

Senate Engrossed

State of Arizona
Senate
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 101

SENATE BILL 1321

AN ACT

AMENDING TITLE 32, CHAPTER 15, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 32-1668 AND 32-1669; RELATING TO THE REGULATION OF NURSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 32, chapter 15, article 3, Arizona Revised Statutes,
3 is amended by adding sections 32-1668 and 32-1669, to read:
4 32-1668. Nurse licensure compact
5 THIS STATE ENACTS THE NURSE LICENSURE COMPACT DATED NOVEMBER 6, 1998
6 AS FOLLOWS:

7 ARTICLE I

8 FINDINGS AND DECLARATION OF PURPOSE

9 A. THE PARTY STATES FIND THAT:

10 1. THE HEALTH AND SAFETY OF THE PUBLIC ARE AFFECTED BY THE DEGREE OF
11 COMPLIANCE WITH AND THE EFFECTIVENESS OF ENFORCEMENT ACTIVITIES RELATED TO
12 STATE NURSE LICENSURE LAWS;

13 2. VIOLATIONS OF NURSE LICENSURE AND OTHER LAWS REGULATING THE
14 PRACTICE OF NURSING MAY RESULT IN INJURY OR HARM TO THE PUBLIC;

15 3. THE EXPANDED MOBILITY OF NURSES AND THE USE OF ADVANCED
16 COMMUNICATION TECHNOLOGIES AS PART OF OUR NATION'S HEALTHCARE DELIVERY SYSTEM
17 REQUIRE GREATER COORDINATION AND COOPERATION AMONG STATES IN THE AREAS OF
18 NURSE LICENSURE AND REGULATION;

19 4. NEW PRACTICE MODALITIES AND TECHNOLOGY MAKE COMPLIANCE WITH
20 INDIVIDUAL STATE NURSE LICENSURE LAWS DIFFICULT AND COMPLEX;

21 5. THE CURRENT SYSTEM OF DUPLICATIVE LICENSURE FOR NURSES PRACTICING
22 IN MULTIPLE STATES IS CUMBERSOME AND REDUNDANT TO BOTH NURSES AND STATES.

23 B. THE GENERAL PURPOSES OF THIS COMPACT ARE TO:

24 1. FACILITATE THE STATES' RESPONSIBILITY TO PROTECT THE PUBLIC'S
25 HEALTH AND SAFETY;

26 2. ENSURE AND ENCOURAGE THE COOPERATION OF PARTY STATES IN THE AREAS
27 OF NURSE LICENSURE AND REGULATION;

28 3. FACILITATE THE EXCHANGE OF INFORMATION BETWEEN PARTY STATES IN THE
29 AREAS OF NURSE REGULATION, INVESTIGATION AND ADVERSE ACTIONS;

30 4. PROMOTE COMPLIANCE WITH THE LAWS GOVERNING THE PRACTICE OF NURSING
31 IN EACH JURISDICTION;

32 5. INVEST ALL PARTY STATES WITH THE AUTHORITY TO HOLD A NURSE
33 ACCOUNTABLE FOR MEETING ALL STATE PRACTICE LAWS IN THE STATE IN WHICH THE
34 PATIENT IS LOCATED AT THE TIME CARE IS RENDERED THROUGH THE MUTUAL
35 RECOGNITION OF PARTY STATE LICENSES.

36 ARTICLE II

37 DEFINITIONS

38 AS USED IN THIS COMPACT:

39 A. "ADVERSE ACTION" MEANS A HOME OR REMOTE STATE ACTION.

40 B. "ALTERNATIVE PROGRAM" MEANS A VOLUNTARY, NON-DISCIPLINARY
41 MONITORING PROGRAM APPROVED BY A NURSE LICENSING BOARD.

42 C. "COORDINATED LICENSURE INFORMATION SYSTEM" MEANS AN INTEGRATED
43 PROCESS FOR COLLECTING, STORING, AND SHARING INFORMATION ON NURSE LICENSURE
44 AND ENFORCEMENT ACTIVITIES RELATED TO NURSE LICENSURE LAWS, WHICH IS

1 ADMINISTERED BY A NON-PROFIT ORGANIZATION COMPOSED OF AND CONTROLLED BY STATE
2 NURSE LICENSING BOARDS.

3 D. "CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION" MEANS:

4 1. INVESTIGATIVE INFORMATION THAT A LICENSING BOARD, AFTER A
5 PRELIMINARY INQUIRY THAT INCLUDES NOTIFICATION AND AN OPPORTUNITY FOR THE
6 NURSE TO RESPOND IF REQUIRED BY STATE LAW, HAS REASON TO BELIEVE IS NOT
7 GROUNDLESS AND, IF PROVED TRUE, WOULD INDICATE MORE THAN A MINOR INFRACTION;
8 OR

9 2. INVESTIGATIVE INFORMATION THAT INDICATES THAT THE NURSE REPRESENTS
10 AN IMMEDIATE THREAT TO PUBLIC HEALTH AND SAFETY REGARDLESS OF WHETHER THE
11 NURSE HAS BEEN NOTIFIED AND HAD AN OPPORTUNITY TO RESPOND.

