



**MINUTES**  
**Midyear Meeting of the NLC**  
**Commission**  
**Atlanta, GA**  
March 11, 2024

Commissioners Present:

(Those not present are bolded.)

1. P. Benson, AL
2. J. Ridenour, AZ (C. McCormies, designee)
3. S. Tedford, AR
4. S. Delp, CO
5. P. Zickafoose, DE
6. J. Baker, FL
7. N. Taylor, GA
8. Z. Pecina, GU
9. N. Chopski, ID
10. N. Hart, IN
11. K. Weinberg, IA (virtual)
12. C. Moreland, KS
13. K. Jenkins, KY (virtual)
14. K. Lyon, LA
15. K. Esquibel, ME
16. R. Scott, MD (J. Hill, designee)
17. P. Johnson, MS
18. L. Scheidt, MO
19. M. Poortenga, MT
20. A. Oertwich, NE
21. A. Czechowicz, NH (virtual)
22. M. Fortier, NJ
23. S. Ferguson, NM
24. C. Tillman, NC
25. S. Pfenning, ND
26. M. Anielski, OH (K. Unroe, designee - virtual)
27. J. Barnhouse, OK
28. W. Miller, PA
29. L. D'Alessio, RI
30. C. Moody, SC
31. L. Young, SD
32. S. Richardson, TN
33. K. Benton, TX
34. J. Busjahn, UT (virtual)
35. J. Douglas, VA
36. C. Vanterpool-Romney, VI
37. S. Boni, VT

- 38. A. Bradywood, WA
- 39. S. Painter, WV
- 40. R. Weinman, WI
- 41. R. Fillbrandt, WY

#	Agenda Item	Discussion	Action
<b>BUSINESS AGENDA</b>			
1.	<ul style="list-style-type: none"> <li>a) Call to Order</li> <li>b) Commissioner Roll Call</li> <li>c) Declare Quorum Present</li> <li>d) Welcome NCSBN Staff, NCSBN Board of Directors and Guests</li> <li>e) Adopt Business Agenda</li> <li>f) Recognition - Weinberg</li> </ul>	<p>Chair P. Zickafoose called the meeting to order at 9:03 am ET.</p> <p>There were 41 commissioners in attendance. P. Zickafoose declared a quorum present.</p> <p>P. Zickafoose welcomed staff guests and two designees.</p> <p>P. Zickafoose recognized NLC Commissioner Kathy Weinberg (IA), who is retiring this week. K. Weinberg, who attended virtually, briefly addressed the audience.</p>	<p>P. Benson made a motion to adopt the business agenda as presented, K. Lyon seconded. The motion carried.</p>
2.	Minutes of Jan. 16, 2024	Commissioners reviewed the draft minutes of the Jan. 16, 2024 NLC Commission meeting.	S. Tedford made a motion to approve the Jan. 16, 2024 minutes as presented and C. Tillman seconded. The motion carried.
3.	State Affairs Update	<p>NCSBN staff N. Livanos and R. Krebs provided the State Affairs Update.</p> <p><b><u>NLC:</u></b> Currently there is active legislation in AK, CA, CT, DC, HI, IL, MA, MI, MN, and NY. State Affairs has hired lobbyists in AK, CT, MA, MN, and NY.</p> <p>Alaska: Currently State Affairs is working to urge the committee chair to finish hearing the NLC and vote it out of committee. A survey was sent to nurses in the state from NCSBN and the state's board of nursing (BON) to gauge opinions on the NLC. There were over 4,500 nurses who responded to the survey (22% of the</p>	

