

**Readopt with amendment Nur 301.05, effective 8/2/22 (Document #10996), to read as follows:**

Nur 301.05 Licensed Nursing Assistant.

(a) This section shall apply to those who seek licensure as a licensed nursing assistant (LNA) by competency examination, alternate experience, or by endorsement in accordance with Plc 313.

(b) Each person seeking licensure as a LNA, regardless of method of qualification, shall:

(1) Complete and submit a required “Universal Application for Initial Licensure” providing the information described in Plc 304.03(a), (c), (d), and (f) and signing the form in accordance with Plc 304.05;

(2) In addition to the application required in (a) above, the applicant shall complete and submit the “Nursing Assistant Addendum to the Universal Application for Initial Licensure” by providing the following:

a. All names the applicant has ever been known by;

b. Answer yes or no to the question “Were any special arrangements made for you during the nursing assistant program or competency testing because of a physical or mental conditions?”;

c. Answer yes or no to the question “Do you have a mental or physical condition that makes you incompetent to practice as a nursing assistant?”;

d. Answer yes or no to the question “Have you previously been or are you currently impaired by any chemical substances that affects your ability to practice as a nursing assistant?”;

e. Answer yes or no to the question “Have you ever diverted any chemical substance(s)”;

(3) If the applicant answers yes to any of the questions on the application a detailed description of the yes answer and any relevant supporting documents;

(4) Submit to the department of safety, division of state police, a notarized Criminal Record Release Authorization along with any required fee, with OPLC identified as the recipient of the record or records; and

(5) Pay any fees required by Plc 1002.33 and Plc 1001.08.

(c) Subject to (d), below, each applicant seeking licensure as a LNA by competency examination shall, in addition to complying with (b) above:

(1) Submit a copy of their LNA Education Program Certificate to demonstrate successful completion of such program; and

(2) Submit a copy of the final report for the Written and Clinical Competency Testing results showing the applicant to be competent in all areas tested.

(d) An applicant shall not be required to submit the copies required by (c), above, if the program from which the applicant graduated has already provided information to the OPLC that the applicant has successfully completed the program and passed the competency test.

(e) Each applicant seeking licensure as a LNA by alternate experience shall, in addition to complying with (b) above, submit to the OPLC the following:

(1) Proof that the applicant has been assigned an enlisted occupation code consistent with RSA 326-B:21-a, I(a); and

(2) Proof that the applicant has used those skills as part of their service in the last 3 years.

(f) An applicant who has satisfactorily met the requirements of this section shall:

(1) Receive a licensed nursing assistant license; and

(2) Be authorized to use the title LNA.

**Adopt Nur 302.01, previously effective 3/22/13 (Document #10298) and expired 3/22/2023, to read as follows:**

Nur 302.01 General Qualifications for All Applicants. Each applicant for any license or certificate issued by the OPLC shall, pursuant to RSA 326-B:16, meet the following general requirements:

(a) The applicant shall have the ability to read and write the English language, and demonstrate such proficiency through either:

(1) Graduating from a school of nursing in which:

a. All classroom instruction was in English;

b. All nursing textbooks were in English; and

c. The majority of all clinical experience was in English; or

(2) Passing the English proficiency evaluation of a nationally accepted accredited examination;

(b) The applicant shall have committed no acts or omissions which are grounds for disciplinary actions as set forth in RSA 326-B, unless the board determines that restitution has been made for such acts or omissions;

(c) The applicant shall not have been convicted of a crime constituting any of the following unless such conviction was annulled by a court of competent jurisdiction:

(1) Murder or manslaughter;

(2) Robbery;

(3) Felonious theft;

- (4) Felonious assault;
- (5) Sexual crime involving a child;
- (6) Kidnapping; or
- (7) Endangering the welfare of a child or incompetent person.

(d) The applicant shall not have committed any act or engaged in any course of conduct involving intentional deception by the applicant, whether in the course of employment or as private conduct, that indicates the applicant cannot be entrusted with the care of patients; and

(e) The applicant shall submit a complete application for the specific license or certificate sought, including the payment of all fees required by Plc 1002.33 and Plc 1001.08.

**Adopt Nur 302.02, previously effective 3/22/13 (Document #10298) and expired 3/22/2023, to read as follows:**

Nur 302.02 Qualifications for Initial Registered and Practical Nurses Licensure by Examination.  
Each applicant for an initial registered or practical nurse license by examination shall:

- (a) Meet the general requirements of Nur 302.01; and
- (b) Meet either education requirement:
  - (1) Graduated from a board approved nursing education program in the United States or Canada that meets the requirements set forth in Nur 600, including the NCLEX-RN or NCLEX-PN course requirements; or
  - (2) Graduated from a nursing program outside the United States or Canada;
- (c) Take and pass either the:
  - (1) NCLEX exam if a graduate of a board approved nursing education program in the United States or Canada; or
  - (2) A nationally accepted accrediting agency examination endorsed by the National Council of State Boards of Nursing examination and NCLEX if a graduate of a board approved nursing education program outside the United States or Canada.

