

DEPARTMENT OF REGULATORY AGENCIES

Division of Registrations

3 CCR 716-1

CHAPTER I

RULES AND REGULATIONS FOR THE LICENSURE OF PRACTICAL AND PROFESSIONAL NURSES

BASIS: The authority for the promulgation of these rules and regulations by the State Board of Nursing is set forth in Sections 12-38-108(1)(b),(c) and (j); 12-38-110; 12-38-111; 12-38-112; 12-38-112.5; and 12-38-118, C.R.S.

PURPOSE: To specify requirements for obtaining and maintaining professional and practical nursing licensure.

1. **DEFINITIONS:** For the purposes of these Chapter I Rules, the following terms have the indicated meaning:
 - 1.1 Applicant: Any individual seeking a license to practice as a professional or practical nurse in the state of Colorado.
 - 1.2 Approved Nursing Education Program (Approved Professional Nursing Education Program/Approved Practical Nursing Education Program): A course of study which implements the basic professional or practical nursing curriculum prescribed and approved by the Board.
 - 1.3 Board: The State Board of Nursing.
 - 1.4 Clinical Supervision: The on-site guidance, direction, and review by a professional nurse designated as an instructor/preceptor of the nursing care provided by a holder of a special or student permit pursuant to Sections 6 and 7 of these Chapter I Rules. This supervision includes assigning nursing responsibilities for patient care appropriately and evaluating the competency of the individual nurse.
 - 1.5 Executive Officer: The executive administrator of the Board appointed by the director of the division of registrations pursuant to Section 12-38-107, C.R.S. The Executive Officer has been delegated authority to administer examinations, issue licenses by endorsement and examination, renew licenses, reinstate licenses, inactivate and reactivate licenses, and issue temporary licenses and permits to qualified Applicants.
 - 1.6 Graduate: An individual who has successfully completed the requirements for a degree, diploma, or certificate from an Approved Nursing Education Program.
 - 1.7 Licensee: An individual licensed to practice as a professional or practical nurse by the Board.
 - 1.8 NCLEX: The National Council Licensure Examination maintained, owned, and created by the National Council of State Boards of Nursing.
 - 1.9 Nontraditional Nursing Education Program: A program with curricula that does not include a faculty supervised teaching/learning component in clinical settings taught concurrently with theoretical content.

2. REQUIREMENTS FOR ALL APPLICANTS

- 2.1 Must apply in a manner approved by the Board.
- 2.2 Pay application fee.
- 2.3 Submit proof of successful completion of an Approved Nursing Education Program, as set forth in Sections 3 and 4, below.
- 2.4 Submit proof of having passed:
 - A. The NCLEX examination for professional or practical nurses;
 - B. The State Board Test Pool Examination for Professional Nurses given between 1951 and 1982/1983;
 - C. The State Board Test Pool Examination for Practical Nurses given between 1952 and 1982/1983; or
 - D. A state licensing examination for professional nurses given prior to 1951 or a state licensing examination for practical nurses given prior to 1952.
 - E. In the event that Applicant examination results are lost or destroyed through circumstances beyond the control of the Board, the Applicant will be required to retake the NCLEX in order to meet requirements for licensure.

3. LICENSURE BY EXAMINATION

- 3.1 A Graduate of a Colorado Approved Professional Nursing Education Program is eligible to take the NCLEX examination for professional or practical nursing, provided that:
 - A. An official school transcript reflecting completion of institutional requirements for the degree/diploma/certificate and the date of completion is provided to the Board in a secure manner;
 - B. All other requirements of state law and these Chapter I Rules are met.
- 3.2 A Graduate of a Colorado Approved Practical Nursing Education Program is eligible to take the NCLEX examination for practical nursing, provided that:
 - A. An official school transcript reflecting completion of institutional requirements for the degree/diploma/certificate and the date of completion is provided to the Board in a secure manner;
 - B. All other requirements of state law and these Chapter I Rules are met.
- 3.3 A Graduate of a nursing education program approved by a board of nursing of another state or territory of the United States is eligible to take the NCLEX examination for professional or practical nursing, provided that:
 - A. The applicant graduated from a traditional nursing education program that was accredited by the United States Department of Education and approved by a board of nursing of a state or territory of the United States;

