

**Agency Response to Economic Impact Analysis**  
**Periodic Review**  
**18 VAC 90-20: Regulations Governing the Practice of Nursing**

The Board of Nursing generally concurs with the analysis of the Department of Planning and Budget (DPB) for amendments to 18 VAC 90-20-10 et seq. as recommended during a periodic review of regulations.

However, there is one statement that needs to be corrected. The EIA states that the Board proposes to require nurses who have had their license lapse for more than one year to complete 15 hours of continuing education or retake the national examination. The regulations allow a nurse to renew a license for up to two years past the renewal date by payment of a late fee along with the renewal fee. Only after two years must a nurse “reinstate” a lapsed license, and the requirement for evidence of continued competency is applicable only to reinstatement. In addition, the requirement would only be applicable to an applicant for reinstatement who does not possess a current, unrestricted license in another jurisdiction and has not been actively practicing.

The EIA made a comment about the requirement for a program director in a practical nursing program to have a baccalaureate degree in nursing, noting that read literally, one who holds a baccalaureate degree in another field but obtained a graduate degree in nursing would not qualify. The Board will discuss that observation during the 60-day comment period and consider a revision to accept either degree in nursing.