - (C) deny approval specifying reasons for denial.
- (4) An approved program shall notify the Board when there are substantive changes in the program that alter the length of the program, reorganize course offerings or change in instructors.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 15 Ok Reg 2038, eff 5-26-98; Amended at 19 Ok Reg 1467, eff 7-1-02]

485:10-10-3. Curriculum

- (a) The curriculum of the certification training program shall prepare the graduate for certification and practice as an advanced unlicensed assistive person and shall include:
 - (1) core skills, personal responsibilities, communication and interpersonal skills;
 - (2) content outlines appropriately sequenced and organized to include purpose of procedure,

proper equipment, safety precautions and hazards, step-by-step procedure, appropriate disposal of used equipment and materials, documentation and reporting, and legal and ethical responsibilities; and

(3) classroom/laboratory instruction and supervised clinical practice.

(b) The length of the training program shall be a minimum of 200 hours with the ratio of classroom instruction and practice appropriate to ensure safe and accurate performance. The program shall include at least 80 hours of classroom/laboratory instruction and at least 40 hours of clinical instruction.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 19 Ok Reg 1467, eff 7-1-02; Amended at 20 Ok Reg 1006, eff 7-1-03]

485:10-10-4. Faculty

(a) Faculty shall:

- (1) hold a valid license to practice as a Registered Nurse in the State of Oklahoma; and
- (2) present evidence of at least two (2) years experience working in an acute care setting, at least one year of which must include experience supervising unlicensed personnel in a clinical setting.

(b) Other personnel from the health professions may supplement the faculty, including, but not limited to, physical therapists, respiratory therapists, laboratory technicians, and social workers. Supplemental teaching personnel must have at least one (1) year of experience in their fields.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97]

485:10-10-5. Applicants

(a) Persons admitted to the program shall provide validation of the ability to safely and accurately perform personal care skills, measuring and recording vital signs, feeding techniques, non-sterile specimen collection, transfer, positioning and turning techniques, infection control, emergency procedures including CPR and the Heimlich maneuver, and non-invasive and non-sterile treatments unless otherwise prohibited by these rules and regulations.

(b) Persons may be admitted into a program that combines training in these skills with training as an advanced unlicensed assistive person, provided that the training hours for the advanced unlicensed assistive person component meet the requirement under 485:10-10-3(b).

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 19 Ok Reg 1467, eff 7-1-02]

485:10-10-6. Certification examination

(a) The certification examination shall consist of both a written examination and a core skills performance evaluation conducted by a Registered Nurse Skills Observer who meets the qualifications established by the Board.

(b) Applicants for certification as advanced unlicensed assistive personnel must successfully complete both the core skills performance evaluation and the written examination adopted by the Board. The core skills performance evaluation and the written examination must be completed within one year of each other.

(c) Applicants who fail either the written certification examination or the core skills performance evaluation shall be eligible to repeat the examination upon filing an application and fee meeting Board requirements.

(d) If an applicant fails either the core skills performance evaluation or the written examination three (3) times, applicant must repeat the course prior to rewriting the examination.

(e) The Board shall permit the written examination and the core skills performance evaluation to be administered at Board-approved testing sites and proctored by qualified personnel.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 19 Ok Reg 1467, eff 7-1-02]

485:10-10-7. Certification

(a) The Board shall establish and maintain a listing (registry) of persons authorized to function as an "advanced unlicensed assistive person".

(b) An applicant for certification by examination as an advanced unlicensed assistive person must meet the following requirements:

- (1) has successfully completed a certification training course for advanced unlicensed assistive personnel approved by the Board; or
- (2) has successfully completed an equivalent course approved by the Board; or
- (3) has completed classroom/laboratory instruction and supervised clinical experience in an equivalent structured course in a health-care facility or an educational institution. Evidence must be provided that verifies ability to safely and accurately perform each core skill included in Board-approved advanced unlicensed assistive personnel course.

(c) Application for certification:

- (1) Applications for certification must be filed with the Board in accordance with the procedure designated by the Board. The application must be complete, signed and notarized. The required fee and one (1) photograph signed by the applicant must be filed with the application.

(2) The candidate must register with the authorized testing service and submit the required fee.

(3) The applicant must submit an application containing such information as the Board may prescribe.

(d) Fee for certification:

(1) The fees for certification and writing the certification examination adopted by the Board shall accompany the applications.

(2) The fee for rewriting the certification examination adopted by the Board shall be the same as the fee established for the first-time writing.

(3) The fee for the examination is not refundable.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 19 Ok Reg 1467, eff 7-1-02; Amended at 25 Ok Reg 1424, eff 7-1-08]

485:10-10-8. Recertification

(a) Certification as an advanced unlicensed assistive person shall be renewed every two years in accordance with the schedule published by the Board.

(b) The application for recertification must be completed and accompanied by the established fee before a new certificate is issued.

(c) The applicant must submit an application containing such information as the Board may prescribe.

(d) The application for recertification must be accompanied by one of the following:

(1) notarized verification of employment as an AUA in an acute care setting for a minimum of 12 months within the previous 24 months immediately prior to renewal of AUA certification; or

(2) documentation verifying successful completion of twelve hours of clinical inservice appropriate to the AUA role within the previous 24 months; or

(3) rewriting the certification examination with a passing score, both the written and core skills portions of the exam, within the 24 months immediately preceding renewal of AUA certification; or

(4) documentation verifying initial certification as an AUA within the 24 months immediately prior to renewal of AUA certification.

(e) The fee for renewal of the certificate shall be established by the Board.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 17 Ok Reg 1362, eff 7-1-00; Amended at 19 Ok Reg 1467, eff 7-1-02; Amended at 20 Ok Reg 115, eff 10-10-02 (emergency); Amended at 20 Ok Reg 1006, eff 7-1-03; Amended at 25 Ok Reg 1424, eff 7-1-08]

485:10-10-8.1. Reinstatement of certification

(a) The certification of the advanced unlicensed assistive person is lapsed if not renewed by expiration date thereof.

(b) A completed application for reinstatement must be submitted to the Board office with the required fee. If the application is not completed within one (1) year, a new application and new fee will be required.

(c) The applicant must submit an application containing such information as the Board may prescribe.

(d) The application for reinstatement must be accompanied by one of the following:

(1) notarized verification of employment as an AUA in an acute care setting for a minimum of 12 months within the previous 24 months; or

(2) documentation verifying successful completion of twelve hours of clinical inservice appropriate to the AUA role within the previous 24 months; or

(3) rewriting the certification examination with a passing score, both the written and core skills portions of the exam; or

(4) documentation verifying initial certification as an AUA within the 24 months immediately prior to reinstatement of AUA certification.

(e) An application for reinstatement for a certification that has been revoked, suspended or surrendered must be in compliance with all terms and conditions of any Order entered with regard to the revocation, suspension or surrender and shall be considered by the Board.