12 E. "HOME STATE" MEANS THE PARTY STATE WHICH IS THE NURSE'S PRIMARY
13 STATE OF RESIDENCE.

14 F. "HOME STATE ACTION" MEANS ANY ADMINISTRATIVE, CIVIL, EQUITABLE OR
15 CRIMINAL ACTION PERMITTED BY THE HOME STATE'S LAWS WHICH ARE IMPOSED ON A
16 NURSE BY THE HOME STATE'S LICENSING BOARD OR OTHER AUTHORITY INCLUDING
17 ACTIONS AGAINST AN INDIVIDUAL'S LICENSE SUCH AS: REVOCATION, SUSPENSION,
18 PROBATION OR ANY OTHER ACTION WHICH AFFECTS A NURSE'S AUTHORIZATION TO
19 PRACTICE.

20 G. "LICENSING BOARD" MEANS A PARTY STATE'S REGULATORY BODY RESPONSIBLE
21 FOR ISSUING NURSE LICENSES.

22 H. "MULTISTATE LICENSURE PRIVILEGE" MEANS CURRENT, OFFICIAL AUTHORITY
23 FROM A REMOTE STATE PERMITTING THE PRACTICE OF NURSING AS EITHER A REGISTERED
24 NURSE OR A LICENSED PRACTICAL/VOCATIONAL NURSE IN SUCH PARTY STATE. ALL
25 PARTY STATES HAVE THE AUTHORITY, IN ACCORDANCE WITH EXISTING STATE DUE
26 PROCESS LAW, TO TAKE ACTIONS AGAINST THE NURSE'S PRIVILEGE SUCH AS:
27 REVOCATION, SUSPENSION, PROBATION OR ANY OTHER ACTION WHICH AFFECTS A NURSE'S
28 AUTHORIZATION TO PRACTICE.

29 I. "NURSE" MEANS A REGISTERED NURSE OR LICENSED PRACTICAL/VOCATIONAL
30 NURSE, AS THOSE TERMS ARE DEFINED BY EACH PARTY'S STATE PRACTICE LAWS.

31 J. "PARTY STATE" MEANS ANY STATE THAT HAS ADOPTED THIS COMPACT.

32 K. "REMOTE STATE" MEANS A PARTY STATE, OTHER THAN THE HOME STATE:

33 1. WHERE THE PATIENT IS LOCATED AT THE TIME NURSING CARE IS PROVIDED,
34 OR,

35 2. IN THE CASE OF THE PRACTICE OF NURSING NOT INVOLVING A PATIENT, IN
36 SUCH PARTY STATE WHERE THE RECIPIENT OF NURSING PRACTICE IS LOCATED.

37 L. "REMOTE STATE ACTION" MEANS:

38 1. ANY ADMINISTRATIVE, CIVIL, EQUITABLE OR CRIMINAL ACTION PERMITTED
39 BY A REMOTE STATE'S LAWS WHICH ARE IMPOSED ON A NURSE BY THE REMOTE STATE'S
40 LICENSING BOARD OR OTHER AUTHORITY INCLUDING ACTIONS AGAINST AN INDIVIDUAL'S
41 MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN THE REMOTE STATE, AND

42 2. CEASE AND DESIST AND OTHER INJUNCTIVE OR EQUITABLE ORDERS ISSUED
43 BY REMOTE STATES OR THE LICENSING BOARDS THEREOF.

44 M. "STATE" MEANS A STATE, TERRITORY, OR POSSESSION OF THE UNITED
45 STATES, THE DISTRICT OF COLUMBIA OR THE COMMONWEALTH OF PUERTO RICO.

1 N. "STATE PRACTICE LAWS" MEANS THOSE INDIVIDUAL PARTY'S STATE LAWS AND
2 REGULATIONS THAT GOVERN THE PRACTICE OF NURSING, DEFINE THE SCOPE OF NURSING
3 PRACTICE, AND CREATE THE METHODS AND GROUNDS FOR IMPOSING DISCIPLINE. "STATE
4 PRACTICE LAWS" DOES NOT INCLUDE THE INITIAL QUALIFICATIONS FOR LICENSURE OR
5 REQUIREMENTS NECESSARY TO OBTAIN AND RETAIN A LICENSE, EXCEPT FOR
6 QUALIFICATIONS OR REQUIREMENTS OF THE HOME STATE.

