

## NR 532 Week 5: Collaboration Cafe: Where's Your License?

All licensed personnel were notified 60 days in advance that they must provide a copy of their most recent license. An email was sent from your office reminding them of the deadline. Human resources posted reminders on the announcement boards in all the units. The deadline has passed, and upon review, one of the two nurse practitioners working in the emergency room has not submitted a current license. You are also unable to verify it online. The one on file expired six (6) months ago.

1. Discuss the legal and ethical ramifications of this issue.
2. How will you approach this employee and what actions will you take?
3. What guidelines for this situation exist with your state's nursing board?

- Dr.Scroggs and Classmates ,

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- Maintaining and providing evidence of a current license to practice is the responsibility of the license professional. While employers are required to independently verify active licensure of all licensed healthcare providers including nurses the nurse should take renewal of licensure and proof seriously. In the state of GA an employer may be fined \$500 per day up to \$10,000.00 for every day that the employer should have been aware that an individual is practicing in their facility without a professional license in good standing (State of Georgia, 2022). So, while the employer in this case was requiring the nurse to produce a valid license it is also their responsibility to verify and track such licensure expiration dates usually through an HR process. There are financial and potential legal ramifications to allowing staff to practice without a valid license. Other than fines that can be imposed by the state there are potential liabilities if a patient is harmed, and it is found that the individuals caring for the patient were not in good standing with the board of nursing.
- In the state of Georgia nurses may not practice after the date of expiration of their license and practicing without a license is considered a misdemeanor. The board does allow for late renewal with in 30 days of expiration, but the nurse may not practice during this time frame. Failure to renew a license with in the 30-day penalty deadline is considered revoked and is eligible for any disciplinary action the the board deems appropriate at the time of application for reinstatement under code 43-1-19 or 43-26-11 (Georgia Board of Nursing, 2019). After the 30-day late renewal grace period the nurse must complete a much more comprehensive reinstatement process. Licensure by Reinstatement rule 410-4-.01 states that a nurse previously licensed in the state of GA may apply for reinstatement. The steps include a complete application for reinstatement with attestation, application fee, completed background check, documentation of five hundred hours of licensed practice and employment verification with in two years preceding the date of application, proof of completion of one of the five competency requirements, proof of citizenship, and any additional information

requested by the

board. The five competency requirements include completion of 30 continuing education hours by a board approved provider, proof of certification by a national board approved certifying body, completion of an accredited academic program, verification of competency by a health care facility with at least 500 hours practiced. The board may require the nurse to pass an examination or other competency assessment and may impose any remedial requirements it deems necessary. The board has the right to deny reinstatement and this is not recognized as a contested case under chapter 13 of title 50 (Georgia Board of Nursing, 2019).

- In this case there is unauthorized practice of an advance practice nurse, and the following rule applies 410-11-.09. This rule states that if an applicant is engaged or employed as an advance practice nurse, they are in violation of 410-11-.01(4) and subject to reprimand by the board of nursing in Georgia which can include a public or private reprimand, and a fine of \$50 per month up to \$250 for practicing between two and six months with an expired license (State of Georgia , 2022).
- In this specific case there are a few steps to take with the APRN who has not submitted a current license, and who's licensure cannot be verified online. The first of which is to notify that individual in person that they may not practice until their license is verified as active, and there is proof of eligibility to practice as a nurse in any capacity. I would ask that individual to report to HR immediately for further investigation of their expired license. This individual if found to not have an active license will either need to be placed on leave according to the facilities policy or place in a position not requiring a license within the organization if that is a viable option to maintain employment but will be dependent on the organizations policy. Following the organizations policy related to expired licensure will be important and may require that the facility report to the board of nursing. As an employer the nurse may be required to show proof of the reinstatement process and provide proof of practice. I would also ask that the individual license be verified online with the state board of nursing including any potential disciplinary items which may hold up renewal of a license, and further complicate the employment of this APRN. Finally, as a nursing leader would want to meet with HR leadership to understand why as a health care organization licensure is not being tracked by expiration date, and quarterly for disciplinary action outside of depending on individuals to produce proof of licensure.
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- April
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- Georgia Board of Nursing (2019).Nurse Practice Act.  
<https://sos.ga.gov/sites/default/files/forms/38%20Reference%20-%20Nurse%20Practice%20Act.pdf> Links to an external site..