

**PROPOSED REGULATION OF THE
STATE BOARD OF NURSING**

LCB FILE NO. R035-23I

**The following document is the initial draft regulation proposed
by the agency submitted on 08/15/2023**

REGULATION OF THE
NEVADA STATE BOARD OF NURSING

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: NRS632.120

A REGULATION relating to nursing; providing for streamlining, clarifying, reducing or otherwise providing for the general welfare of the State of Nevada without unnecessarily inhibiting economic growth, and harmonizing with recently enacted Nevada Revised Statutes.

NAC 632.150 Qualifications for license.

1. In addition to those requirements contained in [chapter 632](#) of NRS, an applicant for a license to practice as a registered nurse must:

(a) Have graduated from a nursing program approved by the Board.

(b) Have successfully completed courses on the theory of and have clinical experience in medical-surgical nursing, maternal and child nursing and psychiatric nursing if the applicant graduated from an accredited school of professional nursing after January 1, 1952.

(c) On or after July 1, 1982, pass the examination for licensure approved by the Board.

2. An applicant for a license to practice as a licensed practical nurse must:

(a) [~~Have graduated from high school or passed the general educational development test.~~
~~—(b)~~] Have graduated or received a certificate of completion from a program for registered nurses or practical nurses approved by the Board.

~~[(e)]~~ (b) Have successfully completed a course of study on the theory of and have clinical practice in medical-surgical nursing, maternal and child health nursing and principles of mental health if the applicant graduated from an accredited school of practical or vocational nursing after January 1, 1952.

~~[(d)]~~ (c) Pass the examination for licensure approved by the Board.

NAC 632.155 Application and examination.

1. An application must be completed and filed in the office of the Board.

2. The application must be accompanied by:

(a) A complete set of the applicant's fingerprints [~~or two completed fingerprint cards~~]; and

(b) The appropriate fee.

~~[3.—The candidate must write the first examination within 90 days after receiving authorization from the Board to write the examination.]~~

NAC 632.167 Application for certification: Submission to Board.

1. A trainee who receives an application for certification to practice as a nursing assistant or a medication aide - certified must submit to the Board the completed application.

2. The application must be accompanied by:

- (a) A copy of a certificate or transcript received by the applicant upon the completion of an approved program or an approved program for medication aides - certified, as applicable.
- (b) The appropriate fee.
- (c) A complete set of the applicant's fingerprints [~~or two completed fingerprint cards~~].

NAC 632.170 Qualifications for license or certificate without examination.

To be licensed without examination:

1. An applicant for a license to practice as a registered nurse must:
 - (a) Have completed a course of study in an accredited school of professional nursing. If the applicant graduated on or after January 1, 1952, he or she must have theory and clinical experience in medical-surgical nursing, maternal and child health nursing, and mental health and psychiatric nursing.
 - (b) Submit to the Board:
 - (1) A completed application;
 - (2) A complete set of his or her fingerprints [~~or two completed fingerprint cards~~]; and
 - (3) The appropriate fee.
 - 2. An applicant for a license to practice as a licensed practical nurse must:
 - (a) [~~Have graduated from high school or passed the general educational development test.~~
 - ~~(b)~~ (b) Have completed a course of study in an accredited school of practical or vocational nursing. If the applicant graduated on or after January 1, 1952, he or she must have theory and clinical experience in medical-surgical nursing and maternal-child nursing, including mental health concepts.
 - ~~[(c) Hold a current license in good standing from another state or country which was issued by a recognized legal agency.]~~
 - ~~[(d)]~~ (b) Submit to the Board:
 - (1) A completed application;
 - (2) A complete set of his or her fingerprints [~~or two completed fingerprint cards~~]; and
 - (3) The appropriate fee.
 - 3. An applicant for certification to practice as a nursing assistant or a medication aide - certified must:
 - (a) Submit to the Board a completed application accompanied by a complete set of his or her fingerprints [~~or two completed fingerprint cards~~]; and
 - (b) Request and confirm receipt by the Board of verification from the appropriate agency that he or she holds a current certificate to practice as a nursing assistant or a medication aide - certified, as applicable.

NAC 632.180 Graduation from program outside United States.