7 ARTICLE III

8 GENERAL PROVISIONS AND JURISDICTION

9 A. A LICENSE TO PRACTICE REGISTERED NURSING ISSUED BY A HOME STATE TO
10 A RESIDENT IN THAT STATE WILL BE RECOGNIZED BY EACH PARTY STATE AS
11 AUTHORIZING A MULTISTATE LICENSURE PRIVILEGE TO PRACTICE AS A REGISTERED
12 NURSE IN SUCH PARTY STATE. A LICENSE TO PRACTICE LICENSED
13 PRACTICAL/VOCATIONAL NURSING ISSUED BY A HOME STATE TO A RESIDENT IN THAT
14 STATE WILL BE RECOGNIZED BY EACH PARTY STATE AS AUTHORIZING A MULTISTATE
15 LICENSURE PRIVILEGE TO PRACTICE AS A LICENSED PRACTICAL/VOCATIONAL NURSE IN
16 SUCH PARTY STATE. IN ORDER TO OBTAIN OR RETAIN A LICENSE, AN APPLICANT MUST
17 MEET THE HOME STATE'S QUALIFICATIONS FOR LICENSURE AND LICENSE RENEWAL AS
18 WELL AS ALL OTHER APPLICABLE STATE LAWS.

19 B. PARTY STATES MAY, IN ACCORDANCE WITH STATE DUE PROCESS LAWS, LIMIT
20 OR REVOKE THE MULTISTATE LICENSURE PRIVILEGE OF ANY NURSE TO PRACTICE IN
21 THEIR STATE AND MAY TAKE ANY OTHER ACTIONS UNDER THEIR APPLICABLE STATE LAWS
22 NECESSARY TO PROTECT THE HEALTH AND SAFETY OF THEIR CITIZENS. IF A PARTY
23 STATE TAKES SUCH ACTION, IT SHALL PROMPTLY NOTIFY THE ADMINISTRATOR OF THE
24 COORDINATED LICENSURE INFORMATION SYSTEM. THE ADMINISTRATOR OF THE
25 COORDINATED LICENSURE INFORMATION SYSTEM SHALL PROMPTLY NOTIFY THE HOME STATE
26 OF ANY SUCH ACTIONS BY REMOTE STATES.

27 C. EVERY NURSE PRACTICING IN A PARTY STATE MUST COMPLY WITH THE STATE
28 PRACTICE LAWS OF THE STATE IN WHICH THE PATIENT IS LOCATED AT THE TIME CARE
29 IS RENDERED. IN ADDITION, THE PRACTICE OF NURSING IS NOT LIMITED TO PATIENT
30 CARE, BUT SHALL INCLUDE ALL NURSING PRACTICE AS DEFINED BY THE STATE PRACTICE
31 LAWS OF A PARTY STATE. THE PRACTICE OF NURSING WILL SUBJECT A NURSE TO THE
32 JURISDICTION OF THE NURSE LICENSING BOARD AND THE COURTS, AS WELL AS THE
33 LAWS, IN THAT PARTY STATE.

34 D. THIS COMPACT DOES NOT AFFECT ADDITIONAL REQUIREMENTS IMPOSED BY
35 STATES FOR ADVANCED PRACTICE REGISTERED NURSING. HOWEVER, A MULTISTATE
36 LICENSURE PRIVILEGE TO PRACTICE REGISTERED NURSING GRANTED BY A PARTY STATE
37 SHALL BE RECOGNIZED BY OTHER PARTY STATES AS A LICENSE TO PRACTICE REGISTERED
38 NURSING IF ONE IS REQUIRED BY STATE LAW AS A PRECONDITION FOR QUALIFYING FOR
39 ADVANCED PRACTICE REGISTERED NURSE AUTHORIZATION.

40 E. INDIVIDUALS NOT RESIDING IN A PARTY STATE SHALL CONTINUE TO BE ABLE
41 TO APPLY FOR NURSE LICENSURE AS PROVIDED FOR UNDER THE LAWS OF EACH PARTY
42 STATE. HOWEVER, THE LICENSE GRANTED TO THESE INDIVIDUALS WILL NOT BE
43 RECOGNIZED AS GRANTING THE PRIVILEGE TO PRACTICE NURSING IN ANY OTHER PARTY
44 STATE UNLESS EXPLICITLY AGREED TO BY THAT PARTY STATE.

