

**Title 16, Division 14, Article 2, Sections 1410.5
California Code of Regulations**

Board of Registered Nursing

Final Statement of Reasons

Coursework Exemptions for Out-of-State Applicants

Section Affected: California Code of Regulations (CCR), Title 16, Division 14, Article 2, Section 1410.5

Updated Information

The Informative Digest and Initial Statement of Reasons are included in the rulemaking file and incorporated as though set forth herein.

This rulemaking package notice was mailed and sent out via listserv on February 16, 2023, and officially noticed on February 16, 2023, and the 45-day comment period was through April 4, 2023. The Board received four comments during the public comment period. There were no requests for a public hearing and no separate public hearing was held. The Board considered these comments at the April 20, 2023, Board Meeting, approved the responses, and voted to adopt the proposed text as noticed, delegating any non-substantive or technical changes to the Executive Officer.

Objections or Recommendations/Responses

During the 45-day comment period, ending on April 4, 2023, the Board received one comment in opposition and three in support from private individuals. Below is a summary of those comments and the Board's responses.

A. Email received February 16, 2023, from Commenter 1

Comment A-1

Summary of Comment:

The commenter requested that the Board maintain the current laboratory requirements. The commenter expressed concerns about further lowering standards for nursing students and what that could mean for the quality of care.

Response to Comment:

The Board has reviewed and considered the comment and declines to make any amendments to the proposed text based thereon.

As described on page 4 of the Initial Statement of Reasons, the proposed regulatory text establishes specific criteria that must be met to receive the proposed exemption. This is to ensure that the applicant has the necessary education and training to practice safely. If a nurse has successfully completed all other educational requirements, including the theory component of these subject areas, and has been practicing in good standing for at least two years in another state, then they have exhibited that they are a safe practitioner and therefore the academic preparation can be deemed equivalent to the minimum requirements of the Board for licensure as outlined in Business and Professions Code Section 2736.

Once a nurse has proven themselves competent through successful practice, the issue of whether an anatomy class in nursing school a laboratory component had is less significant.

Comment A - 2

Summary of Comment

The commenter stated that if the Board is going to make its endorsement process easy, then why not choose to join the National Licensure Compact (NLC).

Response to Comment

The Board has reviewed and considered the comment and declines to make any amendments to the proposed text based thereon. This comment is outside the scope of this rulemaking and irrelevant as it is not directed at the Board's proposed action which is focused solely on waiving certain science related curricular requirements for eligible out of state applicants. A statutory change would be required for California to join the NLC and the Board does not have the authority to change or amend statutes through the rulemaking process.

B. Email received on February 23, 2023, from Commenter 2

Comment B-1

Summary of Comment:

The commenter indicated support of this proposed regulatory change. The commenter stated they are an endorsement applicant whose application has been delayed because the microbiology course they took over ten years ago combined the lecture and laboratory components in to one class, but that was not made clear in their transcripts

or the course description.

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Response to Comment:

The Board acknowledges the comment and appreciates the support; no text changes are deemed necessary in response to this comment.

C. Email received on April 4, 2023, from Commenter 3

Comment C-1

Summary of Comment:

The commenter indicated strong support of this proposed regulatory change. The commenter stated they are an endorsement applicant whose application has been delayed because although the science courses they took over twenty years ago included laboratory components, that fact is not clearly delineated on their transcripts and the course syllabus is no longer available.

Response to Comment:

The Board acknowledges the comment and appreciates the support; no text changes are deemed necessary in response to this comment.

D. Email received on April 4, 2023, from Commenter 4

Comment D-1

Summary of Comment:

The commenter indicated strong support of this proposed regulatory change. The commenter stated they learned about the current requirement through their healthcare provider who shared it had been a barrier to them hiring a qualified nurse practitioner because the NP's application was not approved due to lab work not being listed on their transcript.

Response to Comment:

The Board acknowledges the comment and appreciates the support; no text changes are deemed necessary in response to this comment.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulations or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Board incorporates by reference the alternatives identified in its Initial Statement of Reasons and did not receive any comments that altered its findings.