

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

CIVIC CENTER, SAIPAN, MARIANA ISLANDS

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Page 2504 to Page 2547

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Saipan, Mariana Islands 96950

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Filed this 7th day of

PUBLIC NOTICE

December 19 83.

Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

ADOPTED REGULATIONS

Department of Education

Authority

The Board of Education, in accordance with Public Law 3-43, Section 203 (a)(b), wishes to advise the public that school policies have been adopted.

Subject Matter

The adopted policies include the following subjects:

1. Graduation Requirements
2. Secondary School Grading System
3. Defining Normal School Age
4. Part-Time Students
5. Student Absences and Excuses
6. Graduation Participation
7. Revising Instructional Program Policies
and Compulsory Attendance Policy to
conform with Public Law 3-43.

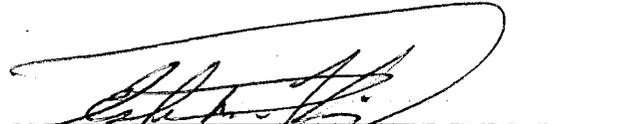
Public Comment

During the period of time designated for public comment, no comments were received concerning any of the proposed policies.

The policies are adopted as originally promulgated without changes.

12/05/83

DATE



CHAIRMAN

Board of Education

Filed this 7th day of

December 19 83.

Public Notice

Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

Proposed Agriculture and Marine Revolving Fund
Regulation for Tinian, Saipan, and the islands
north of Saipan

The Directors of the Departments of Finance and Natural Resources is proposing a regulation to be promulgated for the administration of the revolving funds for Tinian, Saipan, and the Northern Islands pursuant to Section 302(a) of Public Law 3-54.

The purpose of this regulation is to conform to Public Law 3-54, to provide for a uniform application of the funds, to establish a standard criteria in obtaining the fund, and for other purposes.

The proposed regulation is composed of the following subheadings:

- I. Authority
- II. Source of Funds
- III. Purpose of Funds
- IV. Administration
- V. Duties and Responsibilities of the Executive Director
- VI. Loan Application
- VII. General Policy
- VIII. Terms and Conditions
- IX. Collection and Foreclosures
- X. Amendment of Regulation
- XI. Privilege Information
- XII. Effective Date

Any individual on the islands of Tinian, Saipan, and the Northern Islands which under the proposed regulation may benefit, is invited to comment for or against the proposed regulation. Your comments may be send to the Director of Finance within thirty (30) days upon the date of publication of this notice in the Commonwealth Register.

Copies of the proposed regulation can be obtained at the same office located at the Capitol Hill:

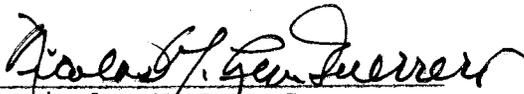
Director of Finance
Office of the Governor
Commonwealth of the Northern Mariana Islands
Saipan, CM 96950



Tomas B. Aldan
Director of Finance

12/02/83

Date



Nicolas M. Leon Guerrero
Director of Natural Resources

12/2/83

Date

December 19 83.

Noticia Para I Publico Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

Este na propositu pot para umana'guahayi areklamentun
uma'ayao salappe pot asuntun gualu yan peska para i
taotao Tinian, Saipan, yan i sankatan siha na isla

I Direktot Finance yan Natural Resources ha nutitisia i hinirat publico
pot i propositu ni para umana'guahayi areklamento pot i fondon salappe ni
mana'guahayi nu i kongresista para i peskadot yan lancheru siha segun gi
ginagagao na lain publico numero 3-54.

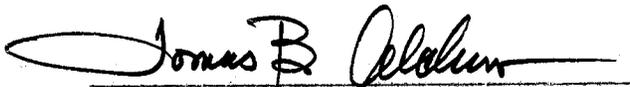
I propositon este na areklamento i pot para uma'establesi fotmat na manera
ni para ma'usa-na i fondo yan lokue ni ma'ayao-na yan pot otro siha na rason.