ARTICLE IV

APPLICATIONS FOR LICENSURE IN A PARTY STATE

A. UPON APPLICATION FOR A LICENSE, THE LICENSING BOARD IN A PARTY STATE SHALL ASCERTAIN, THROUGH THE COORDINATED LICENSURE INFORMATION SYSTEM, WHETHER THE APPLICANT HAS EVER HELD, OR IS THE HOLDER OF, A LICENSE ISSUED BY ANY OTHER STATE, WHETHER THERE ARE ANY RESTRICTIONS ON THE MULTISTATE LICENSURE PRIVILEGE, AND WHETHER ANY OTHER ADVERSE ACTION BY ANY STATE HAS BEEN TAKEN AGAINST THE LICENSE.

B. A NURSE IN A PARTY STATE SHALL HOLD LICENSURE IN ONLY ONE PARTY STATE AT A TIME, ISSUED BY THE HOME STATE.

C. A NURSE WHO INTENDS TO CHANGE PRIMARY STATE OF RESIDENCE MAY APPLY FOR LICENSURE IN THE NEW HOME STATE IN ADVANCE OF SUCH CHANGE. HOWEVER, NEW LICENSES WILL NOT BE ISSUED BY A PARTY STATE UNTIL AFTER A NURSE PROVIDES EVIDENCE OF CHANGE IN PRIMARY STATE OF RESIDENCE SATISFACTORY TO THE NEW HOME STATE'S LICENSING BOARD.

D. WHEN A NURSE CHANGES PRIMARY STATE OF RESIDENCE BY:

1. MOVING BETWEEN TWO PARTY STATES, AND OBTAINS A LICENSE FROM THE NEW HOME STATE, THE LICENSE FROM THE FORMER HOME STATE IS NO LONGER VALID;

2. MOVING FROM A NON-PARTY STATE TO A PARTY STATE, AND OBTAINS A LICENSE FROM THE NEW HOME STATE, THE INDIVIDUAL STATE LICENSE ISSUED BY THE NON-PARTY STATE IS NOT AFFECTED AND WILL REMAIN IN FULL FORCE IF SO PROVIDED BY THE LAWS OF THE NON-PARTY STATE;

3. MOVING FROM A PARTY STATE TO A NON-PARTY STATE, THE LICENSE ISSUED BY THE PRIOR HOME STATE CONVERTS TO AN INDIVIDUAL STATE LICENSE, VALID ONLY IN THE FORMER HOME STATE, WITHOUT THE MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN OTHER PARTY STATES.

ARTICLE V

ADVERSE ACTIONS

IN ADDITION TO THE GENERAL PROVISIONS DESCRIBED IN ARTICLE III, THE FOLLOWING PROVISIONS APPLY:

A. THE LICENSING BOARD OF A REMOTE STATE SHALL PROMPTLY REPORT TO THE ADMINISTRATOR OF THE COORDINATED LICENSURE INFORMATION SYSTEM ANY REMOTE STATE ACTIONS INCLUDING THE FACTUAL AND LEGAL BASIS FOR SUCH ACTION, IF KNOWN. THE LICENSING BOARD OF A REMOTE STATE SHALL ALSO PROMPTLY REPORT ANY SIGNIFICANT CURRENT INVESTIGATIVE INFORMATION YET TO RESULT IN A REMOTE STATE ACTION. THE ADMINISTRATOR OF THE COORDINATED LICENSURE INFORMATION SYSTEM SHALL PROMPTLY NOTIFY THE HOME STATE OF ANY SUCH REPORTS.

B. THE LICENSING BOARD OF A PARTY STATE SHALL HAVE THE AUTHORITY TO COMPLETE ANY PENDING INVESTIGATIONS FOR A NURSE WHO CHANGES PRIMARY STATE OF RESIDENCE DURING THE COURSE OF SUCH INVESTIGATIONS. IT SHALL ALSO HAVE THE AUTHORITY TO TAKE APPROPRIATE ACTION(S), AND SHALL PROMPTLY REPORT THE CONCLUSIONS OF SUCH INVESTIGATIONS TO THE ADMINISTRATOR OF THE COORDINATED LICENSURE INFORMATION SYSTEM. THE ADMINISTRATOR OF THE COORDINATED LICENSURE INFORMATION SYSTEM SHALL PROMPTLY NOTIFY THE NEW HOME STATE OF ANY SUCH ACTIONS.

1 C. A REMOTE STATE MAY TAKE ADVERSE ACTION AFFECTING THE MULTISTATE
2 LICENSURE PRIVILEGE TO PRACTICE WITHIN THAT PARTY STATE. HOWEVER, ONLY THE
3 HOME STATE SHALL HAVE THE POWER TO IMPOSE ADVERSE ACTION AGAINST THE LICENSE
4 ISSUED BY THE HOME STATE.

