

Multi-State Licensure Privilege—a legal authorization associated with a multistate license permitting the practice of nursing as either an RN or LPN/LVN in a remote state.

Nurse—registered nurse (RN) or licensed practical nurse/licensed vocational nurse (LPN/LVN), as defined by each party state's practice laws.

Nurse Licensure Compact (NLC)—Part V of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1018 through 1020.

Party State—any state that has adopted the Nurse Licensure Compact.

Remote State—a party state other than the home state.

Single-State License—a nurse license issued by a party state that authorizes practice only within the issuing state and does not include a multi-state licensure privilege to practice in any other party state.

State—a state, territory or possession of the United States and the District of Columbia.

State Practice Laws—a party state's laws, rules and regulations that govern the practice of nursing, define the scope of nursing practice and create the methods and grounds for imposing discipline. State practice laws do not include requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1018-1020.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 45:45 (January 2019).

§8803. General Administration

A. Pursuant to R.S. 37:1018-1020 et seq., all health care entities licensed and/or certified by the Health Standards Section of LDH including, but not limited to, those specified in §8803.B.1-25 shall:

1. register with the National Council of State Boards of Nursing's (NCSBN) Nursys e-Notify system; and
2. provide required nurse data for collection of aggregate data from employees on the number and geographic representation of registered nurses (RNs) and licensed practical nurses/licensed vocational nurses (LPNs/LVNs) employed in Louisiana practicing pursuant to a multi-state or single state license, as determined by the Louisiana State Board of Nursing (LSBN) and the Louisiana State Board of Practical Nurse Examiners (LSBPNE).

B. Once registered, the licensed facility/agency, the LSBN and the LSBPNE shall have real-time access to nurse licensure verification including expirations, upcoming renewals and discipline from all nurse licensure compact states. The real-time notifications shall be delivered to employer inboxes automatically and immediately available to the requisite nursing boards prior to an RN or LPN/LVN furnishing any such services in one or more of the following licensed and/or certified health care facilities and agencies:

1. nursing facilities (NF);
2. home health agencies (HHA);
3. hospice agencies;
4. emergency medical transportation services (EMTS);
5. behavioral health services (BHS) providers;

RULE

Department of Health Bureau of Health Services Financing

Nurse Licensure Compact (LAC 48:I.Chapter 88)

The Department of Health, Bureau of Health Services Financing has adopted LAC 48:I.Chapter 88 as authorized by R.S. 36:254 and R.S. 37:1018-1020. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 48.

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 88. Nurse Licensure Compact

§8801. Definitions

Department—the Louisiana Department of Health (LDH), the department.

Health Standards Section (HSS)—the section in LDH responsible for licensing health care facilities and agencies, certifying facilities and agencies applying for participation in the Medicaid (title XIX) and Medicare (title XVIII) programs, and conducting surveys and inspections.

Home State—the party state which is the nurse's primary state of residence.

Licensing Board—a party state's regulatory body responsible for issuing nurse licenses.

Multi-State License—a license to practice as a registered nurse (RN) or a licensed practical nurse/licensed vocational nurse (LPN/LVN) issued by a home state licensure board that authorizes the licensed nurse to practice in all party states under a multi-state licensure privilege.

6. home and community-based services (HCBS) providers;
7. adult day health care (ADHC) providers;
8. intermediate care facility for people with developmental disabilities (ICF-DD);
9. adult residential care providers (ARCP);
10. hospitals;
11. rural health clinics (RHC);
12. outpatient physical therapy (OPT) clinics;
13. comprehensive outpatient rehabilitation facilities (CORF);
14. pediatric day health care (PDHC) facilities;
15. end stage renal disease (ESRD) clinics;
16. federally qualified health centers (FQHC);
17. forensic supervised transitional residential and aftercare (FSTRA) facilities;
18. psychiatric residential treatment facilities (PRTF);
19. therapeutic group homes (TGH);
20. ambulatory surgical centers (ASC);
21. outpatient abortion facilities (OAF);
22. support coordination agencies (SCA);
23. adult brain injury (ABI) facilities;
24. community mental health centers (CMHC); and
25. portable x-ray providers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1018-1020.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 45:45 (January 2019).

§8805. Licensed Facility and Agency Requirements

A. In accordance with federal, state and local laws, rules and regulations, agencies and facilities licensed by the department shall comply with state nurse licensure laws to ensure the health and safety of the public.

B. The governing body of the health care facility or agency licensed by the department shall be responsible for registering with the NCSBN’s Nursys e-Notify system (or other system as designated by the state board of nursing).

C. Facilities and agencies licensed by the department as health care providers shall report data to the applicable state nurse licensing board on the number and geographic representation of RNs and LPNs/LVNs employed by the licensed health care facility or agency practicing pursuant to a multi-state license, as determined by the respective licensing board.

D. The report shall be completed prior to an RN or LPN/LVN furnishing any nursing services in this state. Failure of an employer to submit this data to the board shall not be a basis for disciplinary action against or restriction of the multi-state license of any RN or LPN/LVN.

E. The governing body of the licensed health care facility or agency shall be responsible for the development, implementation and enforcement of policies and procedures related to §8805.A-D, as applicable to the facility or agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1018-1020.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 45:46 (January 2019).

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