

STATE OF NEW YORK

8224

2019-2020 Regular Sessions

IN ASSEMBLY

June 7, 2019

Introduced by M. of A. REYES -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to licensure by endorsement of certain registered professional nurses and licensed practical nurses

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 6912
2 to read as follows:

3 § 6912. Licensure by endorsement; certain jurisdictions. 1. Notwith-
4 standing any law to the contrary, the department shall issue the appro-
5 priate license, either a license as a registered professional nurse or a
6 license as a licensed practical nurse, by endorsement to practice
7 professional or practical nursing to an applicant who, upon applying to
8 the department and remitting a fee set by the department not to exceed
9 one hundred dollars, demonstrates to the department that he or she:

10 (a) Holds a valid license to practice professional or practical nurs-
11 ing in a territory of the United States provided that, when the appli-
12 cant secured his or her original license, the requirements for licensure
13 were substantially equivalent to or more stringent than those existing
14 in New York at such time as determined by the department; and

15 (b) Has actively practiced nursing in a territory of the United States
16 for two of the preceding three years without having his or her license
17 acted against by the licensing authority of any jurisdiction. Applicants
18 who become licensed pursuant to this paragraph must complete within six
19 months after licensure a New York laws and rules course that is approved
20 by the department. Once the department has received the results of a
21 national criminal history check and has determined that the applicant
22 has no criminal history, the appropriate license by endorsement shall be
23 issued to such applicant.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 2. The applicant shall submit to the department a set of fingerprints
2 on a form and under procedures specified by the department, along with a
3 payment in an amount equal to the costs incurred by the department for
4 the criminal background check of the applicant. The department shall
5 submit the fingerprints provided by the applicant to the division of
6 state police for a statewide criminal history check, and the division of
7 state police shall forward the fingerprints to the federal bureau of
8 investigation for a national criminal history check of the applicant.
9 The department shall review the results of the criminal history check,
10 issue a license to an applicant who has met all of the other require-
11 ments for licensure and has no criminal history, and shall refer all
12 applicants with criminal histories back to the board for determination
13 as to whether a license should be issued and under what conditions.

14 3. The department shall not issue a license by endorsement to any
15 applicant who is under investigation in another state, jurisdiction, or
16 territory of the United States for an act which would constitute a
17 violation of this chapter until such time as such investigation is
18 complete, at which time the provisions of article one hundred thirty-
19 one-A of this chapter shall apply.

20 § 2. This act shall take effect on the ninetieth day after it shall
21 have become a law. Effective immediately, the addition, amendment
22 and/or repeal of any rule or regulation necessary for the implementation
23 of this act on its effective date are authorized to be made and
24 completed on or before such effective date.