1. After an application for a license is filed by a graduate of a program outside of the United States who holds a license from another jurisdiction in the United States, the applicant's credentials will be reviewed by the Board and eligibility for licensure established. Translations must be paid for by the applicant. The ability to read, write and speak English must be shown by proof that the applicant has satisfactorily passed:
 - (a) The State Board Test Pool Examination;
 - (b) The National Council Licensing Examination; *or*
 - (c) [~~The examination given by the Commission on Graduates of Foreign Nursing Schools; or~~
 - ~~—(d)]~~ Another test of competency in English acceptable to the Board.

2. All graduates of programs in professional nursing outside of the United States who graduated on or after January 1, 1952, must have completed courses of study in the theory and clinical practice in medical nursing, surgical nursing, obstetric nursing, nursing of children and psychiatric nursing and must pass a licensing test in each of these areas. Deficiencies may be removed by participation in an accredited program in nursing or as determined by the Board.

3. All graduates of programs in practical nursing outside of the United States who graduated on or after January 1, 1952, must have completed courses of study in the theory and clinical practice in medical nursing, surgical nursing, obstetric nursing, nursing of children and principles of mental health. Deficiencies may be removed by participation in an accredited program in nursing or as determined by the Board.

NAC 632.190 Fees.

1. For a registered nurse:
 - Application for a license.....\$100.00
 - NCLEX Verification or the National Practitioner Data Bank Verification..... 5.00
 - Application for a license to practice as an advanced practice registered nurse..... 200.00
 - ~~[Fee for examination on law relating to pharmacy for an advanced practice registered Nurse 150.00]~~
 - Application for certification as a certified registered nurse anesthetist.....200.00
2. For a practical nurse:
 - Application for a license.....\$90.00
 - ~~[NCLEX Verification or the National Disciplinary Data Bank Verification.....5.00]~~
3. For a registered nurse or practical nurse:
 - Biennial renewal fee.....\$100.00
 - Fee for the reinstatement of a license.....100.00
 - ~~[Proctoring an examination.....150.00]~~
4. For a nursing assistant or medication aide-certified:
 - Application for a certificate.....\$50.00
 - Biennial renewal fee.....50.00
 - Manual skills certification examination.....90.00
 - ~~[Approval of proctors for manual skills certification examination.....50.00]~~
 - Approval of training programs:
 - ~~[If using model curriculum.....250.00~~
 - ~~If using alternative curriculum].....250.00~~
 - Annual approval of instructors of training programs.....100.00
 - Annual fee for review of training programs 100.00
5. Validation of license or certification
 - For a registered nurse.....\$25.00
 - For a licensed practical nurse.....25.00
 - For a nursing assistant or medication aide-certified.....25.00
6. Survey and evaluation of school of practical nursing, or school and course of professional nursing.....\$150.00 per day, per consultant
7. Miscellaneous:
 - For duplicating the records of the Board.....\$0.60 per page

For taking disciplinary action against a licenseeActual costs, including the costs incurred which are related to any assistance received from the Office of the Attorney General.

For monitoring a licensee who has been placed on probation..... Actual costs

For submission of fingerprints of a person to the Department of Public Safety for review and forwarding to the Federal Bureau of Investigation for a report of the person's criminal history.... Actual costs as specified by the Department of Public Safety and the Federal Bureau of Investigation

~~[For taking fingerprints.....15.00]~~

NAC 632.192 Expiration and renewal of license or certificate.

1. Each licensee or holder of a certificate who wishes to renew his or her license or certificate must submit an application for renewal of the license or certificate to the Board before the expiration of the license or certificate. The application for renewal must be received by the Board on or before the end of the business day on which the authorization to practice expires.

2. The Board will find that the licensee or holder of the certificate has made sufficient application for renewal of the authorization to practice and will renew that person's license or certificate if:

(a) The application for renewal is:

(1) Truthful, accurate and complete, and made on the form supplied by the Board.

(2) Accompanied by payment of the required fee. If the fee is paid in a form other than cash, it must be made on an account with a sufficient amount of money for payment of the instrument or by a valid debit or credit card.

(3) Accompanied by proof that the requirement of continuing education is met.

(4) Accompanied by a complete set of the applicant's fingerprints ~~[or two completed fingerprint cards, if so required by the Board]~~.

