

## **Title 30: Professions and Occupations**

### **Part 2850 Nurse Licensure Compact**

#### **Part 2850 Chapter 1: Definition of Terms in the Compact**

*Rule 1.1 Definition of Terms in the Compact.* For the purpose of the compact:

- A. Adverse action.  
A home or remote state action.
- B. Alternative program.  
A voluntary, non-disciplinary monitoring program approved by a nurse licensing board.
- C. Board.  
A party state's regulatory body responsible for issuing nurse licenses.
- D. Coordinated licensure information system.  
An integrated process for collecting, storing, and sharing information on nurse licensure and enforcement activities related to nurse licensure laws, which is administered by a nonprofit organization composed of and controlled by state nurse licensure boards.
- E. Current significant investigative information.
  - 1) Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the nurse to respond if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or
  - 2) Investigative information that indicates that the nurse represents an immediate threat to public health and safety regardless of whether the nurse has been notified and had an opportunity to respond.
- F. Home state.  
The party state which is the nurse's primary state of residence.
- G. Home state action.  
Any administrative, civil, equitable or criminal action permitted by the home state's laws which are imposed on a nurse by the home state's licensing board or other authority including actions against an individual's license such as: revocation, suspension, probation or any other action which affects a nurse's authorization to practice.
- H. Information system.  
The coordinated licensure information system.
- I. Multi-state licensure privilege.  
Current, official authority from a remote state permitting the practice of nursing as either a registered nurse or a licensed practical/vocational nurse in such party state. All party states have the authority, in accordance with existing state due process law, to take actions against the nurse's privilege such as: revocation, suspension, probation or any other action which affects a nurse's authorization to practice.
- J. Nurse.  
A registered nurse or licensed practical/vocational nurse, as those terms are defined by each party's state practice laws.

- K. Party state.  
Any state that has adopted this compact.
- L. Primary state of residence.  
The state of a person's declared fixed, permanent and principal home for legal purposes; domicile.
- M. Public.  
Any individual or entity other than designated staff or representatives of party state boards or the National Council of State Boards of Nursing, Inc.
- N. Remote state. A party state, other than the home state.
  - 1) Where the patient is located at the time nursing care is provided, or
  - 2) In the case of the practice of nursing not involving a patient, in such party state where the recipient of nursing practice is located.
- O. Remote state action.
  - 1) Any administrative, civil, equitable or criminal action permitted by a remote state's laws which are imposed on a nurse by the remote state's licensing board or other authority including actions against an individual's multi-state licensure privilege to practice in the remote state, and
  - 2) Cease and desist and other injunctive or equitable orders issued by remote states or the licensing boards thereof.
- P. State.  
A state, territory, or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico.
- Q. State practice laws.  
Those individual party's state laws and regulations that govern the practice of nursing, define the scope of nursing practice, and create the methods and grounds for imposing discipline. "State practice laws" does not include the initial qualifications for licensure or requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.  
Other terms used in these rules are to be defined as in the Interstate Compact.

Source: *Miss. Code Ann.* § 73-15-17 (1972, as amended).

## **Part 2850 Chapter 2: Issuance of a License by a Compact Party State**

*Rule 2.1 Issuance of a License by a Compact Party State.* For the purpose of this compact:

- A. As of July 1, 2005, no applicant for initial licensure will be issued a compact license granting a multi- state privilege to practice unless the applicant first obtains a passing score on the applicable NCLEX examination or its predecessor examination used for licensure.
- B. A nurse applying for a license in a home party state shall produce evidence of the nurse's primary state of residence. Such evidence shall include a declaration signed by the licensee. Further evidence that may be requested may include but is not limited to:
  - 1) Driver's license with a home address;
  - 2) Voter registration card displaying a home address;
  - 3) Federal income tax return declaring the primary state of residence;

