

STATEMENT OF SCOPE

BOARD OF NURSING

Rule No.: N 1 to 8

Relating to: Requirements in Emergency Situations

Rule Type: Emergency and Permanent

1. Finding/nature of emergency (Emergency Rule only):

Governor Evers has issued Executive Order 72, which proclaims a public health emergency exists for the State of Wisconsin. As this emergency has potential to have a significant impact on nursing, the Board finds that emergency rules are necessary for the preservation of public health and safety.

2. Detailed description of the objective of the proposed rule:

The Board will conduct a comprehensive review of its rules with the objective of establishing waivers and alternate requirements that the Board may utilize to respond to emergency situations. The review will include provisions concerning reciprocal licensure for nurses, including advanced practice nurses, licensed in other states; licensure for nurses returning to practice; clinical educational requirements for nursing students; simulation requirements for clinical hours; temporary licensure for graduate nurses and graduate practical nurses; and supervision and licensure requirements for advanced practice nurses.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Board has identified the need for a review and update of its rules as identified above to ensure the Board is prepared to address emergency situations, including the public health emergency proclaimed in Executive Order 72.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 441.01 (3), Stats., provides “[t]he board may establish minimum standards for schools for professional nurses and schools for licensed practical nurses, including all related clinical units and facilities, and make and provide periodic surveys and consultations to such schools. It may also establish rules to prevent unauthorized persons from practicing professional nursing. It shall approve all rules for the administration of this chapter in accordance with ch. 227.”

Section 441.15 (3) (c), Stats., provides “[t]he board shall promulgate rules necessary to administer this section, including the establishment of appropriate limitations on the scope of the practice of nurse-midwifery, the facilities in which such practice may occur and the granting of temporary permits to practice nurse-midwifery pending qualification for certification.”

Section 441.16 (3), Stats., requires the Board to promulgate rules necessary to administer the prescription privileges of nurses, including defining the scope of practice within which an advanced practice nurse may issue prescription orders.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

100 hours

6. List with description of all entities that may be affected by the proposed rule:

Schools of nursing, nursing students, nurses licensed in Wisconsin and other states, health care facilities, and individuals in need of nursing services.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

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