(5) Accompanied by proof that the licensee has satisfied the requirements of subsection 4, if the application is for renewal of a license and the licensee has not practiced nursing during the immediately preceding 5-year period.

(6) Accompanied by the attestation required pursuant to [NAC 632.193](#), if the application is for the renewal of a certificate to practice as a nursing assistant or medication aide - certified.

(b) The applicant attests that he or she committed no act which could subject his or her application to denial nor developed any condition which may interfere with his or her ability to practice in a safe and effective manner.

3. If an application does not meet the requirements of subsection 2, the staff of the Board will not renew the license or certificate. If the applicant makes an application to appear before the Board, the staff may issue a temporary license or certificate which remains valid for not more than 6 months after the date on which the temporary license or certificate was issued. If the license or certificate is not renewed because the applicant paid the required fee with an instrument written on an account with an insufficient amount of money for payment of the instrument, the staff may require the payment of a late fee and a fee to cover the administrative cost of handling the instrument.

4. An applicant for renewal of a license who has not practiced nursing during the immediately preceding 5-year period must complete a course or program approved by the Board if the applicant has otherwise satisfied the requirements for renewal set forth in this chapter and [chapter 632](#) of NRS. The Board may issue to the applicant a temporary license for not more than 6 months after the date on which it was issued for the sole purpose of completing the course or program in which

the applicant is enrolled. Upon submission of evidence of completion of the course or program, the Board will issue to the applicant a permanent license if he or she has satisfied the requirements of subsection 2.

5. An original license or certificate is valid for the period from the date of issuance to the licensee's or certificate holder's second birthday after issuance. Thereafter, each license or certificate will expire biennially on the licensee's or certificate holder's birthday. In a leap year the license or certificate of a licensee or certificate holder born on February 29 expires on February 28.

NAC 632.193 Renewal of certificate: Requirements; training programs; audits by Board to ensure compliance with certain requirements.

1. To renew his or her certificate, a nursing assistant must submit to the Board an attestation, on a form provided by the Board, attesting that he or she has completed:

- (a) Twenty-four hours of continuing training in the immediately preceding 2 years; and
- (b) At least 40 hours of employment as a nursing assistant under the direct supervision of a registered nurse or licensed practical nurse during the 2 years immediately preceding the date of the renewal of the certificate;

or

(c) a passing score on the competency evaluation test completed during the 2 years immediately preceding the date of the renewal of the certificate.

2. To renew his or her certificate, a medication aide - certified must submit to the Board an attestation, on a form provided by the Board, attesting that he or she has completed:

- (a) Twenty-four hours of continuing training in the immediately preceding 2 years; and
- (b) At least 200 hours of employment as a medication aide - certified under the direct supervision of an advanced practice registered nurse or a registered nurse during the 2 years immediately preceding the date of the renewal of the certificate.

3. The certificate of completion must include:

- (a) The name of the participant;
- (b) The name of the training program;
- (c) The number of hours of the training program;
- (d) The name and signature of the instructor who taught the training program; and
- (e) The date and location of the training program.

4. To be satisfactory to the Board a training program must relate to standards of care in nursing and must consist of one of the following:

- (a) Training in the facility in which the nursing assistant or medication aide - certified works;
- (b) An academic study or all of the courses required to obtain a license to practice as a registered nurse or a licensed practical nurse, if a nursing assistant or medication aide - certified is pursuing such a license, or both;
- (c) A workshop conducted by a provider of continuing education that has been approved by the Board; or
- (d) An online course for nursing assistants or medication aides - certified, as applicable.

5. A medical facility, educational institution or other organization that offers a training program must keep a record of the information required pursuant to subsection 3 for at least 4 years.