		<p>total). Of those, 92% supported the NLC.</p> <p>Connecticut: NLC was introduced for the first time as a governor’s bill. NLC received a hearing last week. The NLC will be up for a vote in that committee this morning.</p> <p>Hawaii: last year a workgroup to study the NLC was formed and State Affairs attended multiple meetings and provided information and education. The workgroup’s report was released at the end of 2023. The NLC has been filed in both chambers in the current session and also filed as a governor’s bill. Both the House and Senate have advanced separate NLC bills.</p> <p>Massachusetts: the state remains skeptical of occupational licensure compacts. The nurses’ union has strong opposition. State Affairs conducted a survey in fall 2023 and currently are finalizing that report. If NLC is moved along, it will likely be as part of a larger healthcare package.</p> <p>New York: Gov. Hochul inserted NLC into the FY25 budget; however, the governor and state assembly disagree whether non-budgetary items should be in budget. The Department of Higher Education which houses the state’s BON has concerns. ANA-NY has made NLC a priority issue this session.</p> <p>N. Livanos explained the definition of “Responsive Language” which State Affairs has added to NLC legislation in various states (ex. Alaska, Connecticut, and Hawaii) to address stakeholder or lawmaker concerns.</p> <p>In response to a member question, N. Livanos stated that Washington DC has introduced the compact and</p>	
--	--	--	--

		<p>the majority of the DC Council has cosponsored the bill. There is opposition from unions and concerns from DC Health about the financial impact to DC due to the majority of the district’s licensees do not reside in DC.</p> <p><b>APRN:</b>  South Dakota: the state enacted the compact on Feb. 5, 2024.</p> <p>Arizona: a Senate bill is sponsored by a nurse, and the bill has advanced through one chamber and awaits a hearing in the House.</p> <p>Maryland: the compact has support from statewide organizations representing all four APRN roles. The bill passed the House with strong support.</p>	
4.	Federal Affairs Update	<p>J. Cleghorn presented an update on the SHARE Act. The SHARE Act 1310 directs the FBI to make criminal background checks (CBC) data available through a state’s law enforcement agency, specifically for compact commissions. Federal Affairs is working with other compacts to get the Act implemented. The Act was introduced in the House and staff are working to obtain Senate sponsors, especially those who sit on the Senate Judiciary Committee. The FBI remains unresponsive. Staff will continue working with partners towards implementation of the Act.</p>	
5.	Treasurer’s Report	<p>J. Baker gave the treasurer’s report. At the beginning of FY23, the net cash balance was slightly under one million dollars. The interest earned was \$28,000.</p> <p>At the end of FY23 (9/30/23), the commission was under budget by 13 percent. The net cash balance was</p>	

		<p>slightly over one million dollars.</p> <p>For the first quarter of FY24 (ending 12/31/23) the commission was six percent under budget. The net cash balance as of that date was \$1,117,650.88.</p> <p>All party states were current with payment of annual dues as of that date.</p>	
6.	Rules Committee Report	<p>Alice Henley, co-chair of the NLC Rules Committee, presented the committee's report. She reviewed all committee charges, and stated that since the 2023 NLC Annual Meeting the committee continues to work on charge #5, which concerns failure to comply with Alternative to Discipline (ATD) program requirements.</p> <p>A sub-committee was tasked with analyzing states' ATD documents.</p> <p>Charge #9 was completed (a regulatory FAQ addressing whether a letter of reprimand is an encumbrance).</p> <p>The committee drafted supplemental guidance for the state boards of nursing (BON) regarding the new 60-day rule.</p> <p>The committee will complete charge #5 and draft regulatory FAQs for charges #3, #4, #7, and #8.</p>	
7.	Compliance Committee Report	<p>Chair C. Moody recognized L. Scheidt for her past committee efforts and introduced new Vice Chair M. Hanson.</p> <p>The committee is charged with developing a best practice for the number of days recommended for a home state to begin an investigation on a MSL holder with Privilege to</p>	