5 D. FOR PURPOSES OF IMPOSING ADVERSE ACTION, THE LICENSING BOARD OF THE
6 HOME STATE SHALL GIVE THE SAME PRIORITY AND EFFECT TO REPORTED CONDUCT
7 RECEIVED FROM A REMOTE STATE AS IT WOULD IF SUCH CONDUCT HAD OCCURRED WITHIN
8 THE HOME STATE. IN SO DOING, IT SHALL APPLY ITS OWN STATE LAWS TO DETERMINE
9 APPROPRIATE ACTION.

10 E. THE HOME STATE MAY TAKE ADVERSE ACTION BASED ON THE FACTUAL
11 FINDINGS OF THE REMOTE STATE, SO LONG AS EACH STATE FOLLOWS ITS OWN
12 PROCEDURES FOR IMPOSING SUCH ADVERSE ACTION.

13 F. NOTHING IN THIS COMPACT SHALL OVERRIDE A PARTY STATE'S DECISION
14 THAT PARTICIPATION IN AN ALTERNATIVE PROGRAM MAY BE USED IN LIEU OF LICENSURE
15 ACTION AND THAT SUCH PARTICIPATION SHALL REMAIN NON-PUBLIC IF REQUIRED BY THE
16 PARTY STATE'S LAWS. PARTY STATES MUST REQUIRE NURSES WHO ENTER ANY
17 ALTERNATIVE PROGRAMS TO AGREE NOT TO PRACTICE IN ANY OTHER PARTY STATE DURING
18 THE TERM OF THE ALTERNATIVE PROGRAM WITHOUT PRIOR AUTHORIZATION FROM SUCH
19 OTHER PARTY STATE.

20 ARTICLE VI

21 ADDITIONAL AUTHORITIES INVESTED IN PARTY
22 STATE NURSE LICENSING BOARDS

23 NOTWITHSTANDING ANY OTHER POWERS, PARTY STATE NURSE LICENSING BOARDS
24 SHALL HAVE THE AUTHORITY TO:

25 A. IF OTHERWISE PERMITTED BY STATE LAW, RECOVER FROM THE AFFECTED
26 NURSE THE COSTS OF INVESTIGATIONS AND DISPOSITION OF CASES RESULTING FROM ANY
27 ADVERSE ACTION TAKEN AGAINST THAT NURSE;

28 B. ISSUE SUBPOENAS FOR BOTH HEARINGS AND INVESTIGATIONS WHICH REQUIRE
29 THE ATTENDANCE AND TESTIMONY OF WITNESSES, AND THE PRODUCTION OF EVIDENCE.
30 SUBPOENAS ISSUED BY A NURSE LICENSING BOARD IN A PARTY STATE FOR THE
31 ATTENDANCE AND TESTIMONY OF WITNESSES, AND/OR THE PRODUCTION OF EVIDENCE FROM
32 ANOTHER PARTY STATE, SHALL BE ENFORCED IN THE LATTER STATE BY ANY COURT OF
33 COMPETENT JURISDICTION, ACCORDING TO THE PRACTICE AND PROCEDURE OF THAT COURT
34 APPLICABLE TO SUBPOENAS ISSUED IN PROCEEDINGS PENDING BEFORE IT. THE ISSUING
35 AUTHORITY SHALL PAY ANY WITNESS FEES, TRAVEL EXPENSES, MILEAGE AND OTHER FEES
36 REQUIRED BY THE SERVICE STATUTES OF THE STATE WHERE THE WITNESSES AND/OR
37 EVIDENCE ARE LOCATED.

38 C. ISSUE CEASE AND DESIST ORDERS TO LIMIT OR REVOKE A NURSE'S
39 AUTHORITY TO PRACTICE IN THEIR STATE;

40 D. PROMULGATE UNIFORM RULES AND REGULATIONS AS PROVIDED FOR IN ARTICLE
41 VIII(C).

42 ARTICLE VII

43 COORDINATED LICENSURE INFORMATION SYSTEM

44 A. ALL PARTY STATES SHALL PARTICIPATE IN A COOPERATIVE EFFORT TO
45 CREATE A COORDINATED DATABASE OF ALL LICENSED REGISTERED NURSES AND LICENSED

1 PRACTICAL/VOCATIONAL NURSES. THIS SYSTEM WILL INCLUDE INFORMATION ON THE
2 LICENSURE AND DISCIPLINARY HISTORY OF EACH NURSE, AS CONTRIBUTED BY PARTY
3 STATES, TO ASSIST IN THE COORDINATION OF NURSE LICENSURE AND ENFORCEMENT
4 EFFORTS.

