

# Licensure Policy 10-01

Licensure Policy No. 10-01

## License Renewal of Expired License with Report of Out of State Discipline

### Purpose

The Board of Registration in Nursing (“Board”) adopts this policy to establish a modified renewal process regarding the renewal of expired licenses held by licensees who are also licensed elsewhere and who have been disciplined in another jurisdiction.

### Date Adopted

April 14, 2010; revised May 12, 2010

### General Statement of Policy

Pursuant to Massachusetts General Laws (G.L.) Chapter 112 sections 74 and 74A, the Board requires that each registered nurse (RN) and each licensed practical nurse (LPN) must renew his/her license to practice every two (2) years (renewal period). Each person seeking renewal must pay a fee and provide evidence to the Board of his/her successful completion of continuing education as determined by the Board.

Any RN or LPN who fails to renew his/her MA license for more than one (1) renewal period commencing on the date that the Board receives notice AND about whom the Board has received notice that said licensee has been disciplined by a licensing body in another jurisdiction, or has a history of adverse criminal actions<sup>1</sup> or both, may not renew his/her license until s/he provides proof satisfactory to the Board that (a) all requirements imposed by a licensure body in connection with disciplinary action are completed, and (b) s/he has met all court-ordered requirements and that all criminal matters involving the licensee have been closed for at least one (1) year.

All such renewal requests will be evaluated on a case-by-case basis, after the Board receives all requested materials.

Until the Board notifies the licensee that his/her license has been renewed, the license status shall be “Expired; Out of State Discipline.”

With respect to any RN or LPN who fails to renew his/her nursing license for *less than* one (1) renewal period AND about whom the Board receives notice that said licensee has been disciplined by a licensing body in another jurisdiction, or has a history of adverse criminal actions or both, the Board will open an investigation into the matter and take appropriate action<sup>2</sup> against the License with notice to the Licensee.

Until the Board notifies the licensee that his/her license has been renewed, the license status shall be “Expired; Out of State Discipline.”

With respect to any RN or LPN who has a current complaint against his/her license and whose license expires during the pendency of the complaint AND about whom the Board receives notice that said licensee has been disciplined by a licensing body in another jurisdiction, or has a history of adverse criminal actions or both, the Board will not allow the expired license to be renewed. The License status shall be “Expired; Out of State Discipline” until the Board takes final action in the pending complaint.

**Note:** Checklist for Documentation Required for Determination of Eligibility to Renew and the Criminal Offender Record Information Request Form can be found at [Renewal Eligibility for Expired; Out of State Discipline](#).

All licensees seeking evaluation for renewal eligibility are advised to use US Postal Service Registered Mail when submitting required documentation in order to receive a dated confirmation of receipt by the Board. Telephone confirmation of document receipt is not available. Fax transmissions are not accepted.

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<sup>1</sup> Adverse criminal action means the final judgment on a verdict or finding of guilty, a plea of guilty, a plea of *nolo contendere* (no contest), or a plea treated by the court as a guilty plea, regardless of the jurisdiction in which the conviction was entered.

<sup>2</sup> During the pendency of the investigation, the Board will not renew the nurse’s license to practice nursing.