- 4) Military Form No. 2058 – state of legal residence certificate; or
  - 5) W2 from US Government or any bureau, division or agency thereof indicating the declared state of residence.
- C. A nurse on a visa from another country applying for licensure in a party state may declare either the country of origin or the party state as the primary state of residence. If the foreign country is declared the primary state of residence, a single state license will be issued by the party state.
  - D. A licensee issued by a party state is valid for practice in all other party states unless clearly designated as valid only in the state which issued the license.
  - E. When a party state issued a license authorizing practice only in that state and not authorizing practice in other party states (i.e. a single state license), the license shall be clearly marked with words indicating that it is valid only in the state of issuance.
  - F. A nurse changing primary state of residence, from one party state to another party state, may continue to practice under the former home state license and multi-state licensure privilege during the processing of the nurse's licensure application in the new home state for a period not to exceed thirty (30) days.
  - G. The licensure application in the new home state of a nurse under pending investigation by the former home state shall be held in abeyance and the thirty-day (30) period in subsection 2.2 of this section shall be stayed until resolution of the pending investigation.
  - H. The former home state license shall no longer be valid upon the issuance of a new home state license.
  - I. If a decision is made by the new home state denying licensure, the new home state shall notify the former home state within ten (10) business days and the former home state may take action in accordance with that state's laws and rules.

Source: *Miss. Code Ann.* § 73-15-17 (1972, as amended).

### **Part 2850 Chapter 3: Limitations on Multi-State Licensure Privilege**

#### *Rule 3.1 Limitations on Multi-State Licensure Privilege.*

- A. Home state boards shall include in all licensure disciplinary orders and/or agreements that limit practice and/or require monitoring the requirement that the licensee subject to said order and/or agreement will agree to limit the licensee's practice to the home state during the pendency of the disciplinary order and/or agreement. This requirement may, in the alternative, allow the nurse to practice in other party states with prior written authorization from both the home state and such other party state boards.
- B. An individual who had a license which was surrendered, revoked, suspended, or an application denied for cause in a prior state of primary residence, may be issued a single state license in a new primary state of residence until such time as the individual would be eligible for an unrestricted license by the prior state(s) of adverse action. Once eligible for licensure in the prior state(s), a multi-state license may be issued.

Source: *Miss. Code Ann.* § 73-15-17 (1972, as amended).

## Part 2850 Chapter 4: Information System

### Rule 4.1 Information System.

- A. Levels of access
  - 1) The public shall have access to nurse licensure information limited to:
    - (a) the nurse's name,
    - (b) jurisdiction(s) of licensure,
    - (c) license expiration date(s),
    - (d) licensure classifications(s) and status(es),
    - (e) public emergency and final disciplinary actions, as defined by contributing state authority, and
    - (f) the status of multi-state licensure privileges.
  - 2) Nonparty state boards shall have access to all information system data except current significant investigative information and other information as limited by contributing party state authority.
  - 3) Party state boards shall have access to all information system data contributed by the party states and other information as limited by contributing nonparty state authority.
- B. The licensee may request in writing to the home state board to review the data relating to the licensee in the information system. In the event a licensee asserts that any data relating to him or her is inaccurate, the burden of proof shall be upon the licensee to provide evidence that substantiates such claim. The board shall verify and within ten (10) business days correct inaccurate data to the information system.
- C. The board shall report to the information system within ten (10) business days:
  - (a) disciplinary action, agreement or order requiring participation in alternative programs or which limit practice or require monitoring (except agreements and orders relating to participation in alternative programs required to remain nonpublic by contributing state authority),
  - (b) dismissal of complaint, and
  - (c) changes in status of disciplinary actions, or licensure encumbrance.
- D. Current significant investigative information shall be deleted from the information system within ten (10) business days upon report of disciplinary action, agreement or order requiring participation in alternative programs or agreements which limit practice or require monitoring or dismissal of a complaint.
- E. Changes to licensure information in the information system shall be completed within ten (10) business days upon notification by a board.

Source: *Miss. Code Ann.* § 73-15-17 (1972, as amended).