



## Iowa Board of Nursing

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### MEMORANDUM

To: Nurse Licensees, Nursing Employers and Nurse Educators

From: Kathy Weinberg, Executive Director

Date: October 21, 2020

Subject: Proclamation and Other Licensing Guidance

In light of the Coronavirus (COVID-19) pandemic, Governor Kim Reynolds has issued [multiple Proclamations](#) suspending certain regulatory provisions in an effort to provide additional necessary resources and measures to respond to the public health disaster emergency. The Board of Nursing hereby issues this updated guidance relating to the practice of nursing during this public health disaster emergency, including guidance regarding the temporary suspension of administrative rules that directly impact the Board of Nursing and 655 Iowa Administrative Code. The proclamation-period dates will be updated as the Governor continues to extend or terminate the proclamation provisions.

#### **Nurses Licensed in Non-Compact States**

A nurse who holds an active nursing license in another state may provide emergency medical services in response to proclaimed state of emergency. See Iowa Admin. Code r. 655-3.2(2)(c). Accordingly, nurses who are licensed in another jurisdiction that is not a member of the Nurse Licensure Compact, and whose licenses are in good standing, may immediately begin providing nursing care to aid the COVID-19 pandemic without first seeking an Iowa license through endorsement. The authority to provide nursing services on a non-Compact state license ends immediately upon the termination of the public health disaster emergency.

#### **Nurses Whose Licenses Expired or Lapsed Within the Last Five Years**

Through her Proclamations of Disaster Emergency, Governor Reynolds temporarily suspended the regulations prohibiting the practice of nursing on an inactive license. The suspension is limited to nurses whose licenses have lapsed or expired within the five (5) years prior to the Proclamation, and is further limited to the provision of nursing services to victims of COVID-19. This suspension of these regulations is effective through **November 15, 2020**, unless the Governor terminates or extends the Proclamation. Accordingly, nurses whose licenses expired within five years of March 17, 2020, and whose licenses are not otherwise restricted due to Board discipline, may immediately begin providing nursing care to aid the COVID-19 pandemic without first reactivating their licenses.

## LICENSING PROVISIONS

Through her Proclamations of Disaster Emergency, Governor Reynolds temporarily suspended a number of regulatory provisions applicable to a number of licensed professions, including nursing. The Proclamations ease administrative rules relating to continuing education, renewal of licenses, and background checks. The suspension of rules identified in the Proclamation is currently effective through **November 15, 2020**, unless the Governor terminates or extends the Proclamation.

**Emergency Licenses.** Governor Reynolds authorized the board to issue emergency licenses to nurses who have not yet obtained initial licenses in Iowa, so long as the nurses have completed sufficient minimum education as determined by the Board. Pursuant to this authorization, on April 29, 2020, the [Board adopted new rule 655—3.11](#). Rule 3.11 provides the application process for, and the scope and duration of, emergency licenses issued to nursing graduates who are unable to promptly take the NCLEX or national certifying examination due to COVID-19 related hardships. New graduates who are interested in seeking an emergency license should visit the Board website or contact the Board office for more details.

**Continuing Education and License Renewals.** Governor Reynolds temporarily suspended rules relating to continuing education and license renewal deadlines. Additionally, the legislature passed a bill, HF2627, which provides an extended grace period all licensees whose licenses expire in 2020. Pursuant to the bill, all licensees whose licenses are set to expire in 2020 will have until June 30, 2021 to complete their continuing education and renew their licenses.

*What does this extended grace period do?* Normally, when a license expires the licensee has a thirty-day grace period before the license is considered inactive. The legislature has extended this grace period to June 30, 2021 for all licenses expiring in 2020. If your license expires in 2020, you will not be subject to a late fee or be considered inactive until July 1, 2021. Failure to renew by June 30, 2021 will result in the license being inactive on July 1, 2021.

*Can nurses still renew their licenses at their normal time?* The Board of Nursing is operational and is continuing to process renewal applications as normal. You may choose to renew your license at your normal time, and the Board encourages all nurses to do so. Additionally, because the continuing-education requirements are suspended during the Proclamation period, all nurses who renew during the proclamation period will not be required to show completion of continuing education.

*Does this change a nurse's renewal cycle?* This is an extension of a grace period and does not impact a nurse's regular renewal cycle. For example, if a nurse's license is set to expire in August of 2020, and the nurse chooses to wait until June 30, 2021, the nurse will still be required to renew again in August of 2023. Waiting to renew may therefore result in a shorter time period to complete continuing education for the next renewal cycle, so nurses should take that into consideration when deciding whether to renew.

*Who is entitled to the extended grace period?* A regular LPN, RN, or ARNP license set to expire in 2020 is entitled to the extended grace period. If a nurse's license expires in January of 2021 or later, the nurse must still renew as normal. If a nurse was issued

an emergency license, the emergency license will still expire sixty (60) days after the termination or expiration of the Governor's Emergency Proclamation, or after receiving a failing score on the NCLEX or national certifying examination, whichever is sooner.

**Criminal Background Checks.** Governor Reynolds temporarily suspended the requirement of background checks as a condition for obtaining professional licensure.

*Duration of the Proclamation period.* Applications for licensure submitted without fingerprint cards will be processed for the duration of the Proclamation. Applicants must still answer all questions on the application and provide any required information relating to their criminal histories. Licenses processed without a fingerprint card will be designated as single-state licenses. The license will not provide the licensee the privilege to practice in another state that is a party to the Nurse Licensure Compact.

*After the Proclamation period.* A licensee whose background check was deferred due to the Governor's Proclamation must return the completed fingerprint packet to the Board within sixty (60) days of the expiration or termination of the Proclamation. Failure to timely return the packet may result in the board rescinding the license. The Proclamation currently expires on **November 15, 2020**, unless Governor Reynolds terminates or extends the Proclamation.

**Testing Period.** Governor Reynolds temporarily suspended the requirement of rule 655-3.4(4), which required nursing applicants to take NCLEX examination within ninety-one (91) days of receiving Board authorization to test. This is not a suspension of the requirement to pass the NCLEX examination prior to obtaining licensure, but rather extends the time period beyond ninety-one days to take the examination in light of testing centers closing and diminished opportunities to take the exam.

**Simulation and Clinical Hours.** Governor Reynolds temporarily suspended the requirement of rule 655-2.10(7)(a), which mandated that a simulation component not exceed 50% of total clinical hours in a nursing education course. Accordingly, nursing programs whose students have remaining clinical hours that cannot be completed within a facility due to a COVID-19 related hardship may complete the remaining hours using simulation activities, even if the simulation activities exceed 50% of the total clinical hours of the course. The Board strongly encourages programs to provide additional clinical opportunities for non-graduating students in the future to compensate for this period of increased virtual learning. The suspension of this rule is effective through **November 15, 2020**, unless the Governor terminates or extends the Proclamation.