

Change Advisory: Update to Division 31 of the Nurse Practice Act

Summary

Chapter 851 Division 31 of Oregon’s Nurse Practice Act (NPA) is updated as of March 1, 2025. Division 31 Oregon Administrative Rules (OAR) contains standards on licensure as a registered nurse (RN) and as a licensed practical nurse (LPN).

Changes made to Division 31 align the rules with current Oregon Revised Statutes (ORS), remove barriers to licensure, and maintain public safety. Substantive changes are identified below

Impact

Changes lessen barriers for persons applying for licensure as an RN, RN-Emeritus (E), LPN, LPN-E; persons applying for retired status; and for RNs seeking placement on the Board’s Registered Nurse First Assistant Registry.

Division 31		
	Previous rule language	New rule language
031-0006	<p>General Eligibility Requirements for All Initial Applications for License, License Renewal, and License Reactivation</p> <p>Limits on Eligibility:</p> <ul style="list-style-type: none"> Identifies applicant may be subject to a psychological or physical assessment to assist in the determination of the applicant’s ability to practice safely. Requires the Board to investigate any applicant who pled guilty, has a conviction, completed a diversion program, pled no contest, or submitted an Alford Plea. Requires the Board to investigate any applicant who has past, current, or pending disciplinary action in another jurisdiction. <p>General Eligibility Requirements:</p> <ul style="list-style-type: none"> Lists specific methods by which applicants must show English proficiency. Establishes requirements for national and state-based criminal background check. 	<ul style="list-style-type: none"> Deletes this language from the rules. Permits Board discretion in conducting investigations related to background checks and disciplinary actions in another jurisdiction. <p>General Eligibility Requirements:</p> <ul style="list-style-type: none"> Applicant must pass the National Council Licensure Examination (NCLEX®). Background check requirements removed from Division 31 as they are in Division 1.

	<ul style="list-style-type: none"> Identifies pain management and cultural competency continuing education (CE) requirements. 	<ul style="list-style-type: none"> Pain management and cultural competency CE requirements clarified.
031-0015	<p>Eligibility for Licensure by Examination for Graduates of Programs in the United States with a designated NCLEX® Program Code.</p> <ul style="list-style-type: none"> Applicant must take NCLEX® within two years of graduation. Limits NCLEX® retesting to every 46th day. 	<ul style="list-style-type: none"> Removes the requirement to take the NCLEX® within two years of graduation. Establishes applicant can take the exam up to four times regardless of graduation date. This limitation is removed as it is a requirement set by the National Council of State Boards of Nursing (the organization which administers NCLEX®) and not necessary to repeat in NPA rules.
031-0021	<p>Licensure by Examination for graduates of Nursing Programs Outside of the US or from Programs without an NCLEX® program code and who have less than 400 practice hours in two years from graduation</p> <ul style="list-style-type: none"> Requires an applicant's credential evaluation to be sent directly from the credentialing service to the Board. Requires proof of English proficiency. Applicant must take and pass <i>English version</i> of NCLEX® within two years of graduation. 	<ul style="list-style-type: none"> Removes requirement that credential evaluation by a Board-approved evaluation service must be sent to the Board <i>directly</i> from the credentialing service. Removes English language proficiency requirement to align with changes made in 851-031-0006. Applicant must take and pass NCLEX®. Removes post-graduation two-year time window.

031-0026	<p>Licensure By Examination for Graduates of Nursing Programs Outside of the US or from Programs Without an NCLEX® program code and Who Meet the Practice Requirements...</p> <ul style="list-style-type: none"> Requires an applicant's credential evaluation to be sent directly from the credentialing service to the Board. Requires applicants... who have never held a US nursing license must take the English version of the NCLEX®. 	<ul style="list-style-type: none"> Removes requirement that credential evaluation by a Board-approved evaluation service must be sent to the Board <i>directly</i> from the credentialing service. Removes English version of NCLEX® requirement aligning with previous changes.
031-0027	<p>Licensure by Examination for Graduates of Programs in Canada</p> <ul style="list-style-type: none"> Establishes the English version of NCLEX-RN® as the only version acceptable for licensure. 	<ul style="list-style-type: none"> Removes English version of NCLEX® requirement aligning with previous changes.
031-0032	<p>Licensure by Examination for Graduates of Programs in Puerto Rico</p> <ul style="list-style-type: none"> Requires applicant to take the English version of NCLEX®. 	<ul style="list-style-type: none"> Requires applicant to take NCLEX®.
031-0039	<p>Licensure by Endorsement</p> <ul style="list-style-type: none"> Forbids 3rd party payment for an endorsement application and requires attestation of self-completion of the application by the applicant. Requires English language version of NCLEX®. 	<ul style="list-style-type: none"> Removes the 3rd party payment restriction and the requirement for self-completion of licensure application. Removes English version of NCLEX® requirement aligning with previous changes.
031-0052 New Rule Number!		<p>Exceptions to Rules</p> <ul style="list-style-type: none"> Establishes the process an applicant must use to request an exception to an OAR 851-031 rule. New rule language: <i>(1) An applicant or licensee may, request that the Board make an exception to one or more of the licensing requirements described in</i>

		<p><i>OAR 851-031-0006 to 851-031-0051 on a form provided by the Board.</i></p> <ul style="list-style-type: none"> <i>(2) The Board considers each exception request on a case-by-case basis and may grant an exception request at its discretion, except that the Board will not grant any exception to a requirement established by statute.</i>
031-0055	License Reinstatement <ul style="list-style-type: none"> Identifies requirements for national and state-based criminal background check. Identifies Board staff process for license reinstatement applications. 	<ul style="list-style-type: none"> Directs applicant to Division 1 for fingerprint-based background checks. Board staff processes are deleted as not necessary to have in rule.
031-0086	Retired Oregon Nurse Status <ul style="list-style-type: none"> Details requirements to receive retired nurse status. Identifies how to document retired status in relation to one's former license type. 	<ul style="list-style-type: none"> Clarifies requirements for receive retired status. Instructions on how to document retired status deleted.

031-0087	<p>Nurse Emeritus License</p> <ul style="list-style-type: none"> Requires nurse to hold retired nurse status from the Board. Applicant must attest to 10,000 lifetime practice hours; 400 hours of practice in the past two years; complete a professional practice competency plan and a plan for continued competence. License is valid for two years from date of issue. Identifies requirements for national and state-based criminal background check. 	<ul style="list-style-type: none"> Allows applicant from any state to apply provided their license has been retired. Removes requirement of 10,000 lifetime practice hours, accrual of 400 practice hours in previous two years and submission of a continued competency plan to the Board. Replaces with two hours of cultural competency CE within two years immediately preceding application; one hour of pain management CE within 36 months immediately preceding application; attestation to 12 hours of nursing CE in the last 12 months; and a completed application. License valid for one year from date of issue. Requirements for national and state-based criminal background check removed as located in Division 1.
031-0088	<p>Registered Nurse First Assistant Status</p> <ul style="list-style-type: none"> Eligibility requirements for registered nurse first assistant (RNFA) status. 	<ul style="list-style-type: none"> Clarifies how RN requests placement on the Board's RNFA registry and how to maintain placement on the RNFA registry.