Certification Page
Regular and Emergency Rules

1. General Information

a. Agency/Board Name *See attached list for references*
Board of Nursing

b. Agency/Board Address	c. Agency/Board City	d. Agency/Board Zip Code
1810 Pioneer	Cheyenne	82002

e. Name of Contact Person	f. Contact Telephone Number
Tambra Shafer	777-3425

g. Contact Email Address	h. Adoption Date:
tambra.shafer@wyo.gov	October 11, 2012

i. Program(s) *See attached list for references*
General Agency Board or Commission Rules

2. Rule Type and Information

a. These rules are: ☐ **Emergency Rules** (*After completing all of Section 2, proceed to Section 5 below*) ☒ **Regular Rules**

b. Choose all that apply: ☐ **New Rules*** ☒ **Amended Rules** ☐ **Repealed Rules**

** "New" rules means the first set of regular rules to be promulgated by the Agency after the Legislature adopted a new statutory provision or significantly amended an existing statute.*

If "New," provide the Enrolled Act number and year enacted:

c. Provide the Chapter Number, and Short Title of Each Chapter being Created/Amended/Repealed *(if more than 5 chapters are being created/amended/repealed, please use the Additional Rule Information form and attach it to this certification)*

Chapter Number:	Short Title:
Chapter 2 Section 9 (a) & (b)	Temporary Permits
Chapter Number:	Short Title:
Chapter Number:	Short Title:
Chapter Number:	Short Title:
Chapter Number:	Short Title:

d. ☒ The Statement of Reasons is attached to this certification.

e. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

3. State Government Notice of Intended Rulemaking

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the **Secretary of State**: August 10,2012

b. Date on which the Notice of Intent and proposed rules in strike and underscore format were provided to the **Legislative Service Office**: August 10, 2012

c. Date on which the Notice of Intent and proposed rules in strike and underscore format were provided to the **Attorney General**: August 10, 2012

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. ☐ Yes ☐ No ■ N/A

b. A public hearing was held on the proposed rules. ☐ Yes ■ No

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

5. Final Filing of Rules

a. Date on which the Certification Page with original signatures and final rules were sent to the **Attorney General's Office for the Governor's signature**: October 12, 2012

b. Date on which final rules were sent to the **Legislative Service Office**: October 12, 2012

c. Date on which a PDF of the final rules was electronically sent to the **Secretary of State**: October 12, 2012

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	Tambra Shafer
Printed Name of Signatory	Tambra M. Shafer
Signatory Title	Executive Assistant
Date of Signature	10-12-2012

7. Governor's Certification

I have reviewed these rules and determined that they:

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

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

Distribution List:

Attorney General

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

LSO

1. Statement of Reasons;
2. Copy of Certification Page;
3. Summary of Comments (regular rules);
4. Hard copy of rules: clean and strike/underscore;
5. Electronic copy of rules: clean and strike/underscore; and
6. Memo to Governor documenting emergency (emergency rules).

SOS

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

BOARD OF STATE NURSING WYOMING

Matthew H. Mead
Governor

Wyoming
STATE BOARD OF NURSING

Cynthia LaBonde, MN, RN
Interim Executive Director

1810 Pioneer Avenue • Cheyenne, Wyoming 82002 • Phone: 307-777-7601 • FAX: 307-777-3519 • http://nursing.state.wy.us

Temporary Certification of Certified Nursing Assistants by Endorsement

Chapter 2, Section 9, (a) & (b)

Statement of Principal Reasons

It has come to the Nursing Board's attention that a barrier to licensing of Nursing Assistants could be resolved if nursing assistants holding a valid, unencumbered license/certification in another state were allowed a temporary permit to practice while the License was being processed. This would only apply to CNA's with a verifiable license/certification who submit a full application and fees for certification in Wyoming. The same level of scrutiny and validation would apply to the certification process but it would allow the nursing assistant to proceed with an employer while the regulatory process took its full course.