[Source: Added at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1425, eff 7-1-08]

485:10-10-9. Records

The following records shall be maintained and submitted to the Board by approved training programs:

(1) curriculum plan and revisions;

(2) faculty records that provide for verification of academic credentials, clinical practice and current licensure as a registered nurse; and

(3) verification of program completion for graduates of the program, in a format so designated by the Board.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 19 Ok Reg 1467, eff 7-1-02]

485:10-10-10. Disciplinary action

(a) The Board may deny, revoke, suspend the certificate to practice as an advanced unlicensed assistive person and/or otherwise discipline the holder of a certificate upon proof that the individual is guilty of any offense prohibited in 59 O.S. §567.8.

(b) Nothing contained in these rules shall require a licensed nurse to delegate to an Advanced Unlicensed Assistive Person the performance of any core skill.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 25 Ok Reg 1425, eff 7-1-08]

SUBCHAPTER 11. DISCIPLINARY ACTION

Section

- 485:10-11-1. Denial, revocation or suspension of license
- 485:10-11-2. Hearings
- 485:10-11-3. Informal disposition

485:10-11-1. Denial, revocation or suspension of license or certificate

(a) **Causes.** Causes for denial, revocation or suspension of license or certificate as an advanced unlicensed assistive person are as defined in 59 O.S. Section 567.8.

(b) **Definitions.** The following definitions relate to the causes for disciplinary action as specified in the statutes.

(1) The terms "fraud or deceit or material deception" shall include but not be limited to:

(A) false representation of facts in connection with an application for licensure, or certificate, or renewal of license; or application for recognition as an advanced practitioner; or

(B) false representation by having another person appear in her/his place for the licensing examination.

(2) Sufficient knowledge or reasonable skill means adherence to minimal standards of acceptable practical nurse practice, registered nurse practice, advanced nurse practice, or advanced unlicensed assistive persons' practice generally prevailing in the State of Oklahoma.

(3) Unprofessional conduct is nursing behavior (acts, knowledge, and practices) which fails to conform to the accepted standards of the nursing profession, or advanced unlicensed assistive persons' activities generally prevailing in the State of Oklahoma and which could jeopardize the health and welfare of the people which shall include but not be limited to the following:

(A) inaccurate recording, falsifying or altering patient records; or

(B) verbally or physically abusing patients; or

(C) falsely manipulating drug supplies, narcotics or patient records; or

(D) appropriating without authority medications, supplies or personal items of the patient or agency; or

(E) falsifying documents submitted to the Board of Nursing; or

(F) leaving a nursing assignment or patient care assignment without properly advising appropriate personnel; or

(G) violating the confidentiality of information or knowledge concerning the patient; or

(H) conduct detrimental to the public interest; or

(I) discriminating in the rendering of nursing services or patient care assignment; or

(J) aiding and abetting the practice of practical nursing, registered nursing, advanced practice nursing, or advanced unlicensed assistive persons by any person not licensed as a Licensed Practical Nurse or a Registered Nurse or recognized as an advanced practitioner or not certified as an advanced unlicensed assistive person;

(K) impersonating any applicant or acting as proxy for the applicant in any examination required for the issuance of a license or certificate; or

(L) impersonating another licensed or certified practitioner, or permitting another person to use her/his license, certificate, or certificate of recognition for any purpose; or

(M) aiding, abetting or assisting any other person to violate or circumvent any law or rule or regulation intended to guide the conduct of a nurse or advanced unlicensed assistive person; or

(N) forging a prescription for medication/drugs; or

(O) presenting a forged prescription; or

(P) selling or attempting to sell a controlled dangerous substance or otherwise making such drugs available without authority to self, friends, or family members; or

(Q) while caring for a patient, engaging in conduct with a patient that is sexual or may reasonably be interpreted as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient, or engaging in sexual exploitation of a patient; or

(R) obtaining money, property or services from a patient, other than reasonable fees for service provided to the patient, through the use of undue influence, harassment, duress, deception or fraud; or

(S) engaging in fraudulent billing practices, including violations of federal Medicare and Medicaid laws or state medical assistance laws.

(4) Conduct which jeopardizes a patient's life, health or safety shall include but not be limited to the following:

(A) Failure of a Licensed Practical Nurse, a Registered Nurse, or advanced practitioner to supervise adequately the performance of acts by any person working at the nurse's direction; or

(B) Delegating or accepting the delegation of a nursing function or a prescribed health care function when the delegation or acceptance could reasonably be expected to result in unsafe or ineffective patient care; or

(C) Unauthorized alterations of medications; or

(D) Failure to utilize appropriate judgment in administering safe nursing practice or patient care assignment based upon the level of nursing for which the individual is licensed or recognized; or

(E) Failure to exercise technical competence in carrying out nursing care or patient care assignment; or

(F) Performing new nursing techniques, procedures or patient care activities without proper education and preparation; or

(G) Failure to report through the proper channels the unsafe or illegal practice of any person who is providing nursing care or patient care.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 14 Ok Reg 1980, eff 5-27-97; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 19 Ok Reg 1470, eff 7-1-02]

485:10-11-2. Hearings

(a) **Conduct of hearing.** All hearings and notice thereof shall be conducted and governed in accordance with the provisions of the Oklahoma Administrative Procedures Act. [75 O.S. Section 309]

(b) **Notice of hearing.** Notice of the hearing shall be served in any manner authorized by the Oklahoma Pleading Code for the personal service of summons in proceedings in state courts.

(c) **Procedures before the Board.**

(1) Every individual proceeding shall be initiated by a sworn complaint containing a brief statement of the facts supporting the request for action by the Board.

(2) The respondent shall file with the Board a written response under oath to the complaint by the date to be furnished. If no response is filed,

the respondent shall be considered in default and the Board may take whatever action it deems sufficient and appropriate. The Executive Director of the Board or designee may extend the time within which a response must be filed, but in no event may the time be extended beyond the hearing date.

(3) Requests for continuances or extensions of time shall be filed in writing and state the reasons for the request and time desired. The Board or its designee shall promptly rule on such requests.

(4) Discovery shall be conducted in accordance with the Oklahoma Discovery Code except that all discovery must be completed prior to the date set for hearing unless otherwise ordered by the Board. The time periods contained in the Oklahoma Discovery Code shall be modified to conform to this Rule.

(5) The order of procedure shall be the same as followed by the state trial courts in civil proceedings.

(6) The admissibility of evidence shall be governed by the provisions of the Oklahoma Administrative Procedures Act [75 O.S. Section 310].

(7) The President of the Board shall rule on admissibility of evidence and objections to such evidence and shall rule on other motions or objections in the course of the hearing.

(8) The Board, its designee, attorney for the Board, the respondent or attorney for the respondent, may conduct examinations.