5 B. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL PARTY STATES'
6 LICENSING BOARDS SHALL PROMPTLY REPORT ADVERSE ACTIONS, ACTIONS AGAINST
7 MULTISTATE LICENSURE PRIVILEGES, ANY CURRENT SIGNIFICANT INVESTIGATIVE
8 INFORMATION YET TO RESULT IN ADVERSE ACTION, DENIALS OF APPLICATIONS, AND THE
9 REASONS FOR SUCH DENIALS, TO THE COORDINATED LICENSURE INFORMATION SYSTEM.

10 C. CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION SHALL BE TRANSMITTED
11 THROUGH THE COORDINATED LICENSURE INFORMATION SYSTEM ONLY TO PARTY STATE
12 LICENSING BOARDS.

13 D. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL PARTY STATES'
14 LICENSING BOARDS CONTRIBUTING INFORMATION TO THE COORDINATED LICENSURE
15 INFORMATION SYSTEM MAY DESIGNATE INFORMATION THAT MAY NOT BE SHARED WITH
16 NON-PARTY STATES OR DISCLOSED TO OTHER ENTITIES OR INDIVIDUALS WITHOUT THE
17 EXPRESS PERMISSION OF THE CONTRIBUTING STATE.

18 E. ANY PERSONALLY IDENTIFIABLE INFORMATION OBTAINED BY A PARTY STATES'
19 LICENSING BOARD FROM THE COORDINATED LICENSURE INFORMATION SYSTEM MAY NOT BE
20 SHARED WITH NON-PARTY STATES OR DISCLOSED TO OTHER ENTITIES OR INDIVIDUALS
21 EXCEPT TO THE EXTENT PERMITTED BY THE LAWS OF THE PARTY STATE CONTRIBUTING
22 THE INFORMATION.

23 F. ANY INFORMATION CONTRIBUTED TO THE COORDINATED LICENSURE
24 INFORMATION SYSTEM THAT IS SUBSEQUENTLY REQUIRED TO BE EXPUNGED BY THE LAWS
25 OF THE PARTY STATE CONTRIBUTING THAT INFORMATION, SHALL ALSO BE EXPUNGED FROM
26 THE COORDINATED LICENSURE INFORMATION SYSTEM.

27 G. THE COMPACT ADMINISTRATORS, ACTING JOINTLY WITH EACH OTHER AND IN
28 CONSULTATION WITH THE ADMINISTRATOR OF THE COORDINATED LICENSURE INFORMATION
29 SYSTEM, SHALL FORMULATE NECESSARY AND PROPER PROCEDURES FOR THE
30 IDENTIFICATION, COLLECTION AND EXCHANGE OF INFORMATION UNDER THIS COMPACT.

31 ARTICLE VIII

32 COMPACT ADMINISTRATION AND INTERCHANGE OF INFORMATION

33 A. THE HEAD OF THE NURSE LICENSING BOARD, OR HIS/HER DESIGNEE, OF EACH
34 PARTY STATE SHALL BE THE ADMINISTRATOR OF THIS COMPACT FOR HIS/HER STATE.

35 B. THE COMPACT ADMINISTRATOR OF EACH PARTY STATE SHALL FURNISH TO THE
36 COMPACT ADMINISTRATOR OF EACH OTHER PARTY STATE ANY INFORMATION AND DOCUMENTS
37 INCLUDING, BUT NOT LIMITED TO, A UNIFORM DATA SET OF INVESTIGATIONS,
38 IDENTIFYING INFORMATION, LICENSURE DATA, AND DISCLOSABLE ALTERNATIVE PROGRAM
39 PARTICIPATION INFORMATION TO FACILITATE THE ADMINISTRATION OF THIS COMPACT.

40 C. COMPACT ADMINISTRATORS SHALL HAVE THE AUTHORITY TO DEVELOP UNIFORM
41 RULES TO FACILITATE AND COORDINATE IMPLEMENTATION OF THIS COMPACT. THESE
42 UNIFORM RULES SHALL BE ADOPTED BY PARTY STATES, UNDER THE AUTHORITY INVESTED
43 UNDER ARTICLE VI (D).

ARTICLE IX
IMMUNITY

NO PARTY STATE OR THE OFFICERS OR EMPLOYEES OR AGENTS OF A PARTY STATE'S NURSE LICENSING BOARD WHO ACTS IN ACCORDANCE WITH THE PROVISIONS OF THIS COMPACT SHALL BE LIABLE ON ACCOUNT OF ANY ACT OR OMISSION IN GOOD FAITH WHILE ENGAGED IN THE PERFORMANCE OF THEIR DUTIES UNDER THIS COMPACT. GOOD FAITH IN THIS ARTICLE SHALL NOT INCLUDE WILLFUL MISCONDUCT, GROSS NEGLIGENCE, OR RECKLESSNESS.

