

Readopt with amendment, Nur 303.01, effective 4/22/24 (Document #13886), 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 fees, **to the OPLC**;
- (c) Arrange to sit for all portions of the required examination **with the appropriate examination entity**; and
- (d) ~~[Actually sit for and p]~~ **Pass** all portions of the required examination.

Readopt with amendment, Nur 303.02, effective 4/4/19 (Document #12753), to read as follows:

Nur 303.02 Registered and Practical Nurse Examinations.

(a) Each person seeking licensure as an LPN and who graduated from a nursing education program in the United States or Canada shall take and pass the NCLEX-PN examination.

(b) Each person seeking licensure as an RN and who graduated from a nursing education program in the United States or Canada, except Quebec, shall take and pass the NCLEX-RN examination, unless the applicant meets the requirement for endorsement under Nur 304.02.

(c) Each person seeking licensure as an RN or LPN and who graduated from a nursing education program outside the United States or Canada or has graduated from a nursing program in Quebec shall:

- (1) Provide a certificate of a passing grade from an examination endorsed by the National Council of State Boards of Nursing, issued within the 2 years prior to the date of the application;
- (2) Provide evidence the applicant has received educational credentials review from an institution accredited by the National Council State Boards of Nursing; and meets English language requirements pursuant to Nur 302.01(a); and
- (3) Provide verification of any existing nursing license from the issuing jurisdiction.

(d) For graduates of programs within the US or Canadian Provinces where the NCLEX is required, the NCLEX shall be taken within 6 months of graduation from an approved school of nursing.

(e) Notwithstanding (d) above, the following individuals may take the NCLEX examination at any time following graduation from an approved school of nursing:

- (1) Graduates of foreign nursing schools that have:
 - a. Practiced in the licensed role for a minimum of 400 hours within the past 4 years before filing the application; and
 - b. Have met the requirements of Nur 303.02 (c); and

(2) Graduates of Canadian nursing schools that have:

- a. Practiced in the licensed role for a minimum of 400 hours within the past 4 years before filing the application; and
- b. Are taking NCLEX for licensure.

(f) An applicant required by this part to obtain a passing grade on the NCLEX examination shall have a lifetime total of 5 opportunities within a consecutive 3 year period to obtain a passing grade on the examination.

(g) An applicant may take the examination 3 times without intervention by the board.

(h) Prior to a fourth attempt:

(1) The applicant shall submit to the board **through the OPLC** a written plan of remediation and propose measures the applicant intends to implement in order to pass the exam;

(2) Once the board receives a plan of remediation, it shall review the proposed remediation plan, and:

- a. Approve the plan if it addresses the applicant's barriers to passing the examination;
- b. Deny the plan if it fails to adequately address such barriers, and return it to the applicant with written findings of the reason(s) for denial; and
- c. The applicant may submit a revised plan of remediation for consideration by the board; and

(3) The remediation plan shall:

- a. Be completed no more than one year prior to taking the examination, and
- b. The applicant shall submit evidence of completion of the remediation plan prior to again sitting for the examination.

(i) Following a fourth failure to obtain a passing grade on the required NCLEX examination, an applicant shall not be permitted to retake the examination for the fifth and final time unless the following occurs:

(1) The applicant submits to the **board through the OPLC** a second and updated written plan of remediation and proposes measures the applicant intends to implement in order to pass the exam;

(2) Once the board receives a plan of remediation, it shall review the proposed remediation plan, and either:

- a. Approve the plan if it addresses the applicant's barriers to passing the examination;
- or

b. Deny the plan if it fails to adequately address such barriers. If the board does so, it shall return the plan to the applicant with written findings of the reason(s) for denial.

(3) The remediation plan shall:

- a. Be completed no more than one year prior to taking the examination, and
- b. The applicant shall submit evidence of completion of the remediation plan prior to again sitting for the examination.

Readopt with amendment, Nur 303.04, effective 4/22/2024 (Document #13886), to read as follows:

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 **or it's equivalent** 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 **or it's equivalent** shall take the examination.

APPENDIX I

Rule	Specific State Statute the Rule Implements
Nur 303.01	RSA 326-B:9, I
Nur 303.02	RSA 326-B:9, VII; RSA 326-B:17
Nur 303.04	RSA 326-B:9, VII; RSA 326-B:27