(9) A respondent who fails to appear, after having received proper notice, may be determined to have waived the right to present a defense to the charges in the complaint and the Board may declare the respondent in default and revoke, suspend or otherwise discipline respondent as it may deem necessary.

(10) Subpoenas for the attendance of witnesses and/or furnishing of information required by the Board and as requested by the respondent, and/or the production of evidence or records of any kind shall be issued by the Board. Should any person fail to obey a subpoena, the Board may institute appropriate judicial proceedings under the laws of the State for an Order to compel compliance with the subpoena.

(11) The respondent is responsible for any expenses associated with witnesses, subpoenas and/or evidence presented on her/his behalf.

(12) In the event disciplinary action is imposed against the defendant of an individual proceeding, the Board may require the defendant to reimburse the Board for its actual costs in the

investigation and prosecution of the disciplinary action. Such costs shall include, but not be limited to: staff time and expenses, travel expenses, witness fees and expenses, attorney fees and expenses, and court reporter fees, if applicable.

(13) The respondent shall not communicate with any member of the Board concerning the matters alleged in the complaint before or during or after the hearing. This restriction does not apply to the presentation of testimony or evidence by the respondent in the course of the hearing.

(d) **Penalties.** When determining the amount of penalty to be imposed for a violation of the Oklahoma Nursing Practice Act the following additional factors shall be a part of the consideration by the Board when establishing the nature, circumstance, and gravity of the violation, the degree of culpability, the effect on the ability of the person to continue to practice and any show of good faith in attempting to achieve compliance with the provisions of the Oklahoma Nursing Practice Act:

- (1) evidence of actual or potential harm to patients, clients or the public;
- (2) the seriousness of the violation, including the nature, circumstances, extent and gravity of any prohibited acts, and the hazard or potential hazard created to the health, safety and welfare of the public;
- (3) evidence of misrepresentation(s) of knowledge, education, experience, credentials or skills which would lead a member of the public, an employer, a member of the health-care team, or a patient to rely on the fact(s) misrepresented where such reliance could be unsafe;
- (4) evidence of practice history;
- (5) evidence of present lack of fitness;
- (6) evidence of prior disciplinary history by the Board or any other health care licensing agency in Oklahoma or another jurisdiction;
- (7) the length of time the licensee has practiced;
- (8) the actual damages, physical or otherwise resulting from the violation;
- (9) the deterrent effect of the penalty imposed;
- (10) attempts by the licensee to correct or stop the violation;
- (11) any mitigating or aggravating circumstances;
- (12) the extent to which system dynamics in the practice setting contributed to the problem;
- (13) evidence of a lack of truthfulness or trustworthiness;
- (14) any other matter that justice may require.

(e) **Orders.**

(1) At the conclusion of the hearing the Board will announce its decision and a written order

will be issued within twenty (20) days of the Board's decision.

(2) A copy of the order shall be delivered or mailed to the respondent and the respondent's attorney of record.

(f) **Record of hearing.**

(1) The record in an individual proceeding shall be as defined in the Oklahoma Administrative Procedures Act and shall also include the licensing history of the respondent.

(2) All hearings shall be transcribed by a duly certified reporter, unless the presiding officer designates otherwise. A transcript of the proceedings shall not be made except in the event of an appeal of the decision of the Board, or upon written application accompanied by a deposit sufficient to cover the cost of transcription. Tapes and shorthand or stenotype notes of the proceedings shall be retained for a period of not less than five (5) years.

(g) **Appeals and reconsideration.** Requests for reconsideration and appeals of order in individual proceeding shall be in accordance with the Oklahoma Administrative Procedures Act.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 21 Ok Reg 1421, eff 7-1-04]

485:10-11-3. Informal disposition

. . . *Informal disposition may be made of any individual proceeding by stipulation, agreed settlement, consent order, or default.* [75 O.S. Section 309(d)]

(1) **Informal proceedings.** Informal proceedings may be conducted after the filing of a sworn complaint; and information so presented may be considered by the Board as a body or by any designated member or any representative designated therefore, with the party or parties affected by correspondence or otherwise in an effort to bring about an adjustment and solution of the problem without a formal Hearing. Such proceedings shall be held without prejudice to the right of the Board, thereafter to institute formal proceedings and conduct Hearings covering the same subject matter.

(2) **Informal conferences.** If deemed advisable to speed the consideration and determination of complaints and controversies which may not justify or require more formal proceedings, the Board may hold an informal conference with the party or parties affected. Thereafter the Board as a body, or any designated member, or representative thereof, shall attempt to resolve the controversy in an equitable manner. Such proceedings shall be without prejudice to the

right of the Board thereafter to institute formal proceedings covering the same or related subject matter, or the right of the person involved, if the controversy is not resolved, to request a formal hearing.

(3) **Informal Disposition Panel.** The respondent has a right to a hearing before the full Board. In the alternative informal disposition may be requested under certain circumstances.

(A) Informal Disposition Panel shall be composed of one or more individuals appointed by the Board President, at least one of whom shall be a current Board member. More than one panel may be appointed if warranted by the number of cases.

(B) Informal Disposition Panel may be utilized for the following types of cases or otherwise at the discretion of the Executive Director:

(i) Reinstatement/Return To Active which require Board action such as:

(I) when working with a lapsed license;

(II) after surrender, suspension or revocation of license;

(ii) Voluntary surrenders;

(iii) Termination of Probation;

(iv) Requests to amend orders;

(v) Certain uncontested complaints such as action in another jurisdiction and/or criminal convictions;

(vi) Negotiated disposition of complaint.

(C) If the nurse and the Panel member(s) do not agree, the case will be set for a Board hearing. The outcome of the informal disposition will be held in confidence and not admitted into evidence at the hearing. The Panel member(s) will not participate in the hearing before the full Board.

(D) If the nurse and the Panel member(s) do agree but the Board does not accept the recommendations of the Panel, the case will be set for a hearing at the next regularly scheduled Board meeting.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 20 Ok Reg 1010, eff 7-1-03]

SUBCHAPTER 13. REQUIREMENTS FOR EMPLOYMENT

Section

485:10-13-1. Conditions of employment

485:10-13-2. Annual report of employing institutions

485:10-13-3. Continuing education

485:10-13-1. Conditions of employment

(a) Any person who practices or offers to practice nursing or represents themselves as a licensed nurse, (excluding federal employment) shall possess a valid Oklahoma license.

(b) Any individual offering to practice advanced practice nursing as an ARNP, CNS, CNM, CRNA, shall possess a valid Oklahoma license and a certificate of recognition issued by the Board.

(c) A valid temporary license shall be required in lieu of a full certificate of licensure.

