



## Iowa Board of Nursing

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### MEMORANDUM

To: Nurse Licensees, Nursing Employers and Nurse Educators

From: Kathy Weinberg, Executive Director

Date: February 8, 2021

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 **March 7, 2021**, 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 **March 7, 2021**, 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.

**License Renewals.** Governor Reynolds temporarily suspended rules relating to continuing education and license renewal deadlines. Additionally, the legislature passed a bill during the 2020 legislative session, HF2627, which provides an extended grace period for licensees whose licenses expired in 2020.

*Licenses that expired in 2020.* Pursuant to HF2627, if your license expired in 2020 and you did not renew, you have until June 30, 2021 to complete your continuing education and renew your license. This is an extended grace period, meaning your license will not become inactive until July 1, 2021. However, please be advised that this extended grace period does not alter a nurse's renewal cycle. For example, if a nurse's license expired in August of 2020, and the nurse chooses to wait until June 30, 2021 to renew, the nurse must still renew again in August of 2023. Further, this extended grace period does not apply to emergency licenses, which 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.

*Licenses that expire during the Proclamation period.* If your license expires between **January 1 and March 7, 2021**, you are not subject to the extended grace period in HF2627. However, Governor Reynolds has temporarily suspended license renewal deadlines through March 7, 2021. This means a nurse whose license expires during this Proclamation period may continue to work on the expired license. Nurses whose licenses expire during the Proclamation period and who do not choose to renew on time must submit their renewal applications within sixty (60) days of the expiration or termination of the Proclamation. Submission of a renewal application within sixty (60) days will be considered timely and will not result in the assessment of any late fees.

*Licenses that expire after the Proclamation period.* The suspension of licensing expiration provisions is only for the duration of the Proclamation, which is currently set to expire on **March 7, 2021**. Nurses whose licenses are due for renewal after the termination or expiration of the Proclamation period will still be required to submit their renewal materials pursuant to rule 3.7. Nurses who may experience undue hardship if required to comply with the terms of rule 3.7 after the end of Proclamation period should contact the Board for assistance.

**Continuing Education.** Governor Reynolds has temporarily suspended rules relating to continuing education deadlines or requirements as a condition of license renewal.

*Licenses that expire during the Proclamation period.* As discussed above, a nurse whose license expires during the Proclamation period has sixty (60) days from the end of the Proclamation to apply for renewal without incurring any late penalties. However, the Board of Nursing is operational at this time and will continue to process renewal applications as they are received. Accordingly, nurses may still apply to renew their licenses during this period. Nurses who renew their licenses during this Proclamation period will not be required to submit proof of completion of continuing education.

*Licenses that expire after the Proclamation period.* The suspension of continuing education requirements is only for the duration of the Proclamation, which is currently set to expire on **March 7, 2021**. Nurses whose licenses are due for renewal after the expiration or termination of the Proclamation will still be required to complete their continuing education requirements.

**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 **March 7, 2021**, 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. The suspension of the 91-day requirement is effective through **March 7, 2021**, unless Governor Reynolds terminates or extends the Proclamation.

**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 **March 7, 2021**, unless the Governor terminates or extends the Proclamation.