I areklamento ha kukubri i mansigiente siha na areklo yan infotmasion:

- I. Aturidat
- II. Ginen manu i fondon salappe
- III. Para hafa i fondon salappe
- IV. Ma'atministra-na i fondo
- V. Cho'cho' yan responsabilidat i direktot
- VI. Aplikasion umayao
- VII. Hinirat na areklamento
- VIII. Tetminu yan kondision
- IX. Apas dibi yan mahuchom bisnis pot dilenquente
- X. Ma'amendan i areklamento
- XI. I gai pribilehio na infotmasion
- XII. Fecha ni mana'ifektibu

Todo indibiyuat ni resindenten Tinian, Saipan, yan i mansakattan na isla
siha ni sina mangai direcho nu este na salappe, manmafafaisen para u matugi'i
i Direktot i Finance yangin guaha ti guinaiyan-niha osino, uguaha minalago'-
niha tinilaika gi areklamento. Este na ginagao ma'ekstende asta 30 dias
desdeki mapublika gi Commonwealth Register. Yangin enteresao hao nu este na
areklamento sina mangagao hao kopia gi ofisinan i Direktot i Finance gi
Capitol Hill, osino tugi'i sigiente:

Director of Finance
Office of the Governor
Commonwealth of the Northern Mariana Islands
Saipan, CM 96950



Tomas B. Aldan
Direktot i Finance

12/02/83
Fecha



Nicolas M. Leon Guerrero
Direktot i Natural Resources

12/2/83
Fecha

Arongorongol Towlap

Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

Mengemeng eil nge eke ayoora awewe me tongorol
salaape ngelier school leeset me moot bwe iyar
school Tchuluyol, Seipel me faluw kka efang

Samwoolul Finance me Natural Resources ekke arongaar aramas towlap reel igha
rebwe ayoora allegh reel fundool selaapi iye konggreeso re ayoora ngaliir
school leeset me school maat sangi aweeweel allegh ye 3-54.

Mille rebwe ayoora allegh yeel reel, nge bwelle ebwe allegh fisch ebwe faisul
yaayaal me bwal ngare rebwe aazow mellol fundo yeel.

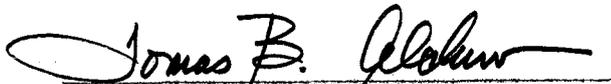
Ikkaal mengemeng kka rebwe ayoora llol allegh yeel:

- I. Otoridood
- II. Emwetto meiya fundool selaapi
- III. Ameitta fundool selaapi
- IV. Ommwoghutul fundo yeel
- V. Yaal angaang samwool
- VI. Tiliighiil ngare ubwe aazow
- VII. Alleghul alongal mwoghutughut
- VIII. Tenminool
- IX. Obwos me dilingkuwenti
- X. Lliwel llol allegh
- XI. Iyo eyoor diretchool reel infotmasiyoon
- XII. Rallil allegh

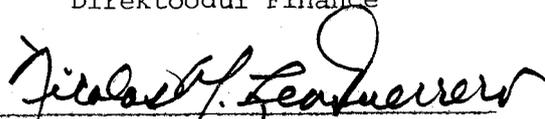
Alongeer schookka re lollo Tchuluyol, Seipel me faluw kka efang ikka emwel
ebwe yoor diretchoor reel selaapi yeel rekke tungor ngaliir bwe rebwe ischilong
reel samwoolul Finance ngare eyoor aweewe kka u obwuta me ngare u tipeli bwe
ebwe lliiwel. Tungor yeel nge rebwe paangi 30 ral sangi igha re atoolongooy
llol Commonwealth Register.

Ngare u tipeli tungor yeel, emwel ubwe tungor sangi samwoolul Finance me
Capitol Hill me ngare iisch ngali:

Director of Finance
Office of the Governor
Commonwealth of the Northern Mariana Islands
Saipan, CM 96950


Tomas B. Aldan
Direktoodul Finance

12/02/83
Maram, ral, raagh


Nicolas M. Leon Guerrero
Direktoodul Natural Resources

12/2/83
Maram, ral, raagh

~~REGULATION~~
FOR
AGRICULTURE AND MARINE REVOLVING FUND

I. Authority

Public Law 3-54, Section 302(a) explicitly authorized the promulgation of this regulation for the payment and accounting of the "funds" under Section II of this regulation. This regulation has to be approved by the Directors of Department of Finance and Natural Resources, in addition to the approval of the Governor.

The Governor or his authorized designee pursuant to P.L. 3-54, Section 302(a) is authorized to expend, obligate, encumber or otherwise commit the funds for Saipan and Tinian.

II. Source of Funds

Public Law 3-54, "Government Operations Appropriations Act of 1982", provides for "Agriculture and Marine Revolving Fund", Chapter II, Section 201 (i) (2) item 7 provides for "Agriculture Revolving Fund" in the amount of \$35,000 for Saipan and the Northern Islands; Section 201(g) (8) item 1 provides for "Agriculture and Marine Revolving Fund" in the amount of \$25,000 for Tinian.