- B. An official school transcript reflecting completion of institutional requirements for the degree/diploma/certificate and the date of completion is provided in a manner approved by the Board; and
 - C. All other requirements of state law and these Chapter I Rules are met.
- 3.4 A Graduate of a Non-traditional Nursing Education Program may take the NCLEX, if the requirements as outlined in Section 7 are met.
- 3.5 A Graduate of a foreign nursing education program is eligible to take the NCLEX examination only after:
- A. Board review of nursing education credentials as evaluated by a Board-recognized educational credentialing agency; and
 - B. Having met the standards set by the United States Department of Education on the English competency exam.
- 3.6 Applicants shall provide official school transcripts in a manner approved by the Board. Applicants of foreign nursing education programs shall provide official school transcripts to a Board-recognized educational credentialing agency.
- 3.7 Notwithstanding the requirements of Section 7 of these Chapter I Rules, Graduates of a Nontraditional Nursing Education Program that were enrolled in the program on or before January 1, 2006, and with continuous enrollment are deemed to be Graduates of an Approved Nursing Education Program and are eligible to take the NCLEX pursuant to Section 3.1, above. If the Graduate is unable to establish continuous enrollment, the Graduate must comply with Section 7.
- 3.8 Applicants may be approved to take the NCLEX a maximum of three (3) times within three (3) years of the date the Applicant first took the NCLEX in any state, territory, or foreign country. Any applicant who wishes to take the NCLEX a fourth (4th) time must:
- A. Evaluate his/her deficiencies;
 - B. Educate and prepare him/herself appropriately, such as, but not limited to, completing appropriate coursework, NCLEX review, or a didactic portion of a refresher course; and
 - C. Submit, in writing, a petition for a waiver to take the NCLEX a fourth (4th) time, documenting evidence of successful completion of 3.8.A and 3.8.B, as described above. The applicant may also include any circumstances they wish the Board to consider. The decision to grant or deny any such waiver shall be at the sole discretion of the Board. It is anticipated that such waivers would be rare.
 - D. All requirements of 3.8 must be completed within 2 years of the date of the third (3rd) NCLEX examination date. If not completed, the application file will be purged.

4. LICENSURE BY ENDORSEMENT

- 4.1 Applicants shall be eligible for licensure as a professional or practical nurse by endorsement in Colorado if the Applicant has met the requirements of Section 2 of these Chapter I Rules, and:
- A. Has an active, unencumbered license in another state or territory of the United States;
 - B. Has been previously licensed in another state or territory of the United States, graduated from an Approved Nursing Education Program or a recognized military education

program approved by a board of nursing of a state or territory of the United States, and has demonstrated competency as defined in Section 24-34-102(8)(e), C.R.S.;

- C. Has been previously licensed as a professional nurse in another state or territory of the United States, graduated from a Nontraditional Nursing Education Program, and has worked a minimum of 2,000 hours as a professional nurse and has provided evidence of demonstrated continued competency requirements as defined in Section 24-34-102(8)(e), C.R.S.; or
 - D. Has an encumbered license in another state or territory of the United States, only after review and approval by the Board.
- 4.2 A temporary license may be granted to an endorsement Applicant if the Applicant meets the requirements of these Chapter I Rules and provides proof of an active, unencumbered license issued by another state or territory of the United States in a manner approved by the Board.
- 4.3 A temporary license to practice professional or practical nursing expires upon the Board's approval or denial of the application or four months from the date of issue, whichever occurs first.