Respectfully Submitted,

Tambra Shafer
Executive Assistant

BOARD OF STATE NURSING WYOMING

Matthew H Mead
Governor

Wyoming
STATE BOARD OF NURSING

Cynthia LaBonde MN, RN
Interim Executive Director/
Nurse Investigator

1810 Pioneer Avenue • Cheyenne, Wyoming 82002 • Phone: 307-777-7601 • FAX: 307-777-3519 • http://nursing.state.wy.us

Chapter 2 – Section 9 a, b
Public Comment

After filing the notice of intent on August 7th, 2012, public notice was printed in both a state newspaper and the Fall edition of the Wyoming Nurse Reporter. The proposed rule change was also posted on the Wyoming State Board of Nursing website.

WSBN has received no public comments regarding this rule either by mail, phone, verbally, or electronically.

Tambra Shafer
Executive Assistant

8/24/2012

CHAPTER 2

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

Section 1. Statement of Purpose.

(a) These rules and regulations are adopted to implement the board's authority:

(i) To regulate the qualifications of:

(A) The registered professional nurse and the licensed practical nurse to practice nursing, and

(B) The certified nursing assistant/nurse aide to carry out delegated nursing tasks.

(ii) To set forth the requirements and procedures for being so qualified.

(iii) To set forth the requirements for granting temporary permits and graduate temporary permits for registered professional nurses, licensed practical nurses, foreign nurses, advanced practitioners of nursing, and certified nursing assistants/nurse aides.

(iv) To set forth the requirements and/or procedures for the biennial renewal of recognition and/or licensure of all nurses.

(v) To set forth the requirements and procedures for the biennial renewal of certification of nursing assistants/nurse aides.

Section 2. Licensure by Examination.

(a) Preparation for licensure by examination:

(i) A candidate from a state board approved nursing education program preparing students for registered professional nurse licensure shall be eligible to take the national nursing licensure examination for registered professional nurses;

(ii) A candidate from a state board approved nursing education program preparing students for practical nurse licensure shall be eligible to take the national nursing licensure examination for practical nurses;

(iii) The Board shall notify the administrative head of the nursing education program of the examination process;

(iv) The board shall notify the nursing education program of the overall performance of the program's candidates on the examination. Individual examination results shall not be released to the program without written consent from the candidates.

(b) The candidate shall:

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

(ii) Submit the application and fee for the national nursing licensure examination to the national testing service;

(iii) Submit the application and fee for licensure by examination to the board;

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

(v) Request the registrar's office to submit an official transcript; the official transcript shall be on file with the board before permission shall be granted to the candidate to take the examination.

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

(a) Preparation for certification by examination:

(i) A candidate who has graduated from a state or board approved nursing assistant/nurse aide training and competency evaluation program shall be eligible to write the national or board approved certifying examination (NACEP) for certified nursing assistants/nurse aides;

(ii) The board shall notify the administrative head of the nursing assistant/nurse aide training and competency evaluation program of the examination dates, application deadlines and method for obtaining appropriate applications;

(iii) A candidate shall be required to pass a national nursing assistant/nurse aide certifying examination with a minimum score determined by the board, to be eligible for certification by examination.

(b) The board may allow a candidate to sit for the appropriate national or board approved certification examination a total of five (5) times.

(i) Eligibility to sit for the examination shall be within the one (1) year period following graduation.

(ii) The board shall notify the nursing assistant/nurse aide training and competency evaluation program of the overall performance of the program's candidates on the written and skills examinations.

(c) The candidate shall:

(i) Submit evidence of having graduated from a state or board approved nursing assistant/nurse aide training and competency evaluation program which meets OBRA guidelines (Public Law 100-203) and is recognized by the board;

(A) The evidence shall be on file with the board before permission is granted to the candidate to write the examination;

(B) The board shall grant permission to the candidate to take the skills examination at the convenience of the testing program.

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

(A) The candidate or the candidate's employer shall submit the fee to the board;

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

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

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

Section 4. Examinations for Licensure for Nurses

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

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

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

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

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

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

(a) The candidate must have successfully completed:

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

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

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

(b) The candidate shall:

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

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

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

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

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

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

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

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

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

Section 6. Licensure by Endorsement for Nurses.