Funding of these entities is derived from interest income of the Economic Development Loan Fund (EDLF) pursuant to P.L. 3-54, Section 206, item 3. The creation of these "funds" is afforded the nature of fiscal as well as an accounting entity.

III. Purpose of Funds

These funds are created to stimulate economic growth in the areas of Agriculture and Marine Resources. It is also intended to facilitate financing for both farmers and fishermen. Thus, the use of these funds is for farming and fishing purposes only, and to be obtained as stipulated in Section Vb of this regulation. None of these funds are to be expended for administrative operation of the funds.

IV. Administration

A. The Executive Director of the Economic Development Loan Fund (EDLF) is hereby designated, pursuant to P.L. 3-54, Chapter III, Section 302(a), to administer the affairs of the funds.

B. Whenever used in this regulation, Executive Director means the Executive Director of the EDLF.

V. Duties and Responsibilities of the Executive Director

A. Record Keeping and Accounting: The Executive Director must keep and maintain adequate records of the funds to reflect proper accountability. The Executive Director is charged with the responsibility of preparing and submitting monthly "financial position" to the Directors of Finance and Natural Resources.

B. Disbursement: The Executive Director shall pay out of the fund not to exceed \$2,000 for each individual application upon completion of the filing of application requirements, and upon his approval. For purposes of this revolving fund, \$2,000 is hereby established to be the maximum allowable loan per individual applicant. All checks issued on approved loans must be signed by the Executive Director or his designee in his absence. The Executive Director may use the checking account of the EDLF, or establish another checking account if it deems necessary.

C. Income: All interest income shall revert to the fund for loan purposes. Interest shall include all other fee(s).

VI. Loan Applications:

A. Filing: All loan applications must be filed with the Executive Director.

B. Application Forms: The Executive Director may use the existing EDLF loan applications and other necessary forms for the purpose of obtaining a loan from these funds. All applicants must comply in accordance with the forms herewith.

C. Qualifying Criteria:

1. All applicants must be a citizen of the Commonwealth of the Northern Mariana Islands;

2. Must be a resident from each respective islands - Tinian, Saipan and the Northern Island, for each respective revolving fund. A resident is defined as having been residing on the islands - Tinian or Saipan and the Northern Islands, for a minimum period of ten (10) years on the effective date of this regulation, an exception is permitted for the evacuees of Pagan Island;

3. Must have demonstrated historically good moral, legal and financial responsibilities;

4. Must reflect in his/her loan application repayment ability;

5. Must be in a form of sole proprietorship, or partnership of no more than two (2) individuals. Corporation and association shall not qualify under this revolving fund.

D. Fraudulent Application: Any application, for a loan under these funds, when discovered at anytime to be fraudulent, must be referred to the Attorney General for appropriate action. The Executive Director, at his discretion, shall not allow a loan application to be consummated upon learning, or for any probable cause, that an application for a loan has improprieties regardless of its nature.

VII. General Policy:

The Executive Director must heed to the needs of every individual applicants. He shall provide maximum efforts in expediting a loan application. In the event, an applicant is having difficulties composing his/her financial statements, the Executive Director shall make available his staff to service such needs. No applicants shall be subjected to harassments such as requiring an audited financial statements certified by a Certified Public Accountant, or subjected applicants to incur unnecessary expenses except as provided for under Section VIII B and C within this regulation.

VIII. Terms and Conditions:

A. Terms of Loan: The Executive Director, at his discretion, shall determine the term within three (3) years for all loans under these funds. The maximum term is three (3) years.

B. Interest: All loans must be charged annual interest rate of 3%, applicable on the declining principal balance of the loan.

C. Loan Fee: A loan fee of \$5.00 shall be charged to the borrower, due and payable upon closing of the loan.

D. Security: All loans to purchased equipment, machinery, implements accessories, fixtures, gears, and any other items having a useful life of over one (1) year, must be assigned in a form of chattel mortgage or security interest to the respective fund. Borrowers must make available all items encumbered by this fund for the purpose of carrying out Section IX of this regulation.

E. Use of Funds: All loans as approved and disbursed by the Executive Director must be spent in accordance with the approved purpose of the loan. The Executive Director shall exercise his discretion, as he sees prudent to make any amendments to approved loans.

IX. Collection and Foreclosures:

A. Any applicant who is in arrears for a period of six (6) consecutive months shall be declared delinquent and the full amount of the outstanding loan is due and payable immediately. The Executive Director is authorized to institute foreclosure proceedings thereafter.

B. The Executive Director is responsible for the collection of all loans proceeds. At his discretion, he shall take and thereto exhaust all and every administrative efforts before foreclosure proceedings is instituted, subject to the provision of Subsection A, of this section.

