



LESSONS LEARNED

NURSE LICENSURE COMPACT

What prompted eNLC?

- Modernize the original NLC
- Promote adoption by all states
- Remedy an ineffective rulemaking process
- Improve clarity
- Support enforcement capability



Lessons Learned

- More similarities among states than differences
- Cooperation and Teamwork
- Trust
- New Paradigm
- Professional Staff necessary
- Ongoing Education



Lessons Learned

- Staff Education
 - Designate lead staff
 - Make it fun
 - Retrain
- Stakeholder Education
 - Same principles
 - Use every opportunity for outreach
 - Targeted and concise



Enhanced Nurse Licensure Compact

- 26th state enacted July 20, 2017
- Implemented January 19, 2018
- 29 eNLC states
- 1 original NLC state has not yet enacted e-NLC
- 4 eNLC states are new to the compact





Interstate Commission of Nurse Licensure Compact Administrators “Commission”

- Adopted Bylaws
- Elected Executive Committee
- Adopted First Set of Rules
- Implemented eNLC

January 19, 2018





Rulemaking: What to think about?

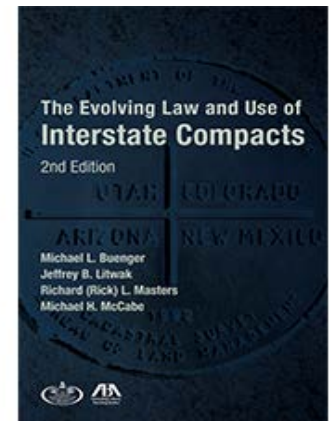
- Ensure members understand compact rulemaking statutory provisions
- Link/cross walk rules to law
- Educate members using infographics and rulemaking flow charts
- Continually research “promising practices” for compact administrative procedure rules



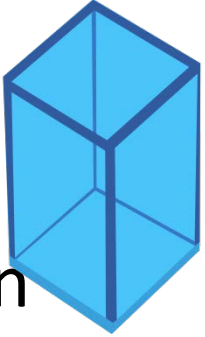
Rulemaking: What to think about?

- Use, borrow or modify existing state procedures from other compacts
- Understand the three important rulemaking principles
 - Rules/procedures must be expressly stated and the compact procedures apply to the exclusion of conflicting procedures
 - Rules/procedures must be applied uniformly
 - Rules/procedures must make sense for clarifying the compact statutes

*Reference: The Evolving Law and Use of Interstate Compacts, 2nd Edition 2016



Rulemaking: What to think about?



- Ensure transparency in compact administration
 - Transparency in your compact's administration is as important as transparency related to open meeting laws in state agencies
 - Illustrate familiar concepts through a Rulemaking Flowchart
 - File proposed rule so those impacted can comment
 - Make public records available on commission & state website
 - Hold transparent commission meetings that are open to the public

Rulemaking: What to think about?

- Determine agreed upon timelines members need to review/debate proposed rules

*Note: Statute may state a minimum of 60 days posting prior to voting by commissioners, but members may need additional time



TIMELINE.

Rulemaking: What to think about?

- Continually seek information on whether a rule should be **shall** (mandatory) or **may** (permissive)



*Note: Openly explore consequence if the members vote to adopt the rule, but some/many may not have a commitment to comply with the rule which is binding law

- Is the proposed rule really necessary or is the issue educational in nature?

Rulemaking: What to think about?

- Rules adopted that have unintended consequences or become problematic may be amended or deleted based on actual compact experience or member recommendations.
- Commissioners need time to adjust to the new framework of “nimbleness” in changing rules that do not meet the goal of clarifying or carrying out the provision of the compact laws.





Questions?

