

# Public Health Emergencies and Nursing Licensure Regulation

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# INTRODUCTION

According to the National Council of State Boards of Nursing (NCSBN, 2011), one of the guiding principles of nursing regulation is the public's protection, arguably the most essential principle. One of the problems with regulation is balance because both over regulation and under regulation could cause harm, especially in healthcare. RN's have gone from an unregulated practice to a highly regulated profession with many specialties and governing bodies. In response to disasters and public health emergencies, regulation on nursing licensure is eased. National licensure for healthcare providers makes sense; the idea that crossing state lines turn a nurse from competent to incompetent does not (Poe, 2008). Emergency regulation changes should be evaluated, standardized and adopted so there is a more cohesive response.

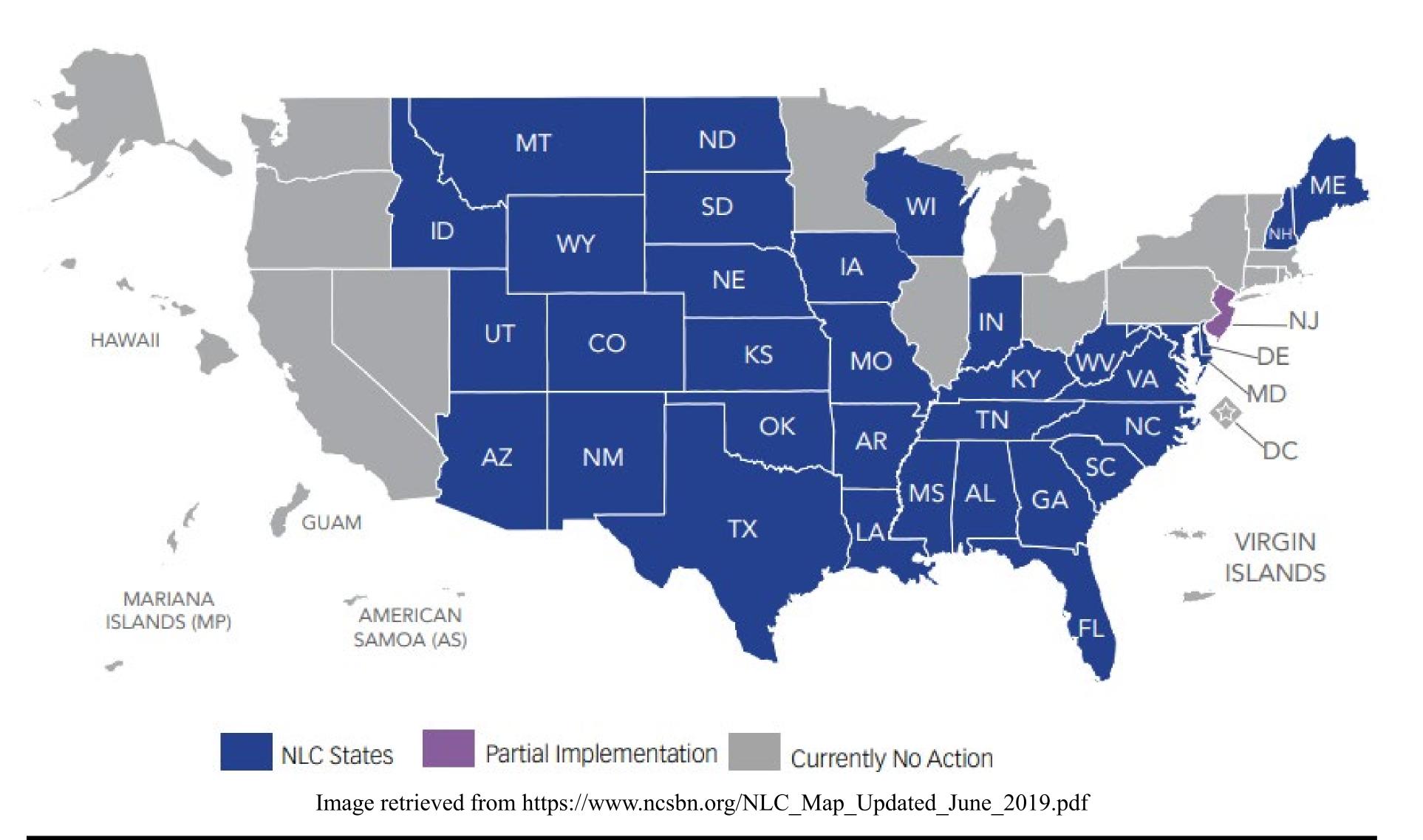
# **PURPOSE**

- •Identify actions and changes to licensure regulation during disaster or public health crises
- •Identify barriers to emergency responses
- •Identify gaps in current scholarship relating to emergency responses and nursing licensure regulatory changes
- •Critique the concept of a national licensure for nursing as a solution for emergency response
- •Propose an informed solution or identify needs for further research

# PROJECT DESCRIPTION

- Precursory investigation into whether nursing licensure regulation hindered any emergency response from 2000 to 2020
- Review of historical and academic sources over the last 20 years relating to natural disasters or public health crises
- Evaluate responses from multiple perspectives
- Analyze the compiled changes to licensure regulation by the National Council of State Boards of Nursing (NCSBN) during COVID-19 Pandemic

# **NLC States**



## BARRIERS

#### Response of Nurses

- Telehealth was integral to caring for the population during COVID-19 and healthcare provider licensure was an issue (Benton et al., 2020).
- Inconsistent healthcare provider protections
- Shortage of emergency and intensive care nurses while other specialty nurses were laid off
- Licensure was not the single most barrier and that the response by RN's depended on the emergency type and the home responsibilities such as children (Adams & Berry, 2012).

#### **Emergency Response Rules and Statutes**

- Federal emergency declaration
- State emergency declaration by state governor
- Memorandums of Understanding (MOU) between states
- Emergency Management Assistance Compact (EMAC) model legislation that includes all 50 states (Public Law 104-321)
  - EMAC provides legal protection to only registered health care volunteers (EMAC,n.d.)
- Uniform Emergency Volunteer Health Practitioners Act (UEVHPA) is model legislation developed in 2006 by the Uniform Law Commission (Uniform Law Commission, 2021). Only 19 states have adopted.

# LEGISLATION

- •The eNLC now has 34 participating states and 11 states with pending NLC legislation (NCSBN, 2019).
- •Physicians also have a licensure compact (Interstate Medical Licensure Compact, 2020).
- •Nurse practitioners are also working on a licensure compact called the APRN Compact, which was adopted in August of 2020; once they have seven participating states, the compact will be implemented making the interstate practice of nurse practitioners possible (NCSBN, 2020).

# RECOMMENDATIONS

- There is no single solution for nursing licensure regulation to make it more consistent
- A national nursing license would erase geographical boundaries uniformly, ensuring during a public health crisis nurses can provide telehealth services, which was instrumental during the COVID-19 Pandemic (Benton, et al., 2020; Oyeleye, 2019).
- Future research should focus on emergency response barriers within healthcare and a deeper dive into the regulatory changes made during actual emergencies. A look at the changes made could give insight into weaknesses and vulnerable populations. All changes implemented and their impact should be used for decisions regarding permanent changes to the regulatory process, making the entire system more robust and safer for all.

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