(d) Any person employed as a Nurse Administrator, as defined in these rules, shall possess a valid license to practice nursing in Oklahoma, except as otherwise provided by law.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 24 Ok Reg 1439, eff 7-1-07]

485:10-13-2. Annual report of employing institutions

The nursing administrator in each licensed health institution or agency may be requested to file an annual report each year. The report, when requested, shall be filed in a format established by the Board. The report is to indicate the name, certificate number and expiration date of each Licensed Practical Nurse, Registered Nurse and Advanced Practitioner employed on the designated date.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92; Amended at 21 Ok Reg 1415, eff 7-1-04]

485:10-13-3. Continuing education

Each licensed health institution and agency is advised to provide opportunities for Licensed Practical Nurses, Registered Nurses and Advanced Practitioners to maintain a sound knowledge of current nursing practices and procedures. Such opportunities include orientation, skill training, continuing education, and leadership development.

[Source: Amended at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended at 9 Ok Reg 2103, eff 6-11-92]

SUBCHAPTER 15. REQUIREMENTS FOR PRACTICE AS AN ADVANCED PRACTICE NURSE

Section

485:10-15-1. Practice as a Certified Nurse-Midwife [RENUMBERED]

- 485:10-15-2. Certified Nurse-Midwife Advisory Committee appointment [REVOKED]
- 485:10-15-3. Functions of the Certified Nurse-Midwife Advisory Committee [REVOKED]
- 485:10-15-4. Application
- 485:10-15-4.1. Temporary recognition
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- 485:10-15-9. Practice as a Certified Registered Nurse Anesthetist

485:10-15-1. Practice as a Certified Nurse-Midwife [AMENDED AND RENUMBERED TO 485:10-15-8]

[Source: Amended and renumbered to 485:10-15-8 at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended and renumbered to 485:10-15-8 at 9 Ok Reg 2103, eff 6-11-92]

485:10-15-2. Certified Nurse-Midwife Advisory Committee appointment [REVOKED]

[Source: Revoked at 8 Ok Reg 3579, eff 9-20-91 (emergency); Revoked at 9 Ok Reg 2103, eff 6-11-92]

485:10-15-3. Functions of the Certified Nurse-Midwife Advisory Committee [REVOKED]

[Source: Revoked at 8 Ok Reg 3579, eff 9-20-91 (emergency); Revoked at 9 Ok Reg 2103, eff 6-11-92]

485:10-15-4. Application

- (a) An applicant for recognition as an advanced practice nurse must:
 - (1) hold a current license to practice as a Registered Nurse in Oklahoma;
 - (2) submit an official transcript verifying completion of a formal educational program accepted by the Board;
 - (3) submit evidence of current national certification recognized by the Board; and
 - (4) submit a completed application for recognition containing such information as the Board may prescribe and the required fee.
- (b) Changing certifications
 - (1) An advanced practice nurse who wishes to change or add an area of specialty and national certification must meet initial requirements for advanced practice recognition, as identified in 485:10-15-4(a).

- (2) An advanced practice nurse who changes their national certification and certifying body within the same specialty area must notify the Board in writing within thirty (30) days of the change and submit a copy of a current national certification recognized by the Board within the same specialty area.
- (3) An advanced practice nurse holding more than one certification who does not renew or maintain one of their national certifications must notify the Board in writing within 30 days of the change. The recognition for which the national certification has expired will be placed on inactive status. The advanced practice nurse shall not work in the specialty area upon expiration of their national certification.

[Source: Added at 8 Ok Reg 3579, eff 9-20-91 (emergency); Added at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1425, eff 7-1-08]

485:10-15-4.1. Temporary recognition

Temporary recognition may be granted under the following conditions:

- (1) hold a current license to practice as a Registered Nurse in Oklahoma,
- (2) submit documentary evidence of registration for a Board-approved national certifying examination applicable to the level and clinical specialty,
- (3) submit a completed application for temporary recognition and the required fee,
- (4) submit an official transcript verifying successful completion of the advanced practice educational program.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1425, eff 7-1-08]

485:10-15-5. Recognition, renewal, reinstatement and inactive status

- (a) **Recognition.**
 - (1) A certificate of recognition shall be issued by the Board.
 - (2) The pocket license card will have an advanced practice designation code.
 - (3) A list of all Board recognized advanced practice nurses shall be maintained by the Board.
- (b) **Renewal.**
 - (1) Renewal shall be concurrent with the two-year licensure renewal for Registered Nurse.
 - (2) The renewal form shall include a statement that the nurse's national certification is current and that certification will be maintained during the period of licensure renewal.
 - (3) Each advanced practice nurse shall submit a copy of a current national certification document to the Board with the renewal form, if requested.

(4) The applicant must submit an application containing such information as the Board may prescribe.

(c) **Reinstatement.**

(1) If an advanced practice nurse fails to renew recognition prior to the expiration date of that authority, the advanced practice recognition shall lapse.

(2) The applicant may request reinstatement of advanced practice recognition by submitting a completed application and the required fee. If the reinstatement is not approved within two years of the expiration date of recognition, the applicant must meet current requirements for initial advanced practice recognition.

(3) The applicant must submit an application containing such information as the Board may prescribe.

(d) **Inactive Status.**

(1) An advanced practice nurse may submit a written request to place advanced practice recognition on inactive status.

(2) Advanced practice recognition will be placed on inactive status upon notification to the Board office the advanced practice nurse does not have current national certification from a national certifying body approved by the Board.

(3) The date of inactive status will be the date of approval by the Board.

(4) The Board may delegate approval to place advanced practice recognition on inactive status to Board staff.

(5) The applicant may request return-to-active status of advanced practice recognition by submitting a completed application containing such information as the Board may prescribe and the required fee. If the advanced practice recognition has been on inactive status for two or more years, the applicant must meet current requirements for initial advanced practice recognition.

[Source: Added at 8 Ok Reg 3579, eff 9-20-91 (emergency); Added at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 19 Ok Reg 1465, eff 7-1-02; Amended at 21 Ok Reg 1415, eff 7-1-04; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1426, eff 7-1-08]

485:10-15-6. Practice as an Advanced Registered Nurse Practitioner

(a) **Educational programs.** Successful completion of an educational program shall establish eligibility to take the recognized advanced practice nurse certification examination in a specialty area. The educational program shall:

(1) Prepare advanced practice nurses as a part of a Master's level or higher preparation in nursing in a program accredited by or holding

preliminary approval or candidacy status with the National League for Nursing Accrediting Commission or the Commission on Collegiate Nursing Education; or

(2) Meet the following requirements:

(A) be based on measurable objectives that relate directly to the scope of practice for the specialty area;

(B) include theoretical and clinical content directed to the objectives;

(C) be equivalent to at least one academic year. A preceptorship which is part of the formal program shall be included as part of the academic year;

(D) be university-based or university-affiliated with oversight by a nursing program accredited by an approved national nursing accrediting agency.