(a) An applicant shall:

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

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

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

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

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

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

(a) An applicant for endorsement shall submit:

(i) A completed application;

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

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

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

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

(vi) The required fee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 9. Temporary Permits.

(a) Temporary Permit Pending Licensure.

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

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

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

(II) The fee for a temporary permit by endorsement shall be the same as the fee for initial licensure or certification.

(b) Temporary Permit Without Licensure.

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

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

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

(II) The fee for a temporary permit by endorsement without license shall be the same as the fee for initial licensure or certification.

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

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

(d) Graduate Temporary Permit.

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

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

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

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

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

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

(iii) A graduate temporary permit is nonrenewable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) A graduate temporary permit shall be nonrenewable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) The board shall make applications for renewal of certification available on the Board website on or before October 1st of every even year.

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

(i) A completed renewal application;

(ii) Evidence of employment as a nurse assistant for at least sixteen (16) hours or participation in direct patient care through an approved nursing program since the last renewal;

(iii) Evidence of twenty-four (24) hours of learning activities related to CNA practice since the last renewal;

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

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

(c) No certification shall be renewed unless the nursing assistant/nurse aide has been employed as a nursing assistant/nurse aide for at least sixteen (16) hours or participated in direct patient care through an approved nursing program since the last renewal and has completed twenty-four (24) hours of learning activities related to CNA practice since the last renewal.

Section 12. Failure to Renew.

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

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

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

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

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

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

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

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

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

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

Section 13. Inactive Status.

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

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

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

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

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

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

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

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

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

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

Section 14. Reactivation.

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

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

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

Section 15. Relicensure.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Continued competency requirements apply to:

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

(ii) A nursing assistant/nurse aide seeking to reinstate certification; and

(iii) A nursing assistant/nurse aide seeking endorsement.

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

(i) Submit evidence of employment as a nursing assistant/nurse aide for a minimum of sixteen (16) hours since the last renewal; or

(ii) Submit evidence of participation in direct patient care through an approved nursing program since the last renewal; and

(iii) Submit evidence of twenty-four (24) hours of continuing education since the last renewal;

(c) Continuing education may be in the form of CEUs, inservice presentations, contact hours or other means which provide learning activities related to CNA practice.

(i) The evidence of continuing education shall include:

(A) The name of the continuing education course;

(B) The date(s) of the continuing education course(s);

(C) The number of hours of the continuing education course(s);

(D) The name and address of provider; and

(E) The authorized signature of provider or designated representative.

(d) A nursing assistant/nurse aide who is unable to provide satisfactory evidence of continuing education training will be required to meet the requirements for certification by examination.

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

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

(i) Failure to fulfill all the requirements for certification, licensure, and/or recognition;

(ii) Violations of the standards of nursing practice, the board's administrative rules and regulations, or the Nursing Practice Act.

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

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

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

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

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

Section 21. Change of Name and/or Address.

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

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

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

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

Section 22. Duplicate License/Certificate.

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

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

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

Section 23. Nurse Volunteer License.

(a) An applicant shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) The applicant shall:

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

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

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

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

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

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

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

(c) Denial of issuance or renewal of nurse volunteer license and/or recognition

(i) The board may deny issuance or renewal of a nurse volunteer license for:

(A) Failure to fulfill all the requirements for licensure or renewal of nurse volunteer license and/or recognition;

(B) Violations of the standards of nursing practice, the board's administrative rules and regulations, or the Nursing Practice Act;

(ii) A licensee, who has been denied nurse volunteer licensure or recognition, may request a hearing before the board to show cause why that decision should not be affirmed;

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

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

(d) Grounds for Discipline

(i) Inability to function with reasonable skill and safety for the following reasons, including but not limited to:

(A) Physical or mental disability;

(B) Substance abuse/dependency;

(C) Client abandonment;

(D) Client abuse, including sexual abuse;

(E) Fraud or deceit;

(F) Client neglect;

(G) Client boundaries, including sexual boundaries;

(H) Performance of unsafe client care;

(ii) Misappropriation of property;

(iii) Criminal felony conviction;

(iv) Failure to conform to the standards of prevailing nursing and advanced practitioner of nursing practice, in which case actual injury need not be established;

(v) Accepting remuneration for providing nursing services while in possession of a volunteer nursing license;

(vi) Practicing outside the premises of a nonprofit health care facility in this state;

(vii) Providing care to persons other than low income uninsured;

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

(e) Register

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

CHAPTER 2

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

Section 1. Statement of Purpose.