**Adopt Nur 302.04, previously effective 3/22/13 (Document #10298) and expired 3/22/2023, to read as follows:**

Nur 302.04 Qualifications for an Initial Advanced Practice Registered Nurse (APRN) License.

- (a) Each applicant for an initial advanced registered nurse practitioner license shall:
  - (1) Meet the general requirements of Nur 302.01;

- (2) Hold a current and unencumbered RN license issued by the OPLC or a multi-state license issued by another compact state;
  - (3) Have either:
    - a. Earned a graduate degree in an accredited advanced registered nurse practitioner education program; or
    - b. Graduated before July 1, 2004 from a APRN education program or its equivalent accredited by a national accrediting body that meets the requirements of Nur 600;
  - (4) Be competent to practice as a result of graduation from an educational program that complies with (3) above that has been recognized by the National Council of State Boards of Nursing in the specialty area of practice;
  - (5) Hold current certification from a national certifying body, recognized by the by National Council of State Boards of Nursing, that specializes in the APRN area of practice;
  - (6) Have used advanced practice nursing knowledge, judgment, and skills for at least 400 hours within the 4 years immediately preceding the application; and
  - (7) If the applicant graduated from an advanced nurse practitioner program 2 or more years prior to the date of application, taken:
    - a. At least 30 educational contact hours to satisfy the requirements of RN continuing competence; and
    - b. An additional 30 hours, at least 5 of which shall be training in pharmacology appropriate to the specialty, within 2 years immediately prior to date of application.
- (b) Current certification as described in (a)(5) above may be counted for 30 of the 60 contact hour requirement of (a)(7).

**Adopt Nur 302.06, previously effective 3/22/13 (Document #10298) and expired 3/22/2023, to read as follows:**

Nur 302.06 Qualifications for a Medication Nursing Assistant Certificate. Each applicant for an initial medication nursing assistant certificate shall:

- (a) Possess a current unencumbered LNA license issued by the OPLC;
- (b) Successfully complete a board-approved medication administration education program described in Nur 800; and
- (c) Pass the required the competency evaluation described in Nur 800.

**Adopt Nur 303.01, previously effective 3/22/13 (Document #10298) and expired 3/22/2023, to read as follows:**

Nur 303.01 Applicant Responsibility for Examination. Each applicant for licensure shall:

- (a) Contact the appropriate examining entity and obtaining all application materials;
- (b) Submit all required application materials, including any required fee;
- (c) Arrange to sit for all portions of the required examination; and
- (d) Actually sit for and pass all portions of the required examination.

**Adopt Nur 303.03 and Nur 303.04, previously effective 3/22/13 (Document #10298) and expired 3/22/2023, to read as follows:**

Nur 303.03 Licensed Nursing Assistant Competency Examinations.

(a) Each person seeking licensure as a LNA who graduated from a nursing assistant education program in the United States shall take and pass a competency evaluation approved by the board and administered by an organization approved by the board. Approval of such examinations and organizations shall be determined by applying the criteria for each as set forth in Nur 700.

(b) The following individuals may take the examination:

- (1) Graduates from an approved nursing assistant program in New Hampshire;
- (2) Graduates of nursing assistant schools in other jurisdictions; and
- (3) Students in board approved nursing programs who have successfully completed the fundamentals of nursing curriculum.

Nur 303.04 Medication Nursing Assistant Examinations.

(a) Each person seeking licensure as a MNA and who graduated from a medication nursing assistant education program in New Hampshire shall take and pass a competency evaluation approved by the board and administered by an organization approved by the board. Approval of such examinations and organizations shall be determined by applying the criteria for each as set forth in Nur 800.

(b) Only those who have completed a medication nursing assistant education program in New Hampshire shall take the examination.

**APPENDIX I**

<b>Rule</b>	<b>Specific State Statute the Rule Implements</b>
Nur 301.05	RSA 326-B:9, I; RSA 326-B:19
Nur 302.01	RSA 326-B:9, I; RSA 326-B:16, VI
Nur 302.02	RSA 326-B:9, I, VII; RSA 326-B:17
Nur 302.04	RSA 326-B:9, I; RSA 326-B:18
Nur 302.06	RSA 326-B:9, I; RSA 326-B:27
Nur 303.01	RSA 326-B:9, I
Nur 303.03	RSA 326-B:9, VII; RSA 326-B:19
Nur 303.04	RSA 326-B:9, VII; RSA 326-B:27