(b) **National Certification.** National certification in the specialty area at an advanced practice level is required for recognition. The Board shall identify and keep on file the current list of recognized certifications and certifying bodies approved by the Board. A licensee may request that a certification program be considered by the Board for inclusion on the list. A certifying body examination shall meet the following requirements:

(1) require applicants for the certification examination to have completed a formal program of study consistent with the area of certification;

(2) offer an examination in the area of certification which shall:

(A) measure the theoretical and clinical content based on the scope of practice in the specialty area;

(B) be developed in accordance with generally accepted standards of validity and reliability; and

(C) be open only to Registered Nurses who have successfully completed the appropriate formal program of study as defined in these Rules and Regulations.

(c) **Scope of practice for ARNP.** The Advanced Registered Nurse Practitioner's scope of practice includes the full scope of nursing practice and practice in an expanded role as follows:

(1) The Advanced Registered Nurse Practitioner (ARNP) provides comprehensive health care to clients across the life span.

(2) The ARNP is responsible and accountable for the continuous and comprehensive management of a broad range of health services, which include, but are not limited to:

(A) promotion and maintenance of health;

(B) prevention of illness and disability;

- (C) diagnosis and prescription of medications, treatments, and devices for acute and chronic conditions and diseases;
 - (D) management of health care during acute and chronic phases of illness;
 - (E) guidance and counseling services;
 - (F) consultation and/or collaboration with other health care providers and community resources;
 - (G) referral to other health care providers and community resources.
- (3) The ARNP will provide services based upon education, experience, and national certification. It is the responsibility of the licensee to document competency of any act, based upon education, experience and certification.
- (4) The scope of practice as previously defined is incorporated into the following specialty categories and further delineates the population served:
- (A) Adult ARNP provides health care to adolescents and adults.
 - (B) Family ARNP provides health care to persons across the lifespan.
 - (C) Geriatric ARNP provides health care to older adults.
 - (D) Neonatal ARNP provides health care to neonates and infants.
 - (E) Pediatric ARNP provides health care to persons from newborn to young adulthood.
 - (F) Women's Health Care ARNP provides health care to adolescent and adult females. Care may also be provided to males with reproductive health needs or problems.
 - (G) Acute Care ARNP provides health care to adults who are acutely or critically ill.
 - (H) The Adult Psychiatric and Mental Health ARNP provides acute and chronic psychiatric and mental health care to persons age 13 or older.
 - (I) The Family Psychiatric and Mental Health ARNP provides acute and chronic psychiatric and mental health care to persons across the lifespan.
 - (J) The Acute Care Pediatric ARNP provides health care to persons from newborn to young adulthood with complex acute, critical and chronic health conditions.

[Source: Added at 8 Ok Reg 3579, eff 9-20-91 (emergency); Added at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 14 Ok Reg 1980, eff 5-27-97; Amended at 20 Ok Reg 1011 eff 7-1-03; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1426, eff 7-1-08]

485:10-15-7. Practice as a Clinical Nurse Specialist

- (a) **Education.**
- (1) Any nurse graduating prior to September 1, 1991, may apply for recognition as a Clinical Nurse Specialist by submitting a transcript which verifies conferral of a Master's Degree in Nursing and documentation verifying the completion of a minimum of two semesters of course work in supervised advanced clinical practice.
 - (2) Any nurse graduating with a Master's Degree in Nursing after September 1, 1991, may apply for recognition as a Clinical Nurse Specialist by submitting an official transcript verifying conferral of a Master's Degree in Nursing from a nursing program accredited by or holding preliminary approval or candidacy status with the National League for Nursing Accrediting Commission or the Commission on Collegiate Nursing Education and documentation verifying the completion of a minimum of two semesters of course work in which the major focus of study was a clinical nurse specialist track or pathway.
 - (3) Successful completion of the educational program shall establish an academic preparation consistent with the recognized certification examination in the specialty area.
- (b) **National certification.**
- (1) National certification in the specialty area at an advanced practice level or the highest level available in lieu of the availability of an advanced practice level examination in that specialty is required for recognition.
 - (2) The Board shall identify and keep on file the current list of recognized certifications and certifying bodies approved by the Board. A licensee may request that a certification program be considered for inclusion on the list. A certifying body examination shall meet the following requirements:
 - (A) Approved or accredited by a certification credentialing body approved by the Board. The certification credentialing body shall verify the certification examination meets the following requirements:
 - (i) measures theoretical and clinical content based on the scope of practice in the specialty area;
 - (ii) is developed in accordance with generally accepted standards of validity and reliability;
 - (B) Open only to licensed or credentialed health care professionals;
 - (C) Based upon national standards of practice for the specialty area.

[Source: Added at 8 Ok Reg 3579, eff 9-20-91 (emergency); Added at 9 Ok Reg 2103, eff 6-11-92; Amended at 19 Ok Reg 1465, eff 7-1-02; Amended at 22 Ok Reg 1345, eff 7-1-05; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1427, eff 7-1-08]

485:10-15-8. Practice as a Certified Nurse-Midwife

(a) **Qualifications.** Applicants for recognition as a Certified Nurse-Midwife must meet the following qualifications:

- (1) Hold a current license to practice as a Registered Nurse in Oklahoma
- (2) Successful completion of a nurse midwifery program accredited by the American College of Nurse Midwives Division of Accreditation
- (3) Hold current certification for the practice of nurse-midwifery from the American Midwifery Certification Board (AMCB)
- (4) Proof of enrollment in a current cycle of continuing competency assessment (CCA) or Certificate Maintenance Program as maintained by the American Midwifery Certification Board

(b) **Applications.**

- (1) Applications must be completed and filed with the Board
- (2) The credentials of the applicant must be verified by the American College of Nurse-Midwives or American Midwifery Certification Board

(c) **Recognition for practice of Certified Nurse Midwifery.** Upon receipt of a valid application as established by the Board, the Board may recognize for practice of Certified Nurse-Midwifery and approve for inclusion on its official listing, the name so recognized.

[Source: Amended and renumbered from 485:10-15-1 at 8 Ok Reg 3579, eff 9-20-91 (emergency); Amended and renumbered from 485:10-15-1 at 9 Ok Reg 2103, eff 6-11-92; Amended at 25 Ok Reg 1427, eff 7-1-08]

485:10-15-9. Practice as a Certified Registered Nurse Anesthetist

(a) **Educational preparation.** Successful completion of a nurse anesthesia educational program accredited by the American Association of Nurse Anesthetists' Council on Accreditation of Nurse Anesthesia Educational Programs.

(b) **Maintenance.** Maintenance of recertification through American Association of Nurse Anesthetists' Council on Recertification of Nurse Anesthetists.