ARTICLE X

ENTRY INTO FORCE, WITHDRAWAL AND AMENDMENT

A. THIS COMPACT SHALL ENTER INTO FORCE AND BECOME EFFECTIVE AS TO ANY STATE WHEN IT HAS BEEN ENACTED INTO THE LAWS OF THAT STATE. ANY PARTY STATE MAY WITHDRAW FROM THIS COMPACT BY ENACTING A STATUTE REPEALING THE SAME, BUT NO SUCH WITHDRAWAL SHALL TAKE EFFECT UNTIL SIX MONTHS AFTER THE WITHDRAWING STATE HAS GIVEN NOTICE OF THE WITHDRAWAL TO THE EXECUTIVE HEADS OF ALL OTHER PARTY STATES.

B. NO WITHDRAWAL SHALL AFFECT THE VALIDITY OR APPLICABILITY BY THE LICENSING BOARDS OF STATES REMAINING PARTY TO THE COMPACT OF ANY REPORT OF ADVERSE ACTION OCCURRING PRIOR TO THE WITHDRAWAL.

C. NOTHING CONTAINED IN THIS COMPACT SHALL BE CONSTRUED TO INVALIDATE OR PREVENT ANY NURSE LICENSURE AGREEMENT OR OTHER COOPERATIVE ARRANGEMENT BETWEEN A PARTY STATE AND A NON-PARTY STATE THAT IS MADE IN ACCORDANCE WITH THE OTHER PROVISIONS OF THIS COMPACT.

D. THIS COMPACT MAY BE AMENDED BY THE PARTY STATES. NO AMENDMENT TO THIS COMPACT SHALL BECOME EFFECTIVE AND BINDING UPON THE PARTY STATES UNLESS AND UNTIL IT IS ENACTED INTO THE LAWS OF ALL PARTY STATES.

ARTICLE XI

CONSTRUCTION AND SEVERABILITY

A. THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE PURPOSES THEREOF. THE PROVISIONS OF THIS COMPACT SHALL BE SEVERABLE AND IF ANY PHRASE, CLAUSE, SENTENCE OR PROVISION OF THIS COMPACT IS DECLARED TO BE CONTRARY TO THE CONSTITUTION OF ANY PARTY STATE OR OF THE UNITED STATES OR THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON OR CIRCUMSTANCE IS HELD INVALID, THE VALIDITY OF THE REMAINDER OF THIS COMPACT AND THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON OR CIRCUMSTANCE SHALL NOT BE AFFECTED THEREBY. IF THIS COMPACT SHALL BE HELD CONTRARY TO THE CONSTITUTION OF ANY STATE PARTY THERETO, THE COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT AS TO THE REMAINING PARTY STATES AND IN FULL FORCE AND EFFECT AS TO THE PARTY STATE AFFECTED AS TO ALL SEVERABLE MATTERS.

B. IN THE EVENT PARTY STATES FIND A NEED FOR SETTLING DISPUTES ARISING UNDER THIS COMPACT:

1. THE PARTY STATES MAY SUBMIT THE ISSUES IN DISPUTE TO AN ARBITRATION PANEL WHICH WILL BE COMPRISED OF AN INDIVIDUAL APPOINTED BY THE COMPACT ADMINISTRATOR IN THE HOME STATE; AN INDIVIDUAL APPOINTED BY THE COMPACT ADMINISTRATOR IN THE REMOTE STATE(S) INVOLVED; AND AN INDIVIDUAL MUTUALLY

1 AGREED UPON BY THE COMPACT ADMINISTRATORS OF ALL THE PARTY STATES INVOLVED
2 IN THE DISPUTE.

3 2. THE DECISION OF A MAJORITY OF THE ARBITRATORS SHALL BE FINAL AND
4 BINDING.

5 32-1669. Nurse licensure compact; board jurisdiction;
6 notification requirements; withdrawal from compact

7 A. A PERSON WHO IS EXTENDED THE PRIVILEGE TO PRACTICE IN THIS STATE
8 PURSUANT TO THE COMPACT ADOPTED PURSUANT TO SECTION 32-1668 IS SUBJECT TO THE
9 SAME DISCIPLINARY REQUIREMENTS PRESCRIBED IN THIS CHAPTER, AND THE BOARD'S
10 INVESTIGATIVE AND DISCIPLINARY POWERS AND PROCEDURES APPLY TO A PERSON WHO
11 PRACTICES IN THIS STATE PURSUANT TO THIS COMPACT.