5. REINSTATEMENT

- 5.1 A licensee who does not renew his or her license within the 60 day grace period shall be treated as having an expired license and shall be ineligible to practice until such license is reinstated.
- 5.2 The licensee must apply for reinstatement in a manner approved by the Board.
- 5.3 The licensee applying for reinstatement must pay an application fee.
- 5.4 A licensee who has practiced on an expired license may be subject to disciplinary action.
- 5.5 A licensee whose license has been expired less than two (2) years shall comply with requirements of 5.2 and 5.3.
- 5.6 An individual whose professional or practical nursing license has been inactive or expired for more than two years must demonstrate competency. The Program Director or designee may accept proof of competency through successful completion of remedial or refresher courses under a restricted license as defined in A and B, below. "Successful completion" means achieving a grade of "C" or better or the equivalent in each course. The Program Director or designee may refer any case to an Inquiry Panel.
- A. The remedial or refresher courses must have medical/surgical focus, must clearly differentiate knowledge and skill level for RN's and LPN's, and have the following minimum content:
 - 1. Physical assessment, history taking, documentation, and health information technologies;
 - 2. Pharmacology, medication administration, and IV therapy;
 - 3. Nursing knowledge and skills update, based on best evidence;
 - 4. Legal, ethical, and professional issues;

- B. The number of successfully completed contact hours required of each individual to demonstrate competency prior to reinstatement, reactivation, or endorsement will be determined by the number of years that his or her license has been inactive or expired, as follows:

2-5 years	Contact Hours:	80 Theory (including lab) and 80 Clinical
6-10 years	Contact Hours:	120 Theory (including lab) and 120 Clinical
more than 10 years	Contact Hours:	120 Theory (including lab) and 120 Clinical; and possible additional hours as determined by the Board on a case-by-case basis.

- 5.7 Upon a petition by the licensee, and with due consideration of the need to protect the public, the Board may accept an alternative method for establishing competency. It is anticipated that such alternative methods for establishing competency would be rarely used. The decision to accept an alternative method for establishing competency shall be at the sole discretion of the Board.

6. SPECIAL PERMITS

- 6.1 Permits may be granted, in the Board's discretion, to individuals possessing active and unencumbered licenses to practice professional or practical nursing in other states or territories of the United States, to allow for occasional nursing practice which is patient- or procedure- specific for educational purposes and/or clinical practice of professional development. However, if such nurse has any established or regularly used healthcare agency connections in this state for the provision of such services, the nurse shall possess a license to practice nursing in Colorado, except as otherwise provided in these rules.
- 6.2 All individuals seeking a permit must apply in a manner approved by the Board.
- 6.3 A permit may be denied if the Applicant has committed any of the acts that would be grounds for discipline under Section 12-38-117, C.R.S.

7. STUDENT PERMITS

- 7.1 Student permits are intended for students in Nontraditional Nursing Education Programs who must obtain in-state clinical training and experience.
- 7.2 Eligibility.
- A. An individual who is a Graduate of a Nontraditional Nursing Education Program is eligible for a student permit if:
1. The program is physically located in another state or territory of the United States; and
 2. The program is accredited by the United States Department of Education and is approved by a board of nursing of a state or territory of the United States.
- B. A student permit is not required for persons actively enrolled in an Approved Nursing Education Program in Colorado and who participate in clinical training in clinical settings as defined in the Board of Nursing Rules and Regulations, Chapter II, Section 1.5, Rules and Regulations for Approval of Nursing Education Programs.