[Source: Added at Ok Reg 3579, eff 9-20-91 (emergency); Added at 9 Ok Reg 2103, eff 6-11-92; Amended at 12 Ok Reg 1463, eff 5-25-95; Amended at 20 Ok Reg 1006, eff 7-1-03; Amended at 25 Ok Reg 1428, eff 7-1-08]

SUBCHAPTER 16. REQUIREMENTS FOR PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE NURSES

Section

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[Source: Codified 5-27-97]

485:10-16-1. Definitions

485:10-16-1. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Continuing education categories" as set out below present and define methods for meeting initial and renewal contact and academic credit hours at an advanced practice level as required for prescriptive authority:

(A) Category A: Academic credit. See continuing education equivalencies table for semester/quarter hour conversion to contact hours.

(B) Category B:

i) Onsite Seminar or lecture or workshop or course approved for contact hours, continuing education units or continuing medical education units through a recognized approver of continuing education ; or

ii) Online continuing education for initial applications must be approved through a recognized approver of continuing education, and includes a minimum of thirty hours obtained from a single provider that is faculty-directed, with processes for interaction of the participant with faculty, evaluating the participant's learning through successful completion of case studies or written assignments and a comprehensive examination using a mechanism to ensure security of the evaluation process.

(C) Category C: Online seminars or workshops, or articles in professional journals or other professional references approved for contact hours, continuing education units or continuing medical

education units through a recognized approver of continuing education.

(D) Category D: Published article in refereed journal/book/research project. Evidence of publication of one article related to pharmacotherapy appropriate for advanced practice nurses. These will be evaluated on a case-by-case review.

(E) Category E: Presenter/lecturer. Evidence of providing content related to pharmacotherapeutics at an advanced practice level. The presentation/lecture must be approved for contact hours or offered as part of an academic course with a target audience of advanced practice nurses.

"Continuing education equivalences" means:

- (A) 1 contact hour = 50 minutes
- (B) 1 academic semester hour = 15 contact hours
- (C) 1 academic quarter hour = 12.5 contact hours

"Course in pharmacotherapeutic management" means a course in which the content must include pharmacodynamic and kinetic principles, classifications of medications relevant to the scope of practice, sources for and methods of evaluating drug information, legal and ethical implications of prescribing, clinical application and use of pharmacological agents in the prevention of illness, restoration and maintenance of health.

"Qualified preceptor" means an advanced practice nurse with a current unrestricted license who has a scope of practice which includes prescribing and has met the requirements for prescriptive authority; a licensed practitioner of medicine or osteopathy with unrestricted prescriptive authority.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1428, eff 7-1-08; Amended at 26 Ok Reg 1089, eff 5-11-09]

485:10-16-2. Provision

The Board of Pharmacy, pharmacies, and registered pharmacists may access the Board of Nursing's website for the formulary and the licensure and recognition status of advanced practice nurses recognized for prescriptive authority.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 23 Ok Reg 1453, eff 7-1-06]

485:10-16-3. Initial application

The advanced practice nurse applicant for prescriptive authority shall:

- (1) hold a current R.N. license and recognition as an A.R.N.P., C.N.M. or C.N.S. in Oklahoma;

- (2) submit a completed application containing such information as the Board may prescribe and the required fee;

- (3) submit a written statement from an Oklahoma-licensed physician supervising prescriptive authority which identifies a mechanism for:

- (A) appropriate referral, consultation, and collaboration between the advanced practice nurse and physician supervising prescriptive authority;

- (B) availability of communication between the advanced practice nurse and physician supervising prescriptive authority through direct contact, telecommunications, or other appropriate electronic means for consultation, assistance with medical emergencies or patient referral;

- (4) submit documentation verifying completion of forty-five contact hours of Category B continuing education or three academic credit hours of education, as required by law and defined in the rules and regulations, which are applicable to the scope of practice, in pharmacotherapeutics, clinical application, and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health in a program beyond basic nursing preparation. Such contact hours or academic credits shall be obtained within a time period of three (3) years immediately preceding the date of receipt of application for prescriptive authority. The three (3) year time period may be waived if the applicant has graduated from their advanced practice educational program within a time period of three years immediately preceding the date of application for prescriptive authority and submits the following official documentation from the advanced practice program:

- (A) Course descriptions with course objectives verifying the integration of didactic and clinical hours in pharmacotherapeutic management content throughout the advanced practice program curriculum; and

- (B) Credentials of the faculty teaching the courses verifying the faculty's scope of practice includes prescribing.

- (C) Verification of the total number of contact hours completed in pharmacotherapeutics.

- (5) Submit documentation verifying successful completion of a graduate degree at an advanced practice level or post-master's certificate at an advanced practice level, if the Master's degree is in nursing.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1428, eff 7-1-08]

485:10-16-4. Clinical Nurse Specialist pharmacology requirements

In addition to meeting the requirements in 485:10-16-3, the Clinical Nurse Specialist who submits an initial application for prescriptive authority shall also submit:

(1) Documentation verifying completion of a course in pharmacotherapeutic management applicable to the Clinical Nurse Specialist's specialty area which must be a minimum of two credit hours or 30 contact hours of Categories A or B continuing education categories.

(2) Documentation verifying satisfactory completion of a minimum of 320 clock hours preceptorial experience with a qualified preceptor whereby the Clinical Nurse Specialist is providing direct care including demonstrating competence in prescribing drugs and medicines. This preceptorial experience must be developed and overseen by an academic program that prepares Clinical Nurse Specialists. All didactic coursework in pharmacotherapeutics must be a prerequisite or corequisite to the preceptorial experience verified by official documentation of approval by the academic program that offers the preceptorial experience.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1429, eff 7-1-08]

485:10-16-5. Maintenance

(a) The advanced practice nurse may prescribe in writing, orally, or by other means of telecommunication, drugs or medical supplies which are not listed on the exclusionary formulary approved by the Board, and which are within the scope of practice for the advanced practice nurse, and that are not otherwise prohibited by law.

(b) The advanced practice nurse must have a supervising physician on file with the Board prior to prescribing drugs or medical supplies. Changes to the written statement between the advanced practice nurse and supervising physician shall be filed with the Board within 30 days of the change and shall be effective upon filing.

(c) The advanced practice nurse with prescriptive authority who prescribes Schedule III-V drugs will comply with state and Federal Drug Enforcement Administration (DEA) requirements prior to prescribing controlled substances.

(1) The advanced practice nurse with prescriptive authority will submit in writing the assigned DEA number to the Board of Nursing within fourteen (14) days of receipt.