(a) These rules and regulations are adopted to implement the board's authority:

(i) To regulate the qualifications of:

(A) The registered professional nurse and the licensed practical nurse to practice nursing, and

(B) The certified nursing assistant/nurse aide to carry out delegated nursing tasks.

(ii) To set forth the requirements and procedures for being so qualified.

(iii) To set forth the requirements for granting temporary permits and graduate temporary permits for registered professional nurses, licensed practical nurses, foreign nurses, advanced practitioners of nursing, and certified nursing assistants/nurse aides.

(iv) To set forth the requirements and/or procedures for the biennial renewal of recognition and/or licensure of all nurses.

(v) To set forth the requirements and procedures for the biennial renewal of certification of nursing assistants/nurse aides.

Section 2. Licensure by Examination.

(a) Preparation for licensure by examination:

(i) A candidate from a state board approved nursing education program preparing students for registered professional nurse licensure shall be eligible to take the national nursing licensure examination for registered professional nurses;

(ii) A candidate from a state board approved nursing education program preparing students for practical nurse licensure shall be eligible to take the national nursing licensure examination for practical nurses;

(iii) The Board shall notify the administrative head of the nursing education program of the examination process;

(iv) The board shall notify the nursing education program of the overall performance of the program's candidates on the examination. Individual examination results shall not be released to the program without written consent from the candidates.

(b) The candidate shall:

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

(ii) Submit the application and fee for the national nursing licensure examination to the national testing service;

(iii) Submit the application and fee for licensure by examination to the board;

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

(v) Request the registrar's office to submit an official transcript; the official transcript shall be on file with the board before permission shall be granted to the candidate to take the examination.

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

(a) Preparation for certification by examination:

(i) A candidate who has graduated from a state or board approved nursing assistant/nurse aide training and competency evaluation program shall be eligible to write the national or board approved certifying examination (NACEP) for certified nursing assistants/nurse aides;

(ii) The board shall notify the administrative head of the nursing assistant/nurse aide training and competency evaluation program of the examination dates, application deadlines and method for obtaining appropriate applications;

(iii) A candidate shall be required to pass a national nursing assistant/nurse aide certifying examination with a minimum score determined by the board, to be eligible for certification by examination.

(b) The board may allow a candidate to sit for the appropriate national or board approved certification examination a total of five (5) times.

(i) Eligibility to sit for the examination shall be within the one (1) year period following graduation.

(ii) The board shall notify the nursing assistant/nurse aide training and competency evaluation program of the overall performance of the program's candidates on the written and skills examinations.

(c) The candidate shall:

(i) Submit evidence of having graduated from a state or board approved nursing assistant/nurse aide training and competency evaluation program which meets OBRA guidelines (Public Law 100-203) and is recognized by the board;

(A) The evidence shall be on file with the board before permission is granted to the candidate to write the examination;

(B) The board shall grant permission to the candidate to take the skills examination at the convenience of the testing program.

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

(A) The candidate or the candidate's employer shall submit the fee to the board;

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

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

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

Section 4. Examinations for Licensure for Nurses

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

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

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

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

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

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

(a) The candidate must have successfully completed:

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

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

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

(b) The candidate shall:

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

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

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

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

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

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

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

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

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

Section 6. Licensure by Endorsement for Nurses.

(a) An applicant shall:

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

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

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

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

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

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

(a) An applicant for endorsement shall submit:

(i) A completed application;

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

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

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

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

(vi) The required fee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 9. Temporary Permits.

(a) Temporary Permit Pending Licensure.

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

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

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

(II) The fee for a temporary permit by endorsement shall be the same as the fee for initial licensure or certification.

