

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, 10 states have pending bills related to the compact
 - Vermont has two bills related to the Nurse Licensure Compact - H. 99 and S. 48

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 States in an Emergency:

- Eliminates emergency licenses if the nurse is coming from a Compact State
- Enables telehealth

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 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, people with active discipline, or people from a non-compact state 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
 - A new background check is not conducted
- If the move is to a non-Compact state:
 - The nurse applies for the new state license 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 license 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 fingerprint 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

Fiscal Impact of the Compact:

The Number of Vermont licenses 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 revenue reduction without corresponding decrease in expenses

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. OPR will focus on reducing overhead costs to the extent possible.

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.

Outside of the fiscal impact the other downside is that 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

New Hampshire and Maine are the only sister states part of the Compact.

New York and Massachusetts have pending bills



The more states that are part of the Compact the more impact it has for:

Vermonters who want to work in a sister state

Employers who want to attract employees from a sister state

What is the Impact on Travel RN utilization or their ability to practice in Vermont?

Travel RNs from a compact state would be able to practice in Vermont without obtaining a single Vermont License

Travel RNs from a non-compact state would have to obtain a Vermont State license

A NCSBN 2020 National Nursing Survey of RNs in Compact states revealed 33% of RNs use their compact license to cross state borders, 3% use it for the purpose of travel .

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

The Board strongly supports the Compact

OPR supports the Compact because it enables mobility and may attract nurses to the state

Vermont does not graduate enough nurses to sustain the needs of the state

Graduates from Vermont Educational Programs do not all become licensed in Vermont

In 2020: Castleton 30/46 graduates (65%); Norwich 21/44 (47.7%); UVM approx. 50/100 (50%); VTC 245/321 (76%)

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

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