(2) No more than a 30-day supply for Schedule III-V drugs shall be prescribed by the advanced practice nurse with prescriptive authority.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1431, eff 7-1-08]

485:10-16-6. Renewal

The application for renewal of prescriptive authority shall:

(1) be concurrent with the two-year RN licensure renewal and renewal of advanced practice recognition;

(2) include:

(A) a completed application containing such information as the Board may prescribe and required fee;

(B) documentation approved by the Board verifying a minimum of 15 contact hours, or one academic credit hour of education, or the equivalent, in pharmacotherapeutics, clinical application and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health, in a program beyond basic registered nurse preparation, approved by the Board, within the two-year period immediately preceding the effective date of application for renewal of prescriptive authority, which is applicable to the scope of practice. This documentation requirement does not apply to individuals renewing within 24 months of initial prescriptive authority approval.

(i) The following categories identify how this requirement may be met. No more than the identified percentage for each category may apply towards the contact hour/academic hour or the equivalent requirements for renewal of prescriptive authority;

(ii) Maximum number of units acceptable in continuing education categories:

(I) Category A: up to 100% of requirement (1 credit hour)

(II) Category B: up to 100% of requirement (15 contact hours)

(III) Category C: up to 100% of requirement (15 contact hours)

(IV) Category D: up to 20% of requirement (3 contact hours)

(V) Category E: up to 20% of requirement (3 contact hours)

(C) A written statement signed by the physician supervising prescriptive authority that includes a method of assuring

availability of the supervising physician through direct contact, telecommunications or other appropriate electronic means for consultation, assistance with medical emergencies, or patient referral. Applicants for renewal who have submitted a written statement signed by the physician supervising prescriptive authority prior to renewal but within 90 days of the expiration date are not required to submit another written statement for renewal.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 19 Ok Reg 1465, eff 7-1-02; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1429, eff 7-1-08]

485:10-16-7. Reinstatement/Inactive Status

(a) Reinstatement.

(1) If an advanced practice nurse fails to renew prescriptive authority prior to the expiration date of that authority, the advanced practice nurse's prescriptive authority shall expire and the advanced practice nurse shall cease prescribing.

(2) The advanced practice nurse may reinstate the prescriptive authority renewal by submitting:

(A) a completed application containing such information as the Board may prescribe and required fee;

(B) evidence of having met requirements for renewal of prescriptive authority as listed in 485:10-16-6 (2)(B)(i)(ii).

(C) A written statement signed by the Oklahoma-licensed physician supervising prescriptive authority that includes a method of assuring availability of the supervising physician through direct contact, telecommunications or other appropriate electronic means for consultation, assistance with medical emergencies, or patient referral.

(3) If reinstatement is not approved within three years of the expiration of prescriptive authority, the applicant will be required to meet initial application criteria.

(b) Inactive Status.

(1) An advanced practice nurse may submit a written request to place prescriptive authority on inactive status.

(2) An advanced practice nurse's prescriptive authority will be placed on inactive status upon notification to the Board office that the nurse does not have a current physician supervising prescriptive authority.

(3) The date of inactive status will be the date of approval by the Board. The Board may delegate approval of the licensee's request to be placed on inactive status to Board staff.

(4) The advanced practice nurse may return to active status the prescriptive authority renewal by submitting:

(A) a completed application containing such information as the Board may prescribe and required fee;

(B) evidence of having met requirements for renewal of prescriptive authority as listed in 485:10-16-6 (2)(B)(i)(ii).

(C) A written statement signed by the Oklahoma-licensed physician supervising prescriptive authority that includes a method of assuring availability of the supervising physician through direct contact, telecommunications or other appropriate electronic means for consultation, assistance with medical emergencies, or patient referral.

(5) If return to active status of prescriptive authority is not approved within three years of the date of approval of inactive status, the applicant will be required to meet initial application criteria.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 24 Ok Reg 1439, eff 7-1-07; Amended at 25 Ok Reg 1429, eff 7-1-08]

485:10-16-8. Information which must be included on the prescription

(a) Prescriptions will comply with all applicable state and federal laws.

(b) All prescriptions will include the following information:

(1) Name, title, address, and telephone number of the advanced practice nurse who is prescribing.

(2) Name of physician supervising prescriptive authority.

(3) Name of the client.

(4) Date of the prescription.

(5) Full name of the drug, dosage, route and specific directions for administration.

(6) DEA number of advanced practice nurse, if required.

(c) Written prescriptions shall include the signature of the advanced practice nurse.

(d) Records of all prescriptions will be documented in client records.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97; Amended at 23 Ok Reg 1453, eff 7-1-06]

485:10-16-9. Termination

Reasons for termination of prescriptive authority:

(1) guilty of fraud or deceit in obtaining prescriptive authority;

(2) negligent prescribing;

- (3) prescribing outside the scope of practice;
- (4) prescribing for other than therapeutic purposes;
- (5) violated the provisions of the prescriptive authority rules in this subchapter; or
- (6) violated the Oklahoma Nursing Practice Act or Rules and Regulations.

[Source: Added at 14 Ok Reg 1980, eff 5-27-97]

**SUBCHAPTER 17. NURSE
PRACTITIONER REQUIREMENTS
[REVOKED]**

[Source: Revoked at 8 Ok Reg 3579, eff 9-20-91 through 5-29-92 (emergency); Revoked at 10 Ok Reg 1535, eff 4-26-93]

**SUBCHAPTER 18. PRESCRIPTIVE
AUTHORITY FOR C.R.N.A.**

Section

- 485:10-18-1. Definitions
- 485:10-18-2. Initial application
- 485:10-18-3. Renewal
- 485:10-18-4. Reinstatement
- 485:10-18-5. Information which must be included in the order

[Source: Codified 5-26-98]

485:10-18-1. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Perioperative" means preanesthetic preparation or evaluation, anesthesia induction, maintenance or emergence, or postanesthesia care of clients.

"Periobstetrical" means preanesthetic preparation or evaluation, anesthesia induction, maintenance or emergence, or postanesthesia care of the pregnant female.

"Authority to order, select, obtain and administer drugs" encompasses the process of utilizing anesthesia related drugs, gases and devices during the perioperative and periobstetrical periods so as to maintain the patient in sound physiologic status.

[Source: Added at 15 Ok Reg 2038, eff 5-26-98]

485:10-18-2. Initial application

The Certified Registered Nurse Anesthetist (C.R.N.A.) who applies for authority to order, select, obtain and administer drugs shall:

- (1) hold a current R.N. license and recognition as a C.R.N.A. in Oklahoma;

- (2) submit the following:
 - (A) a completed application containing such information as the Board may prescribe for authority to order, select, obtain and administer drugs and the required fee;
 - (B) evidence of satisfactory completion of a minimum of fifteen (15) units of continuing education in advanced pharmacology related to the administration of anesthesia as recognized by the American Association of Nurse Anesthetists within the two-year period immediately preceding the date of application;
 - (C) evidence of professional liability insurance.
 - (D) official transcript of C.R.N.A. education, if not on file with Board office.
 - (E) legible copy of current national certification.

