

## LICENSE FOREIGN-EDUCATED NURSES

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**House Bill 4207**

**Sponsor: Rep. Hoon-Yung Hopgood**

**Committee: Health Policy**

**Complete to 3-21-07**

### A SUMMARY OF HOUSE BILL 4207 AS INTRODUCED 2-6-07

Generally speaking, House Bill 4207 would add a new section to the Public Health Code (MCL 333.17213) to allow the Michigan Board of Nursing to grant a license to an applicant applying for initial licensure as a registered professional nurse (R.P.N.) or a licensed practical nurse (L.P.N.) who graduated from a nurse education program located outside of the U.S.

The bill also would allow licenses to be granted to foreign-educated nurses through reciprocity procedures with other states and Canada.

These provisions would be in addition to existing law that allows Canadian nurses to obtain a temporary RN license to practice nursing during the license application process and allows Canadians licensed as health care practitioners to apply for licensure by endorsement. A more detailed explanation of the bill follows.

A person cannot engage in the practice of nursing unless licensed under provisions of the state health code. The code authorizes the various medical boards and task forces to promulgate rules to specify the requirements for licenses, registrations, renewals, examinations, and required passing scores (Section 16145). For persons studying nursing outside of the United States, the Michigan Board of Nursing requires all foreign-educated nurses to be certified by the Commission on Graduates of Foreign Nursing Schools (CGFNS) before taking the state nursing board exam. The CGFNS application process involves a credential review, a qualifying exam of nursing knowledge, and a demonstration of English proficiency. The certification by CGFNS is only offered three times a year; therefore, it is not unusual for it to take four to six months for a foreign-educated nurse to complete the CGFNS process; the person must then wait to sit for the next scheduled state nursing board exam.

Legislation enacted several years ago allows a Canadian nurse to obtain a temporary RN license that allows him or her to practice nursing during the license application process and a Canadian citizen licensed as a health care practitioner to apply for licensure by endorsement (usually reserved for persons educated as medical practitioners in other states). These provisions expire January 1, 2012.

In addition to these rules and statutory provisions, House Bill 4207 would add a new section to the Public Health Code to allow the Michigan Board of Nursing to grant a license to an applicant applying for initial licensure as a registered professional nurse

(R.P.N.) or a licensed practical nurse (L.P.N.) who graduated from a nurse education program located outside of the U.S. To be eligible under this provision, the applicant would have to meet the requirements of Section 16174 of the code and satisfy each of the following:

- Provide verification that the nurse education program from which he or she graduated was substantially equivalent to the nursing education programs offered in the state and approved by the nursing board.
- Have passed the requisite board-approved examination for licensure as an R.P.N. or L.P.N.

Section 16174 requires an individual licensed or registered under the code to be 18 years of age or older; be of good moral character; have a specific education or experience in the health profession or health profession subfield, or training equivalent, or both, as prescribed by Article 15 of the code or rules of a board necessary to promote safe and competent practice and informed consumer choice; have a working knowledge of the English language as determined in accordance with minimum standards developed by the Department of Community Health; and pay applicable fees.

The bill would also specify that the board could grant a license to a foreign-educated applicants applying for licensure as an R.P.N. or L.P.N. under Section 16186 of the code (reciprocity with other states and, until 2012, Canada) if they meet the requirements described above and provide verification of licensure or registration in each state, country, jurisdiction, territory, and province where they are or had been licensed or registered. Applicants who had maintained active licenses or registrations in another state with no disciplinary sanctions for at least five years immediately preceding this application would not have to provide the verification that a program from which they graduated was substantially equivalent to board-approved nursing education programs.

## **FISCAL IMPACT:**

House Bill 4207, as introduced, will have state fiscal implications for the Department of Community Health. The bill permits additional persons to receive state licensure as a registered professional nurse or a licensed practical nurse. More nurses will obtain Michigan licenses, increasing revenue to the Health Professions Regulatory Fund which supports the licensing programs, and to the Nurse Professional Fund. The fee is currently \$45 for initial licensure and \$48 for renewal (every 2 years) licensure. The Department indicates that as of March 6, 2007 there are 122,910 RNs and 27,590 LPNs licensed to practice in Michigan.

The bill may help to address a shortage of nurses in Michigan, which will assist in management of health care costs and may then have a beneficial impact on state costs for medical care.

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