C. In the event of foreclosures, the Executive Director shall refer the matter to the Attorney General for legal support.

D. The Executive Director is authorized to repossess all items under Section VIII D, and to deprive borrower from further use of the item(s), when a foreclosure has been consummated.

E. The Executive Director is authorized to proceed public auction to liquidate repossessed goods for the purpose of satisfying the loan. He is expected to exercise his business acumen in arriving to a minimum price of all goods to be auctioned.

F. At the Executive Director's discretion, he is authorized to negotiate potential farmers and fishermen for the continuity of the foreclosed borrower's business activity. He shall permit refinancing of the delinquent loan when it is practical and necessary.

X. Amendment of Regulation:

The Executive Director may recommend necessary changes in the regulation to the Directors of Departments of Finance and Natural Resources, and for their approval.

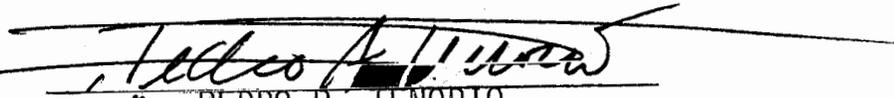
XI. Privileged Information:

The Executive Director must exercise necessary precaution to preclude any and every employee of the funds from exposing any information pertaining to any individual loan to any individuals having no legal rights or access to it. All information must be kept confidential, except when it is necessary to carry out the provisions of this regulation.

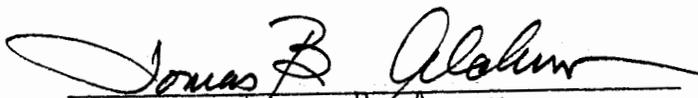
III. EFFECTIVE DATE:

THIS REGULATION SHALL BE EFFECTIVED UPON PUBLICATION IN THE COMMONWEALTH REGISTER AND THE APPROVAL OF THE GOVERNOR, DIRECTORS OF THE DEPARTMENTS OF FINANCE AND NATURAL RESOURCES.

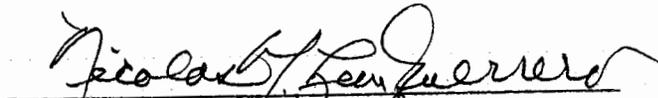
APPROVED BY:


on PEDRO P. TENORIO
GOVERNOR

12/2/83
DATE


TOMAS B. ALDAN
DIRECTOR OF FINANCE

12/02/83
DATE


NICOLAS M. LEON GUERRERO
DIRECTOR OF NATURAL RESOURCES

12/2/83
DATE

Filed this 13th day of Dec. 19 83.

PUBLIC NOTICE Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

PROPOSED RULES AND REGULATIONS FOR THE COMMONWEALTH BOARD OF NURSE EXAMINERS

Pursuant to Section 2, 7 (a), 28, and 29 of Public Law 3-29 the Commonwealth Board of Nurse Examiners hereby promulgates rules and regulations governing nurse licensure. The proposed rules and regulations are issued for the purpose of protecting the health, safety and welfare of the people of the Commonwealth of the Northern Mariana Islands.

The proposed rules and regulations shall include the following subjects:

- Section I Requirements for licensure as a Registered Professional Nurse
- Section II Requirements for licensure as a Licensed Practical Nurse
- Section III Midwifery
- Section IV Fees
- Section V Standards of Educational Programs in Nursing
- Section VI Disciplinary Actions and Violations of Law & Penalties

Copies of the proposed rules and regulations may be obtained from the Commonwealth Board of Nurse Examiners at the Office of the Director of Public Health and Environmental Services at Dr. Torres Hospital, San Vicente, Saipan.

The Board of Nurse Examiners hereby solicits any views, opinions, facts and data for or against the proposed rules and regulations from the general public.

Anyone interested in commenting on the proposed rules and regulations may do so by submitting their comments in writing to the Board of Nurse Examiners within (30) days from the date this notice is published in the Commonwealth Register. Furthermore, anyone interested in attending a public hearing on this subject should contact the Board of Nurse Examiners and request that a hearing be set within thirty (30) days from the date this notice is published in the Commonwealth.

