

Summary of 2019, S.125

An act relating to Vermont's adoption of the interstate Nurse Licensure Compact

2019, S.125 would enter Vermont into the multistate Nurse Licensure Compact as amended by the [National Council of State Boards of Nursing](#). By entering into the Compact, Vermont agrees to the multistate terms of licensure for RNs and LPNs. (APRNs are not covered by the Compact.) By enacting this bill into law, Vermont would essentially be entering into a contract with other states that are parties to the Compact; therefore, the Compact provisions of the bill cannot be amended.

The Compact contains these main provisions:

- A nurse can only hold one Compact license, and that license can only be issued by the nurse's "home state." Sec. 1, 26 V.S.A. § 1647d(b).
 - A nurse's "home state" means the nurse's primary state of residence, and that primary state of residence must be a Compact state. Sec. 1, 26 V.S.A. § 1647b(7).
 - Once a nurse moves to a new home state, the nurse must apply for a new license in that home state, and the prior home state Compact license is deactivated. Sec. 1, 26 V.S.A. § 1647d(c).
 - If the new home state is not a Compact state, the prior home state license converts to a single-state (standard) license. Sec. 1, 26 V.S.A. § 1647d(d).
- A Compact license issued by a home state authorizes the nurse to practice in each Compact state. Sec. 1, 26 V.S.A. § 1647c(a).
- Obtaining licensure in a Compact state requires the following:
 1. A criminal background check;
 2. Meeting the home state's qualifications for initial licensure and license renewal;
 3. Graduation from an education program approved by the home state's licensing board, or from an approved foreign pre-licensure education program;

4. Passage of an English proficiency examination, if the applicant graduated from a foreign pre-license education program that was not taught in English or if English is not the applicant's native language;
 5. Passage of the NCLEX examination or recognized predecessor;
 6. Is eligible for or holds an active, unencumbered license;
 7. Has not been convicted or found guilty of a felony or of a misdemeanor related to the practice of nursing;
 8. Is not currently enrolled in an alternative program (which is usually for nurses experiencing substance abuse issues);
 9. Is subject to self-disclose participation in an alternative program; and
 10. Has a valid U.S. social security number. Sec. 1, 26 V.S.A. § 1647c(c).
- A nurse is required to comply with a Compact state's laws governing the practice of nursing when providing care to a client in that Compact state. Sec. 1, 26 V.S.A. § 1647c(e).
 - Each Compact state may discipline a nurse's license in that state. Sec. 1, 26 V.S.A. § 1647c(d).
 - This includes the ability to discipline based on the factual findings of another Compact state. Sec. 1, 26 V.S.A. § 1647e(a)(7).
 - However, if a home state disciplines the nurse's license, the nurse's ability to practice under the Compact license is suspended until all encumbrances have been removed from the home state license. Sec. 1, 26 V.S.A. § 1647e(b).
 - Compact states are required to share licensure info—including any disciplinary actions—in the Compact's Coordinated Licensure Information System. Sec. 1, 26 V.S.A. §§ 1647f, 1647c(d), 1647d(a).
 - Each Compact state has one representative on the Compact's Interstate Commission of Nurse Licensure Compact Administrators, which has rulemaking authority to administer the Compact. Sec. 1, 26 V.S.A. § 1647g and 1647h.
 - A state may withdraw from the Compact by repealing the enabling law, but the withdrawal does not take effect until six months after that repeal, and the state must comply with the Compact terms until that time. Sec. 1, 26 V.S.A. § 1647j(c) and (d).