[Source: Added at 15 Ok Reg 2038, eff 5-26-98; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 23 Ok Reg 1453, eff 7-1-06; Amended at 25 Ok Reg 1430, eff 7-1-08]

485:10-18-3. Renewal

The application for renewal of authority to order, select, obtain and administer drugs shall:

- (1) be concurrent with the two-year R.N. licensure renewal and renewal of advanced practice recognition;
- (2) include:

(A) a completed application containing such information as the Board may prescribe and required fee;

(B) documentation verifying satisfactory completion of a minimum of eight (8) units of continuing education in advanced pharmacology relating to the administration of anesthesia, as recognized by the Council on Certification of Nurse Anesthetists or the Council on Recertification of Nurse Anesthetists, completed during the two (2) years immediately preceding renewal.

[Source: Added at 15 Ok Reg 2038, eff 5-26-98; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 25 Ok Reg 1430, eff 7-1-08]

485:10-18-4. Reinstatement

(a) If a C.R.N.A. fails to renew authority to order, select, obtain and administer drugs prior to the expiration date of that authority, the C.R.N.A.'s authority to order, select, obtain and administer drugs shall expire. If reinstatement is not approved within two years of the expiration of authority to order, select, obtain and administer, the applicant will be required to meet initial application criteria.

(b) The C.R.N.A. may reinstate the authority to order, select, obtain and administer drugs by submitting

- (1) a completed application containing such information as the Board may prescribe and required fee;
- (2) documentation verifying satisfactory completion of a minimum of eight (8) units of continuing education in advanced pharmacology relating to the administration of anesthesia, as recognized by the American Association of Nurse Anesthetists, completed during the two (2) years immediately preceding renewal.

[Source: Added at 15 Ok Reg 2038, eff 5-26-98; Amended at 18 Ok Reg 2707, eff 7-1-01; Amended at 25 Ok Reg 1430, eff 7-1-08]

485:10-18-5. Information which must be included in the order

(a) The C.R.N.A. with authority to order, select, obtain and administer drugs shall document all orders in the patient record.

(b) All orders shall:

- (1) comply with all applicable state and federal laws.
- (2) include:
 - (A) name of the client,
 - (B) date of the order
 - (C) full name of the drug, dosage, route and specific directions for administration,
 - (D) signature of the C.R.N.A.

(c) The C.R.N.A. with authority to order, select, obtain and administer Schedule II-V drugs shall comply with the Uniform Controlled Dangerous Substance Act requirements. The C.R.N.A. with authority to order, select, obtain and administer drugs will immediately notify the Board of Nursing in writing that the DEA registration was received.

[Source: Added at 15 Ok Reg 2038, eff 5-26-98; Amended at 18 Ok Reg 2707, eff 7-1-01]

SUBCHAPTER 19. PEER ASSISTANCE PROGRAM

Section

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[Source: Codified 5-25-95]

485:10-19-1. Purpose

The rules of this Subchapter have been adopted for the purpose of complying with the provisions of the Oklahoma Nursing Practice Act. [59 O.S. 567.17] This program, known as the Peer Assistance Program, shall assist in the rehabilitation of nurses who have abused alcohol or drugs. This approach allows the Board to retain control of nursing practice for the protection of the public and provides an alternative to the disciplinary process.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95]

485:10-19-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Board of Nursing**" means the Oklahoma Board of Nursing.

"**Licensee**" means licensed practical nurse, registered nurse or advanced practice nurse.

"**Program Coordinator**" means the person employed by the Oklahoma Board of Nursing to administer the Peer Assistance Program.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95]

485:10-19-3. Administration

(a) Guidelines for the program will be approved by the Board.

(b) The Board will have responsibility for approval and oversight of the budget.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95]

485:10-19-4. Peer Assistance Committee(s)

(a) Members of the Peer Assistance Committee(s) shall have expertise in chemical dependency.

(b) Composition of the Committee shall be:

- (1) at least three members,
- (2) at least one member who is currently certified through the Addictions Nursing Certification Board, the National Association of Alcohol and Drug Abuse Counselor Certification Board or the Oklahoma Drug and Alcohol Professional Counselor Certification Board,
- (3) at least one recovering person, and
- (4) the majority to be currently licensed nurses.

(c) The committee shall have the following responsibilities:

- (1) determine licensee's acceptance into program,
- (2) develop with licensee a contract for program participation,
- (3) meet with licensee on a specified basis to monitor and determine progress,

- (4) determine successful completion of program,
 - (5) determine termination from program for failure to comply,
 - (6) report all terminations to the Board.
- (d) The Peer Assistance Committee(s) shall be appointed by the Board from applications for a term of three years.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95; Amended at 20 Ok Reg 1010, eff 7-1-03]

485:10-19-5. Qualifications of applicant

- (a) To be eligible for participation in the Peer Assistance Program, each applicant must:
- (1) have a current unrestricted license, unless referred by the Board,
 - (2) have no pending felony charge or conviction that would prevent the nurse from practicing,
 - (3) voluntarily submit an application for participation, and
 - (4) reside in this state.
- (b) Nurses previously disciplined by the Board shall be ineligible, unless referred to the Peer Assistance Program by the Board.
- (c) Nurses referred by the Board shall have sixty (60) days from the date of acceptance into the Program within which to obtain a current license.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95; Amended at 24 Ok Reg 1439, eff 7-1-07]

485:10-19-6. Participation in program

- The licensee shall:
- (1) agree in writing to cooperate with program and comply with provisions of the contract, and
 - (2) assume the financial costs of participation.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95]

485:10-19-7. Discharge from program

- (a) A licensee shall be considered discharged from the program when the following is met:
- (1) the licensee has been in compliance with all the terms of the contract with the Peer Assistance Committee and has completed the required program,
 - (2) Peer Assistance Committee documents completion of program and eligibility for discharge with written notification to the licensee.
- (b) A licensee may transfer to another state upon submission to the jurisdiction of that state's Board of Nursing or its equivalent for a peer assistance program or for discipline. A licensee shall be considered discharged upon submitting documentation verifying successful completion of

that state's Board of Nursing order or its equivalent for a peer assistance program.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95; Amended at 14 Ok Reg 1980, eff 5-27-97]

485:10-19-8. Termination from program

The Peer Assistance Committee shall make the determination that a licensee has failed to comply with the contract and treatment plan. A licensee may be terminated for any of the following reasons, including but not limited to:

- (1) the licensee fails to comply with terms of the contract with the Peer Assistance Committee,
- (2) the licensee has become unsafe to practice with reasonable skill and safety to patients under his care, or
- (3) the licensee transfers to another state and fails to submit to that state's Board of Nursing or its equivalent.

[Source: Added at 12 Ok Reg 1463, eff 5-25-95]