7.3 Nontraditional Nursing Education Program Graduate Requirements to take the NCLEX Examination.

- A. The Applicant is able to demonstrate satisfactory completion of 750 hours of supervised clinical experience in the role of a professional nurse; or
- B. The Applicant has an active license to practice as a practical nurse in any state and is able to demonstrate satisfactory completion of 350 hours of supervised clinical experience in the role of a professional nurse.
- C. The required elements for satisfactory completion of the supervised clinical experience are as follows:
 - 1. Acceptable clinical sites that take place in acute care or subacute care settings, skilled nursing facilities, or other sites as approved by the Board.
 - 2. Clinical Supervision may be provided either in a traditional format with one instructor directly overseeing a group of students or as a preceptorship experience where a direct ongoing 1:1 relationship is established.
 - 3. Qualified instructor/preceptor is educated at or above the level of the Applicant with at least two years of experience in a practice setting and has an active, unencumbered license to practice as a professional registered nurse in Colorado. The Applicant must provide documentation that the instructor/preceptor meets these requirements when he/she applies for a permit and must also provide a written agreement between the Applicant, the preceptor, the faculty, and the facility where the Clinical Supervision will occur.
 - 4. Required components of the supervised clinical experience include:
 - a. Clinical decision making and critical thinking;
 - b. Patient assessment as part of the nursing process;
 - c. Interdisciplinary collaboration and evaluation of care evidenced in caring for multiple patients with both predictable and unpredictable outcomes across the variety of learning options appropriate for contemporary nursing; and
 - d. Nursing delegation and supervision.
 - e. A signed, original checklist and instructor/preceptor agreement, provided by the Board, must be completed by the primary instructor/preceptor, documenting the Applicant's satisfactory completion of the required components in a manner approved by the Board.

7.4 Limitations of student permits.

- A. Individuals practicing under a student permit are subject to the Nurse Practice Act.
- B. Student permit holders may not supervise Licensees or other permit holders.
- C. Individuals practicing under a student permit are responsible for arranging and obtaining their own clinical hours.

- D. Individuals practicing under a student permit may not exceed the terms of the permit.
- E. A student permit may be issued for a period of twelve consecutive months.

8. CHANGE OF NAME AND ADDRESS

- 8.1 The Licensee shall supply to the Board legal evidence of a name change within 30 days of the effective date of the name change.
- 8.2 The Licensee shall notify the Board within 30 days of any change of address. This notification may be submitted in writing or via the Board's on-line system.
- 8.3 Any notification by the Board to Licensees required or permitted under the Nurse Practice Act, Sections 12-38-101 to -133, C.R.S., or the State Administrative Procedure Act, Sections 24-4-101 to -108, C.R.S., shall be addressed to the last address provided in writing to the Board by the Licensee and any such mailing shall be deemed proper service on said Licensee.

9. INCOMPLETE APPLICATIONS

- 9.1 Any application not completed within one year of the date of receipt of the original application shall expire.

10. RETIRED VOLUNTEER NURSE LICENSURE

- 10.1 Applicants for Retired Volunteer Licensure must meet all requirements of Section 12-38-112.5, C.R.S.
- 10.2 A licensee shall request retired status at time of renewal.
- 10.3 A licensee on retired status in accordance with Section 12-38-112.5, C.R.S., may apply in a manner approved by the Board for active status and must demonstrate competency by one of the following:
 - A. Proof they have actively volunteered as a nurse during the two year period immediately preceding application.
 - B. Proof they meet the Board's requirements for demonstrated competency as defined in section 24-34-102(8)(d), C.R.S.

11. INACTIVE LICENSE STATUS – REACTIVATION

- 11.1 A licensee may elect inactive status in accordance with Section 12-38-118.5, C.R.S. Upon inactivation, any and all authorities attached to that license will be cancelled.
- 11.2 A licensee may not apply for inactive status to avoid disciplinary action.
- 11.3 A licensee on inactive status in accordance with Section 12-38-118.5, C.R.S., may apply in a manner approved by the Board to reactivate the license to practice of nursing as follows:
 - A. Shall file an application in the form and manner designated by the Board and pay the license reactivation fees.
 - B. Reactivation to active status may occur at any time and is subject to the Board's requirements of demonstrated competency as defined in Section 24-34-102(8)(e), C.R.S.

C. An Applicant for reactivation of advanced practice authorities must provide proof that the licensee has maintained national certification in each Role/Specialty and Population Focus or meets the current requirements in accordance with the Chapter XIV rules, and/or meets current requirements for prescriptive authority in accordance with the Chapter XV rules.

D. An Applicant for reactivation of practical nurse IV authority must meet the current requirements for practical nurse IV authority in accordance with the Chapter IX rules.

Adopted: October 21, 2009

Revised: July 27, 2011

Effective: September 14, 2011