		<p>Practice discipline.</p> <p>In February 2024 a sub-committee was formed to review the party state self-assessment for compliance tool to make the tool more public protection focused and user friendly. The goal is to develop a compliance review calendar, with each state potentially submitting the assessment every five years.</p> <p>The committee may develop a Nursys-based dashboard to encourage the states to complete the tool.</p>	
8.	Policy Committee Report	<p>Committee Chair M. Poortenga reviewed committee charges and the policy approval process. There were no policies for the Commission to review and approve at this time. The remaining eight policies will be reviewed at upcoming meetings.</p>	
9.	25 <sup>th</sup> Anniversary Committee	<p>S. Richardson reviewed the committee’s purpose of celebrating 25 years of the compact, highlighting inter-connectivity between party states and spotlighting patient safety and access to care.</p>	
10.	Training & Education Committee Report	<p>Ann Oertwich, committee chair, informed the audience that the NLC Commissioner handbook is now available on the NLC website.</p> <p>The committee has reviewed several publications, including the new NLC definitions list. Oertwich displayed the webinars, trainings, and e-newsletters reviewed by the committee and/or released by NLC staff.</p> <p>Governance training will be held again in 2024 before the NLC Annual Meeting, and the NLC Legal Forum will be held in summer 2024.</p>	

		<p>P. Zickafoose acknowledged the educational/legal survey sent to commissioners and thanked those commissioners who responded to the survey.</p>	
11.	Elections Committee Report	<p>NLC Elections Committee Co-Chair C. Tillman announced that the call for nominations will be distributed on Aug. 10, and the election slate sent to commissioners on Sept. 1.</p> <p>There will be vacancies for the vice chair, treasurer, and two member-at-large positions, with all but one member-at-large eligible for re-election.</p> <p>Nominations will be accepted beginning Aug. 10, at the NLC Annual Meeting, and through Aug. 31, 2024.</p> <p>Election results will be announced and new terms begin on Oct. 1, 2024.</p> <p>R. Masters stated that executive committee qualifications are listed in the NLC bylaws, Article III, Section 3.</p>	
12.	NLC Education Session 1: Multistate Licensure	<p>NLC Consultant F. Knight explained that BON training is more important than ever with the staff turnover in party states.</p> <p>The change of primary state of residence (PSOR) has been challenging – the new compact state should not issue a new license until satisfactory documentation is provided by the licensee.</p> <p>The new 60-day rule is a notice to the employer, the BON, and the BON attorney. Knight responded to common BON questions regarding the 60-day rule, and answered</p>	

		<p>questions regarding CBC, travel nurse length of assignment, and expired license in the home state.</p> <p>Knight asked the commissioners to be straightforward but careful in their ATD contract language, and that the compact states are bound to limitations in their CBC statutes regarding authority to require a new CBC upon successful completion of the ATD program before multistate privileges are restored. Consult with your board attorney as to whether a new application is required.</p>	
	<p>NLC Education #2: Disqualifiers to a Multistate License</p>	<p>NLC disqualifiers are listed in the NLC statute, Article III (c). F. Knight defined “agreed disposition” as a plea bargain/agreement of a felony or misdemeanor offense. This term came into practice when the new NLC was created, and was developed as a regulatory FAQ.</p> <p>He explained definitions of non-disciplinary actions (which is different from an adverse action) expungement (clears your record but varies by state if a nurse receives their license back) sealed records (usually involving minors and almost impossible to obtain) and pardons (usually does not work to obtain a compact license).</p> <p>F. Knight asked the audience to use clear &amp; specific language (the use of “if” and “all”) in orders, and to specifically state “loss of multistate privileges,” which is not against the license.</p>	
<p>14.</p>	<p>NLC Commissioner Handbook</p>	<p>P. Zickafoose announced that the <a href="#">handbook</a> was available on the NLC Commission Resources webpage. The handbook is for current and new commissioners. P. Zickafoose thanked NLC and NCSBN staff, NLC legal counsel, the Training &amp;</p>	



		Education Committee, and former and current NLC Executive Committee members for their contributions to the handbook.	
15.	Member Updates	None.	
16.	Open Discussion Forum	None.	
17.	Online Meeting Evaluation	NLC staff emailed the meeting evaluation to all commissioners.	
	<b>ADJOURNMENT</b>		W. Miller made a motion to adjourn the meeting and P. Benson seconded. The meeting was adjourned at 1:53 pm ET.