6. The Board will perform random audits of nursing assistants or medication aides - certified for compliance with the requirement for supervised employment set forth in paragraph (b) of

subsection 1 or paragraph (b) of subsection 2, as applicable. If audited by the Board, a nursing assistant or medication aide - certified must prove that he or she has complied with the requirement for supervised employment set forth in paragraph (b) of subsection 1 or paragraph (b) of subsection 2, as applicable, by submitting to the Board a letter written by the employer of the nursing assistant or medication aide - certified on the stationery of the employer or on a form prescribed by the Board and must include in the letter or on the form:

- (a) The name of the nursing assistant or medication aide - certified;
- (b) The name of the employer;
- (c) A statement indicating that, since his or her last renewal by the Board, the:
 - (1) Nursing assistant provided at least 40 hours of nursing services or services related to the scope of practice of a nursing assistant for monetary compensation under the direct supervision of a registered nurse or licensed practical nurse; or
 - (2) Medication aide - certified provided at least 200 hours of nursing services or services related to the scope of practice of a medication aide - certified for monetary compensation under the direct supervision of an advanced practice registered nurse or a registered nurse; and
- (d) Any other information the Board may require for the renewal of the certificate.

NAC 632.2595 License to dispense controlled substances, poisons, dangerous drugs and devices.

1. The State Board of Nursing *will make eligible, and notify the Nevada State Board of Pharmacy of the eligibility* ~~[issue a license]~~ to dispense controlled substances, poisons, dangerous drugs and devices to an advanced practice registered nurse if the advanced practice registered nurse ~~;~~

~~—(a)—S] successfully completes an examination administered by the State Board of Nursing on Nevada law relating to pharmacy; and~~

~~[(b)—Submits to the State Board of Nursing his or her affidavit verifying that he or she has made application with the State Board of Pharmacy for a certificate of registration.~~

~~—2.—An advanced practice registered nurse who receives a certificate of registration from the State Board of Pharmacy shall, upon receipt, submit a copy of the certificate to the State Board of Nursing.]~~

NAC 632.285 Change in role, population of focus or location of practice.

An advanced practice registered nurse shall immediately ~~;~~

~~—1.—S] submit to the Board a new application for a license if there is any change in his or her role or population of focus. [;and~~

~~2.—Notify the Board in writing of any change in the location of the practice of the advanced practice registered nurse.]~~

NAC 632.675 Faculty: General requirements.

1. A program of nursing must have a competent and stable faculty. The majority of the members of the faculty must be full-time employees.
2. Of the faculty who are hired after August 13, 2004:
 - (a) At least 75 percent of the members must hold at least a master's degree with a major in nursing and have completed training which is related to the area of teaching of the member; and
 - (b) Except as otherwise provided in subsection 3, the remainder of such members, if any, must hold at least:
 - (1) A master's or doctoral degree with a major in nursing;
 - (2) A bachelor's degree with a major in nursing and a master's or doctoral degree in a field related to nursing; or
 - (3) A graduate degree from an accredited school of nursing as defined in NRS 632.011.
3. The Executive Director of the Board may, for good cause shown, waive the requirements of paragraph (b) of subsection 2.
4. The members of the faculty shall develop and evaluate the curriculum and the educational practices of the program.
5. Except as otherwise provided in this subsection, in courses relating to the care of patients, there must be at least one member of the faculty for every *twelve* [eight] students. ~~[The Executive Director of the Board may, upon a showing of good cause, waive the requirement.]~~
6. A program of nursing that uses the personnel of a clinical facility as preceptors to instruct the clinical experience of students must require:
 - (a) Each preceptor to have clinical expertise and to have demonstrated competence in the specialty of the students whom he or she will instruct;
 - (b) Each preceptor to be approved by the faculty of the program of nursing;
 - (c) The faculty of the program of nursing to provide to each preceptor an orientation concerning the roles and responsibilities of students, members of the faculty and preceptors; and
 - (d) The faculty of the program of nursing to develop written objectives and provide a copy of those objectives to each preceptor,
↳ before the preceptor begins his or her instruction of the students.
7. In addition to the requirements set forth in subsection 6, a program of nursing that uses the personnel of a clinical facility as preceptors to instruct the clinical experience of students:

(a) Must ensure that each preceptor is assigned to instruct not more than two students at the same time;

(b) Must designate a member of the faculty to serve as a liaison between the preceptor and each student who participates in the clinical experience;

(c) Must require that each preceptor be present in the clinical facility and available to the students at all times when the students provide nursing services to patients; and

(d) May use a preceptor to reinforce basic nursing skills or to teach nursing skills which build on the basic nursing skills that the students have acquired.

8. There must be at least one qualified administrator for each department or division of the program.

9. If a university or college offers a program of nursing for more than one level of preparation, there must be one person who is responsible for each such level.