



Emergency Rules Adopted by the Georgia Board of Nursing in Response to the Public Health Emergency

Emergency Rule 410-2-0.5-.08 – Temporary Permits for Graduates of Approved Nursing Education Programs. Amended

(1) As a response to the current state of emergency as declared by the Governor, the Georgia Board of Nursing finds the potential for imminent peril to the public health, safety, or welfare of Georgia citizens. This emergency rule shall go into effect based on O.C.G.A. § 50-13-4(b) and shall be effective for the duration of the emergency and a period of not more than 60 days, whichever is shorter.

(2) An applicant for licensure by examination who has graduated from a Board approved nursing education program since December 1, 2019, may be issued a temporary permit to practice as a graduate nurse (GN) or graduate practical nurse (GPN) pending the results of the licensing examination.

(3) In order to receive a temporary permit to practice as a GN or GPN, the new graduate must submit the following:

- (a) A complete application containing information required by the Board attesting that all information contained in, or referenced by, the application is complete and accurate and is not false or misleading;
- (b) The required application processing fee which is not refundable;
- (c) Official transcripts documenting graduation from an approved nursing education program;
- (d) Evidence of registration with the examination administration service to take the NCLEX-PN or NCLEX-RN;
- (e) Secure and verifiable documentation of United States citizenship or lawful presence in the United States as required by Georgia law; and
- (g) Any additional information requested by the board needed to establish eligibility.

(4) A temporary permit to practice as a GN or GPN will not be issued to any applicant who has previously failed the licensing examination.

(5) The temporary permit to practice as a GN or GPN, which is not renewable, is valid for the duration of the Public Health Emergency as declared by the Governor and a period of not more than 60 days, or upon receipt of a notice of failing the examination from the Board, whichever date is the earliest. The GN or GPN must immediately inform employers of receipt of notification of failing the examination and cease all practice of nursing. To reestablish testing eligibility, the applicant must submit an application for reexamination as provided in Board Rule 410-2-.04 or 410-2-.07.

(6) The new graduate who has been issued a temporary permit to practice nursing as a GN or GPN pending the results of the licensing examination must work under the direct supervision of either a licensed practical or a registered professional nurse if a GPN or a registered professional nurse only if a GN, who is physically present in the facility or practice setting and who is readily available to the GN or GPN for consultation and assistance. If the facility is organized into multiple units that are geographically distanced from each other, then the supervising nurse must be working on the same unit to which the GN or GPN is assigned. The GN or GPN shall not be placed in supervisory or charge positions and shall not work in independent practice settings.

(7) The nurse administrator of facilities that employ Graduate Nurses or Graduate Practical Nurses must ensure that the GN or GPN has a valid temporary authorization to practice as a GN or GPN pending the results of the licensing examination, has scheduled a date to take the NCLEX-PN or NCLEX-RN, and does not continue to practice after expiration of the temporary permit or receipt of a notice of failing the examination from the Board, whichever date is earlier.

(8) Applicants must comply with all provisions of O.C.G.A. §§ 43-26-7, 43-26-36.1, Board Rule 410-2-.01, 410-2-.02 or 410-2-.05 to be eligible for licensure.

Authority: O.C.G.A. §§ 43-26-8(a)

Emergency Rule 410-4-0.7-.02 – Licensure by Reinstatement (LPN)

(1) As a response to the current state of emergency as declared by the Governor, the Georgia Board of Nursing finds the potential for imminent peril to the public health, safety, or welfare of Georgia citizens. This emergency rule shall go into effect based on O.C.G.A. § 50-13-4(b) and shall be effective for the duration of the emergency. During the time this rule is effective, it shall replace Georgia Board of Nursing Rule 410-4-.02.

(2) An applicant for licensure by reinstatement who was previously licensed as a practical nurse in the state of Georgia must submit the following:

(a) A complete application containing data required by the Board attesting that all information contained in, or referenced by, the application is complete and accurate and is not false or misleading;

(b) The required application processing fee which is not refundable;

(c) Completed registration as required by the Board to cause the submission of a criminal background check as required by O.C.G.A. § 43-26-36.1;

(d) Documentation of one of the following within four years immediately preceding the date of application:

1. Five hundred (500) hours of licensed practice as a practical nurse as documented on the verification of employment form provided by the Board;

2. Graduation from a nursing education program as defined in O.C.G.A. § 43-26-32(1.1); or

3. Completion of a Board approved reentry program as defined in Rule 410-4-.04.

(e) Secure and verifiable documentation of United States citizenship or lawful presence in the United States as required by Georgia law; and

(f) Any additional information requested by the board needed to establish eligibility.

