

## **CHAPTER 54-02-09 LIMITED LICENSE**

### **Section**

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### **54-02-09-01. Statement of intent.**

It is the policy of the board to permit individuals who are unable to practice safely within the full scope of nursing, but who can practice safely within a modified scope, or practice safely with accommodations, or both, to be granted a limited license.

**History:** Effective September 1, 1996; amended effective April 1, 2004.

**General Authority:** NDCC 43-12.1-08

**Law Implemented:** NDCC 43-12.1-08(2)(f)

### **54-02-09-02. Definitions.**

Repealed effective April 1, 2004.

### **54-02-09-03. Identification of need.**

The board may be informed of the potential need for limited licensure by the written submission to the board of any of the following:

1. A request from an individual for limited licensure;
2. Information provided by an approved nursing education program that a student requires accommodation to accomplish educational objectives;
3. Information provided by an endorsing state as part of nursing license verification process;
4. Information provided by an individual on application for licensure by examination, licensure by endorsement, or licensure renewal;
5. An employer referral; or
6. Referral from others including family members, peers, clients, and health care providers.

**History:** Effective September 1, 1996.

**General Authority:** NDCC 43-12.1-08

**Law Implemented:** NDCC 43-12.1-08(2)(f)

### **54-02-09-04. Procedure for granting.**

1. The board may issue a limited license for the practice of nursing. The board may initiate the issuance of a limited license when good cause exists to do so. The board may also consider an application to issue a limited license, under the procedure set out in this chapter.
2. Following the receipt by the board of the information required in section 54-02-09-03, the board will review the information regarding the potential need for an individual to be granted a limited license including:

- a. Evidence of the need for accommodation and its effect upon the individual's ability to practice nursing; and
  - b. A written plan for providing notice to employers of the required modifications to the licensee's scope of practice or the recommended accommodations, or both.
3. If the board and a licensee agree that accommodations are needed for the licensee to perform essential nursing functions then, upon signing such agreement, the licensee will be issued a limited license.
4. If the board and an applicant for licensure by examination or licensure by endorsement agree that accommodations are needed for the applicant to perform essential nursing functions then, upon signing such agreement and upon completion of all other applicable licensure requirements, the applicant will be issued a limited license.
5. If the board and an applicant or licensee cannot reach agreement regarding the need for accommodations, the board will issue its order designating the level of limited license granted to the applicant. In such cases, the applicant or licensee may request an administrative hearing, pursuant to the provisions of North Dakota Century Code chapter 28-32.

**History:** Effective September 1, 1996.

**General Authority:** NDCC 43-12.1-08

**Law Implemented:** NDCC 43-12.1-08(2)(f)

#### **54-02-09-05. Reconsideration.**

A nurse granted a limited license may apply to the board for reconsideration if the licensee's circumstances change.

**History:** Effective September 1, 1996.

**General Authority:** NDCC 43-12.1-08

**Law Implemented:** NDCC 43-12.1-08(2)(f)