(b) Temporary Permit Without Licensure.

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

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

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

(II) The fee for a temporary permit by endorsement without license shall be the same as the fee for initial licensure or certification.

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

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

(d) Graduate Temporary Permit.

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

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

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

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

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

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

(iii) A graduate temporary permit is nonrenewable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) A graduate temporary permit shall be nonrenewable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) The board shall make applications for renewal of certification available on the Board website on or before October 1st of every even year.

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

(i) A completed renewal application;

(ii) Evidence of employment as a nurse assistant for at least sixteen (16) hours or participation in direct patient care through an approved nursing program since the last renewal;

(iii) Evidence of twenty-four (24) hours of learning activities related to CNA practice since the last renewal;

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

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

(c) No certification shall be renewed unless the nursing assistant/nurse aide has been employed as a nursing assistant/nurse aide for at least sixteen (16) hours or participated in direct patient care through an approved nursing program since the last renewal and has completed twenty-four (24) hours of learning activities related to CNA practice since the last renewal.

Section 12. Failure to Renew.

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

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

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

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

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

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

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

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

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

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

Section 13. Inactive Status.

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

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

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

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

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

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

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

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

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

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

Section 14. Reactivation.

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

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

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

Section 15. Relicensure.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Continued competency requirements apply to:

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

(ii) A nursing assistant/nurse aide seeking to reinstate certification; and

(iii) A nursing assistant/nurse aide seeking endorsement.

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

(i) Submit evidence of employment as a nursing assistant/nurse aide for a minimum of sixteen (16) hours since the last renewal; or

(ii) Submit evidence of participation in direct patient care through an approved nursing program since the last renewal; and

(iii) Submit evidence of twenty-four (24) hours of continuing education since the last renewal;

(c) Continuing education may be in the form of CEUs, inservice presentations, contact hours or other means which provide learning activities related to CNA practice.

(i) The evidence of continuing education shall include:

(A) The name of the continuing education course;

(B) The date(s) of the continuing education course(s);

(C) The number of hours of the continuing education course(s);

(D) The name and address of provider; and

(E) The authorized signature of provider or designated representative.

(d) A nursing assistant/nurse aide who is unable to provide satisfactory evidence of continuing education training will be required to meet the requirements for certification by examination.

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

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

(i) Failure to fulfill all the requirements for certification, licensure, and/or recognition;

(ii) Violations of the standards of nursing practice, the board's administrative rules and regulations, or the Nursing Practice Act.

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

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

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

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

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

Section 21. Change of Name and/or Address.

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

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

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

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

Section 22. Duplicate License/Certificate.

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

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

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

Section 23. Nurse Volunteer License.

(a) An applicant shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) The applicant shall:

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

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

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

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

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

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

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

(c) Denial of issuance or renewal of nurse volunteer license and/or recognition

(i) The board may deny issuance or renewal of a nurse volunteer license for:

(A) Failure to fulfill all the requirements for licensure or renewal of nurse volunteer license and/or recognition;

(B) Violations of the standards of nursing practice, the board's administrative rules and regulations, or the Nursing Practice Act;

(ii) A licensee, who has been denied nurse volunteer licensure or recognition, may request a hearing before the board to show cause why that decision should not be affirmed;

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

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

(d) Grounds for Discipline

(i) Inability to function with reasonable skill and safety for the following reasons, including but not limited to:

(A) Physical or mental disability;

(B) Substance abuse/dependency;

(C) Client abandonment;

(D) Client abuse, including sexual abuse;

(E) Fraud or deceit;

(F) Client neglect;

(G) Client boundaries, including sexual boundaries;

(H) Performance of unsafe client care;

(ii) Misappropriation of property;

(iii) Criminal felony conviction;

(iv) Failure to conform to the standards of prevailing nursing and advanced practitioner of nursing practice, in which case actual injury need not be established;

(v) Accepting remuneration for providing nursing services while in possession of a volunteer nursing license;

(vi) Practicing outside the premises of a nonprofit health care facility in this state;

(vii) Providing care to persons other than low income uninsured;

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

(e) Register

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