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**LEGISLATION AND RULES COMMITTEE**

**BOARD OF NURSING**  
**ROOM 121A, 1400 EAST WASHINGTON AVENUE, MADISON WI**  
**CONTACT: DAN WILLIAMS (608) 266-2112**  
**May 19, 2014**

*Notice: The following agenda describes the issues that the Committee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Committee. A quorum of the Board may be present during the committee meeting.*

**8:00 A.M.**

**AGENDA**

**CALL TO ORDER – ROLL CALL – OPEN SESSION**

- A. Approval of Agenda**
- B. Approval of Legislation and Rules Committee Minutes of January 9, 2014 (2-3)**
- C. Proposed Revisions to N 5 Relating to Renewal of Credentials – Discussion and Consideration (4-6)**
- D. Status of Pending and Possible Rule Projects – Discussion and Consideration**
- E. Public Comments**

**ADJOURNMENT OF LEGISLATION AND RULES COMMITTEE MEETING**

**LEGISLATION AND RULES COMMITTEE**

**BOARD OF NURSING  
MEETING MINUTES  
JANUARY 9, 2014**

**PRESENT:** Jeffrey Miller, Lillian Nolan,

**STAFF:** Sharon Henes, Rules Coordinator; Matt Guidry, Bureau Assistant; Other  
Department Staff

**CALL TO ORDER**

The chair called the meeting to order at 8:58 a.m. A quorum of two (2) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Lillian Nolan, seconded by Jeffrey Miller, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF LEGISLATION AND RULES COMMITTEE MINUTES OF  
JANUARY 6, 2014**

**MOTION:** Lillian Nolan moved, seconded by Jeffrey Miller, to approve the minutes of January 6, 2014 as published. Motion carried unanimously.

**PUBLIC HEARING AND CLEARINGHOUSE COMMENTS  
AMENDING N.7**

**MOTION:** Lillian Nolan moved, seconded by Jeffrey Miller, to reject Clearinghouse comments 5e, 5g, 5q, 5r, 5t, 5u, 5x, and accept all other Clearinghouse recommendations for CR13-097 relating to unprofessional conduct. To accept amendments to the draft from the Legislation and Rules Committee held on January 6, 2014 and January 9, 2014. Motion carried unanimously.

**MOTION** Lillian Nolan moved, seconded by Jeffrey Miller, to recommend to the Board that they authorize Jeffrey Miller to approve the Legislative Report and Draft for Clearinghouse Rule (13-097) revising N 7 relating to unprofessional conduct for submission to the Governor's Office and Legislature. Motion carried unanimously.

## **2014 RULE MAKING PROJECTS**

**MOTION** Lillian Nolan, seconded by Jeffrey Miller, to recommend that the Board request DSPS staff to draft three Scope Statements revising N5, N6, N8 relating to Renewal, Scope of Practice, and Advanced Practice Nurse Prescribers. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Lillian Nolan moved, seconded by Jeffrey Miller, to adjourn the Legislative and Rules Committee meeting. Motion carried unanimously.

The meeting adjourned at 9:49 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Sharon Henes</b> <b>Administrative Rules Coordinator</b>		2) Date When Request Submitted:  14 May 2014  Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  Board of Nursing Legislation/Rule Committee			
4) Meeting Date:  19 May 2014	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>1. Approval of Agenda</b> <b>2. Approval of Minutes of January 2, 2014</b> <b>3. Proposed Revisions to N 5 Relating to Renewal of Credentials – Discussion and Consideration</b> <b>4. Status of Pending and Possible Rule Projects – Discussion and Consideration</b> <b>5. Public Comments</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:  1. Propose revisions to N 5 2. Discussion regarding the status of pending projects and any new rule projects proposed by the Committee.			
11) Authorization			
<i><b>Sharon Henes</b></i>		<i><b>14 May 2014</b></i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

## Chapter N 5

### RENEWAL OF LICENSE

N 5.01 Authority and intent.

N 5.02 Definitions.

N 5.03 Current license required for practice.

N 5.07 Duplicate renewal card.

N 5.08 Renewal after 5 years.

**N 5.01 Authority and intent.** (1) The rules in this chapter are adopted pursuant to authority of ss. 15.08, 227.11, 440.08 (3) (b), and 441.01 (3), Stats., and interpret ss. 440.08 (3) (b), 441.06 (3), (4), 441.10 (3) (b), (c) and 441.15 (3) (b), Stats.

(2) The intent of the board of nursing in adopting rules in this chapter is to specify the requirements and procedures for renewal of the license of a registered nurse, an advanced practice nurse prescriber, a licensed practical nurse, or a nurse–midwife, for obtaining a duplicate renewal card, and for notifying the bureau of health service professions of name or address changes.

**History:** Cr. Register, September, 1985, No. 357, eff. 10–1–85; am. (2), Register, May, 1990, No. 413, eff. 6–1–90; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1990, No. 413; am. (1), Register, June, 1993, No. 450, eff. 7–1–93; am. (2), Register, February, 1995, No. 470, eff. 3–1–95; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, October, 2000, No. 538.

**N 5.02 Definitions.** As used in this chapter:

(1) “Bureau” means bureau of health service professions within the department of safety and professional services.

(2) “Certificate” means a certificate of an advanced practice nurse prescriber.