12 B. A PERSON WHO IS EXTENDED THE PRIVILEGE TO PRACTICE IN THIS STATE
13 PURSUANT TO THE COMPACT ADOPTED PURSUANT TO SECTION 32-1668 MAY USE THE TITLE
14 THAT IS PRESCRIBED IN SECTION 32-1636 OR 32-1641 AND THAT IS APPROPRIATE TO
15 THE PERSON'S QUALIFICATIONS.

16 C. A PERSON WHO WISHES TO ENGAGE IN THE PRACTICE OF NURSING IN THIS
17 STATE PURSUANT TO THE COMPACT ADOPTED PURSUANT TO SECTION 32-1668 MUST NOTIFY
18 THE BOARD IF THAT PERSON HAS HAD A LICENSE TO PRACTICE A HEALTH CARE
19 PROFESSION DENIED, SUSPENDED OR REVOKED IN ANOTHER JURISDICTION WITHIN THE
20 PAST FIVE YEARS OR IF THAT PERSON HAS BEEN CONVICTED OF A FELONY FOR WHICH
21 THE PERSON DID NOT RECEIVE AN ABSOLUTE DISCHARGE FROM THE SENTENCES AT LEAST
22 FIVE YEARS BEFORE THE DATE ON WHICH THE PERSON APPLIES TO PRACTICE NURSING
23 IN THIS STATE PURSUANT TO THE COMPACT. A PERSON WHO VIOLATES THIS SUBSECTION
24 COMMITS AN ACT OF UNPROFESSIONAL CONDUCT.

25 D. THE GOVERNOR MAY WITHDRAW THIS STATE FROM THE COMPACT ADOPTED
26 PURSUANT TO SECTION 32-1668 IF THE BOARD NOTIFIES THE GOVERNOR THAT ANOTHER
27 STATE THAT IS A PARTY TO THE COMPACT HAS CHANGED ITS LICENSURE REQUIREMENTS
28 TO MAKE THEM SUBSTANTIALLY LOWER THAN THE REQUIREMENTS OF THIS STATE.

29 Sec. 2. Effective date

30 This act is effective from and after June 30, 2002.

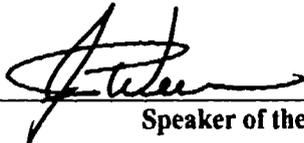
APPROVED BY THE GOVERNOR APRIL 11, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 12, 2001.

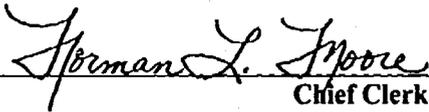
Passed the House April 04, 2001,

by the following vote: 60 Ayes,

0 Nays, 0 Not Voting



Speaker of the House

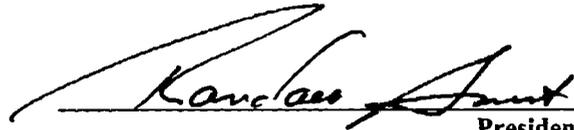


Chief Clerk of the House

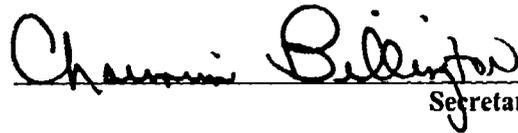
Passed the Senate March 15, 2001,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting



President of the Senate



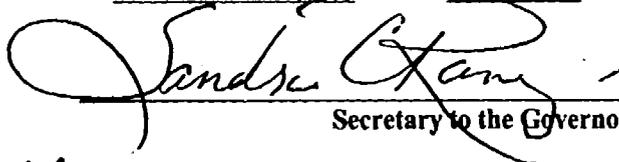
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

5 day of April, 2001,

at 1:07 o'clock P M.



Secretary to the Governor

Approved this 11 day of

April, 2001,

at 9:45 o'clock P.M.



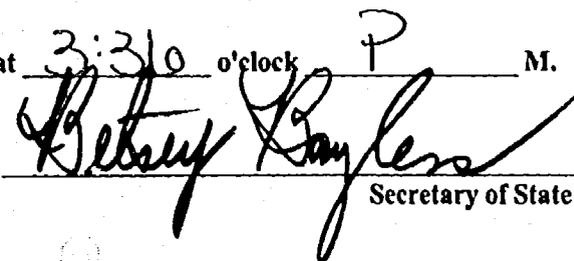
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12 day of April, 2001,

at 3:30 o'clock P M.



Secretary of State

S.B. 1321