(3) Reinstatement of the license is within the discretion of the Board.

(4) The Board may require the passage of an examination or other competency assessments. The Board, in its discretion, may impose any remedial requirements deemed necessary.

(5) The Board may deny reinstatement for failure to demonstrate current knowledge, skill and proficiency in the practice of nursing or being mentally or physically unable to practice nursing with reasonable skill and safety or for any ground set forth in O.C.G.A. § 43-26-40.

(6) The denial of reinstatement is not a contested case within the meaning of Chapter 13 of Title 50, but the applicant shall be entitled to an appearance before the Board.

(7) An application is active for one year after which a new application and fee are required.

(8) An applicant who was under investigation for possible violation of the Nurse Practice Act prior to the revocation of the applicant's license and/or as a result of information the Board received since the lapsing/revocation of the applicant's license may not be issued a license until the matter is resolved to the satisfaction of the Board. The license may be denied or sanctioned despite the applicant meeting all other criteria for licensure.

Authority: O.C.G.A. §§ 43-1-19, 43-1-25, 43-26-3, 43-26-5, 43-26-31, 43-26-32, 43-26-36, 43-26-39.

Emergency Rule 410-4-0.6-.01 – Licensure by Reinstatement (RN)

(1) As a response to the current state of emergency as declared by the Governor, the Georgia Board of Nursing finds the potential for imminent peril to the public health, safety, or welfare of Georgia citizens. This emergency rule shall go into effect based on O.C.G.A. § 50-13-4(b) and shall be effective for the duration of the emergency. During the time this rule is effective, it shall replace Georgia Board of Nursing Rule 410-4-.01.

(2) An applicant for licensure by reinstatement who was previously licensed as a registered nurse in the state of Georgia must submit the following:

- (a) A complete application containing data required by the Board attesting that all information contained in, or referenced by, the application is complete and accurate and is not false or misleading;
 - (b) The required application processing fee which is not refundable;
 - (c) Completed registration as required by the Board to cause the submission of a criminal background check as required by O.C.G.A. § 43-26-7(d)(3);
 - (d) Documentation of one of the following within four years immediately preceding the date of application:
 1. Five hundred (500) hours of licensed practice as a registered nurse as documented on the verification of employment form provided by the Board;
 2. Graduation from a nursing education program as defined in O.C.G.A. § 43-26-3(1.2); or
 3. Completion of a Board approved reentry program as defined in Rule 410-4-03.
 - (e) Secure and verifiable documentation of United States citizenship or lawful presence in the United States as required by Georgia law; and
 - (f) Any additional information requested by the Board needed to establish eligibility.
- (3) Reinstatement of the license is within the discretion of the Board.
- (4) The Board may require the passage of an examination or other competency assessments. The Board, in its discretion, may impose any remedial requirements deemed necessary.
- (5) The Board may deny reinstatement for failure to demonstrate current knowledge, skill and proficiency in the practice of nursing or being mentally or physically unable to practice nursing with reasonable skill and safety or for any ground set forth in O.C.G.A. § 43-26-11.
- (6) The denial of reinstatement is not a contested case within the meaning of Chapter 13 of Title 50, but the applicant shall be entitled to an appearance before the Board.
- (7) An application is active for one year after which a new application and fee are required.
- (8) An applicant who was under investigation for possible violation of the Nurse Practice Act prior to the revocation of the applicant's license and/or as a result of information the Board received since the lapsing/revocation of the applicant's license may not be issued a license until the matter is resolved to the satisfaction of the Board. The license may be denied or sanctioned despite the applicant meeting all other criteria for licensure.

Authority: O.C.G.A. §§ 43-1-25, 43-26-2, 43-26-5, 43-26-7(d), 46-26-8, 43-26-9, and 43-26-9.1.