(3) “Certificate holder” means a person holding a certificate as an advanced practice nurse prescriber.

(4) “Department” means the department of safety and professional services.

(5) “License” means a license of a registered nurse, licensed practical nurse or nurse mid–wife.

(6) “Licensee” means a person licensed as a registered nurse, licensed practical nurse under s. 441.10, Stats., or nurse mid–wife.

**Note:** The bureau and department are located at 1400 East Washington Avenue, Madison, Wisconsin. The mailing address for the bureau and department is P.O. Box 8935, Madison, Wisconsin 53708–8935.

**History:** Cr. Register, September, 1985, No. 357, eff. 10–1–85; am. (1), r. (2), (3), (7) and (8), renum. (4) to (6) to be (2) to (4) and am. (3) and (4), Register, May, 1990, No. 413, eff. 6–1–90; renum. (2) to (4) to be (4) to (6) and cr. (2) and (3), Register, February, 1995, No. 470, eff. 3–1–95; corrections in (1), (4) made under s. 13.92 (4) (b) 6., Stats., Register February 2012 No. 674.

**N 5.03 Current license required for practice.**

(1) REGISTERED NURSES. Except as provided for in s. N 3.05 (4) (c), no person may practice or attempt to practice professional nursing, nor use the title, letters or anything else to indicate that he or she is a registered or professional nurse unless he or she has been granted a license under s. 441.06 (1), Stats., and holds a current license.

(2) LICENSED PRACTICAL NURSES. Except as provided for in s. N 3.05 (4) (d), no person may hold himself or herself out as a licensed practical nurse nor use the title or letters “Licensed Practical Nurse” or “L.P.N.”, unless he or she has been granted a license under s. 441.10 (3) (a) or (d), Stats., and holds a current license.

(3) NURSE–MIDWIVES. No person may practice or attempt to practice nurse–midwifery, nor use the title or letters “Certified Nurse–Midwife” or “C.N.M.”, “Nurse–Midwife” or “N.M.”, or anything else to indicate that he or she is a nurse–midwife unless he or she has been granted a license under s. 441.15 (3) (a), Stats., and holds a current license.

(4) ADVANCED PRACTICE NURSES. No person may use the title “advanced practice nurse” or append to his or her name the letters “A.P.N.” unless he or she meets the qualifications described in s. N 8.02 (1).

(5) ADVANCED PRACTICE NURSE PRESCRIBERS. No person may practice or attempt to practice as an advanced practice nurse prescriber or use the title “advanced practice nurse prescriber” or append to his or her name the letters “A.P.N.P.”, or otherwise indicate that he or she is certified to practice as an advanced practice nurse prescriber unless he or she is both currently certified under s. 441.16 (2), Stats., and is currently certified by a national certifying body approved by the board as a nurse practitioner, certified nurse–midwife, certified registered nurse anesthetist or clinical nurse specialist.

**History:** Cr. Register, September, 1985, No. 357, eff. 10–1–85; am. Register, May, 1990, No. 413, eff. 6–1–90; cr. (4) and (5), Register, February, 1995, No. 470, eff. 3–1–95.

**N 5.07 Duplicate renewal card.** (1) A duplicate renewal card may be issued to a registered nurse, advanced practice nurse prescriber, licensed practical nurse or nurse–midwife whose card has been lost, stolen, or destroyed, or whose name or address has been changed, upon the filing with the bureau of an application for duplicate renewal card. The application shall include:

(a) A completed identification statement supplied by the bureau, which includes the reason for requesting the duplicate card;

(b) Fee specified in s. 440.05 (7), Stats.; and,

(c) Returned current renewal card if the duplicate card is requested due to name or address change.

(2) A duplicate renewal card issued for lost, stolen or destroyed cards shall be marked “duplicate”.

**History:** Cr. Register, September, 1985, No. 357, eff. 10–1–85; am. (1) (intro.), Register, February, 1995, No. 470, eff. 3–1–95.

**N 5.08 Renewal after 5 years.** (1) The board may, in the exercise of its discretion, require a credential holder who has failed to renew his or her license within 5 years after its renewal date to demonstrate continued competence in the practice of nursing as a prerequisite to credential renewal.

(2) (a) The board may require demonstration of competence by various methods, including but not limited to written or oral examination, documentation of nursing work in other jurisdictions, or documentation of current education or experience in the field. Any examination or education required under this section shall not be more extensive than the educational or examination requirements for an initial credential from the board.

(b) An applicant for renewal who has failed to renew his or her license within 5 years, and who is unable to document nursing work in other jurisdictions, or document current education or experience in the field, may apply to the board for a limited license to enable the applicant to complete a nursing refresher course approved by the board. Upon successful completion of an approved nursing refresher course, the license–holder may petition the board for reinstatement of a full license.

(3) An advanced practice nurse certified to issue prescription orders who has failed to renew the certificate within 5 years after its renewal date shall, as a condition for renewal, show evidence of meeting all current requirements for a certificate under s. [N 8.03](#).

**History:** Cr. [Register, June, 1993, No. 450, eff. 7-1-93](#); cr. (3), [Register, February, 1995, No. 470, eff. 3-1-95](#); cr. (2) (b), [Register, December, 2000, No. 540, eff. 1-1-01](#).