

The Enhanced Nurse Licensure Compact

Office of Professional Regulation

What is a compact?

A statutory agreement between two or more states established for the purpose of remedying a particular problem of multistate concern



Existing compacts:

Waterways

Driver's Licenses

What is the Nurse Licensure Compact?

- The compact allows LPNs and RNs to travel between states to work without requiring separate state licenses
- The Compact is enacted in 34 states, 5 states have pending bills related to the compact.
 - Vermont has two bills related to the Nurse Licensure Compact - H. 425 and S. 125.

Benefits of the Compact

• For Patients and Employers:

- Possibility for increased workforce
- Enables the continuation of care to patients across state lines
- Resolves telehealth concerns

• For Nurses:

- Allows a nurse to work in multiple Compact states with one license.
- Reduces red-tape when nurses change employers along state lines if both states belong to the Compact

Benefits of the Compact

- For Nurse Educators:
 - Allows for a didactic educator to provide instruction online without multiple single state licenses
- For Nursing Boards:
 - Participating states can share complaint & investigation information
 - A Compact state can restrict the privilege to practice of a licensee without action from the home-state.
 - Reduces administrative pressures to license traveling nurses from Compact states.
 - A Compact state is part of the governance structure for the Compact.

Would there still be a “Vermont License”



Yes!



The Vermont Board of Nursing would offer a single state license and the multi-state license.



Why? Primarily so that people with criminal backgrounds or people with active discipline would be able to work in the state

What is a home-state?

The home-state is the primary state of residence

Where do you have your driver's license?

Where do you vote?



A compact licensee completes and signs a declaration of primary state of residence

What if a nurse moves to another state?

- If the move is to another Compact state:
 - The nurse would apply for a new compact license in the new primary state of residence & show proof of residency.
- If the move is to a non-Compact state:
 - The nurse applies in the new state and the Compact license converts to a single-state license.
- If the move is from a non-party state to a Compact state:
 - The nurse applies for a compact state and the non-compact state license remains unaffected.

What are the
qualifications
for a
Compact
license?

To obtain a compact
license a nurse must
meet the 11 uniform
licensure requirements

- 1) Meet the home-state's qualifications;
- 2) Be a graduate from a qualifying education program;
- 3) Pass an English proficiency examination (applies to graduates of international education programs not taught in English or if English is not the individual's native language)
- 4) Pass the NCLEX exam
- 5) Have no active discipline on a license
- 6) Submit to a federal and state finger-print criminal background check
- 7) Can not be enrolled in an alternative program
- 8) Have a valid U.S. Social Security number
- 9) Have no felony convictions
- 10) Have no misdemeanors related to the practice of the profession.
- 11) Agree to self-disclose participation in an alternative program



Are there impacts on the investigation process?

A complaint can be investigated by the home state or the remote state.



The home state and remote state can communicate through out the investigation



Currently, Vermont does not receive information about investigations in other states. Vermont does receive the publicly filed discipline.



In the Compact, states can share information from a “significant investigation” through an alert placed in a nurse’s compact file.

For example, diversion, sexual misconduct, etc.

That alert is removed 10 days after official action is taken by a state.

What is the effect of discipline on a Compact license?



- A remote state's discipline can only affect a nurse's privilege to practice or ability to work in that state.
- A home state's discipline can limit the nurse's ability to work in the home state and all Compact states.

It sounds great!

Are there any
downsides?

Yes

The Number of Vermont Licensed will decrease; out-of-state nurses will utilize compact licenses instead of Vermont licenses.

The Nursing Board is a self-funded board. It is required to pay for its share of the Office of Professional Regulation, i.e. its operation costs (administration and enforcement)

With the Compact we will lose licensees. It is anticipated VT will lose 4,705 licensees.

This will result in an approximately a \$932,500 budget gap.

There are also costs to being in the compact: \$6000/year and some technology changes which OPR anticipates costing between \$10,000 -50,000.

OPR and the Legislature try to keep fees as reasonable as possible without allowing the Board to enter into a negative balance.

What does this mean for fees?

The Compact license and the single-state VT license will have the same cost.

Current biennial renewal fees are:

RN = \$190

LPN = \$175

It is anticipated that biennial fees would need to be raised to:

RN = \$280

LPN = \$245

OPR will wait until after adoption of the Compact to adjust fees, if at all. The precise fiscal impact should be known before raising fees.

Okay, money
aside are there
any other
downsides to
Vermont
Joining the
Compact?

Yes

OPR and the Board of Nursing would have a decreased knowledge of who was practicing nursing in Vermont



- Licensing provides an opportunity for OPR to connect with new people in the state to inform them of state specific requirements or scope of practice concerns. The employer would need to stand in for OPR for Compact licensees.
- Employers would need to understand the Compact and the discipline process

Location, Location, Location

Outside of New Hampshire and Maine, Vermont's sister states are unlikely to join the compact.

Massachusetts has a pending bill



This diminishes the return on Compact license for:

Vermonters who want to work in a sister state

Employers who want to attract employees from sister states.

What is the Vermont Board of Nursing & OPR Position on the Compact?

The Board strongly supports the Compact. OPR cautiously supports the compact because it enables mobility and attracts nurses to the state.

The exact financial impact is unknown and will be monitored closely. Every effort will be made to avoid an impact on fees.

Other than financial, downsides are minor and many other states have mitigated them.

The survey conducted by OPR demonstrated that a majority of VT nurses support the Compact.

Vermont should not be out-of-sync with what is becoming a national model for nurse licensing