Dec. 12 1983
DATE

Delfina V. Manibusan
Delfina V. Manibusan
Chairperson, Commonwealth Board of
Nurse Examiners

MAN MAPROPONE NA AGREGLAMENTO PARA I COMMONWEALTH BOARD OF NURSE EXAMINERS

Segun i Secciona 2, 7, (a) 28 yan 29 gi Lai Publico 3-29, i Commonwealth Board of Nurse Examiners esta guiya hanahuyong ofisiatmente i areglamento siha ni para ugobientna i malisensian infitmera. I mapropone na areglamento siha manahuyong po para umaprotehe i hinemlo, seguridad yan i minauleg i taotao i Commonwealth Sankatan na Islas Marianas.

I mapropone na areglamento siha para una-incluso i mansigiente siha na asunto (osino suheto)

- Secciona I I manginagagao siha ni para malisensia como Registered Professional Nurse (Profesionat na infitmera ni Marehistra)
- Secciona II I manginagagao siha ni para malisensia como Licensed Practical Nurse (Practicante na infitmera ni Lisensiao)
- Secciona III Pateria
- Secciona IV Apas
- Secciona V Areglon Educasionat na Progama pot Uminfitmera
- Secciona VI Disiplinario na Acsion siha yan Makebrantan i lai yan pena siha

Copian i man mapropone na areglamento siha sina machule given i Commonwealth Board of Nurse Examiners gi Ofisinen i Directot i Public Health yan environmental Services gi Dr. Torres Hospital, San Vicente, Saipan.

I Board of Nurse Examiners esta guiya hagagagao masea hafa na recomendasion osino opinion, facto yan infotmasion ni fabot osino contra para i man mapropone na areglamento siha ginen i publico henerat.

Masea haye enteresao na umatungo i recomendasion osino opinionna sina munahalom tinige guato gi Board of Nurse Examiners gi halom trenta (30) dias ginen i fecha anai manahuyong osino mapublica este na notisia gi halom i Commonwealth.

Talo mas, masea haye enteresao umatiende un inekungoc publico guine na asunto debe ufaisen i Board of Nurse Examiners yan ufangagao na umana guaha un inekungoc gi halom i trenta (30) dias ginen i fecha anai manahuyong osino mapublica este na notisia gi halom i Commonwealth.

Dec. 12, 1983

Fecha

Delfina V. Manibusan

Delfina V. Manibusan
Chairperson, Board of Nurse
Examiners

RULES AND REGULATIONS FOR THE
COMMONWEALTH BOARD OF NURSE EXAMINERS

Section I - Requirements for licensure as a Registered Professional Nurse,
hereinafter referred to as "Registered Nurse."

- A. As used in these regulations, the following terms shall be defined as set forth in Public Law 3-29:
1. Board
 2. Continuing education
 3. Practical nurse
 4. Practical nursing
 5. Practice of midwifery
 6. Professional nursing
 7. Registered nurse
 8. Standardized procedures
- B. Licensure by examination procedure.
1. Qualifications of applicants.
 - a. Completion of high school or the equivalent, as approved by the Board, and
 - b. Graduation from a recognized nursing program approved by the Board of Nurse Examiners. Instruction must include a minimum of four (4) weeks of supervised training in each of the following areas of nursing: medical, surgical, obsteric, pediatric, and psychiatric.
 2. Application procedure for initial examination and re-examination.
 - a. Submission of an application form provided by the Board of Nurse Examiners. Application must be notarized and be received by the Board of Nurse Examiners not less than 30 days before the scheduled date of the examination.
 - b. The application form shall be accompanied by:
 - 1) High school transcript or the equivalent.
 - 2) Two copies of a recent passport type photograph, 2X2 inches, in color, with signature and date on back.

- 3) Transcript forwarded ~~directly~~ from School of Nursing.
In case of recent graduates, transcript may be forwarded after application deadline, but license will not be released until transcript has been received and examined.
 - 4) Certificate of completion, on form provided by the Board of Nurse Examiners, from School of Nursing for recent graduates whose transcript is not immediately available. Certificate of completion shall be forwarded directly from the School of Nursing.
 - 5) Cashier's check or money order payable to CNMI Treasury for required fee. Fee is not refundable.
- c. Application is considered abandoned if the applicant has not taken the examination within two years from the date the application was filed. Applicant must re-submit another application with fees for the date of examination.
3. Examination and re-examination procedure.
- a. An applicant whose admission to the examination has been approved will receive, by mail, an admission card at least seven days prior to the date of the examination. The admission card must be presented at the time of the examination.
 - b. Beginning with July 1984, the current series of the National Council Licensure Examination for Registered Nurses (NCLEX-RN) shall be the official examination for registered nurse licensure. The NCLEX-RN will consist of four two-hour tests with a minimum standard score of 1400 for the total examination. Examinations will be conducted once or twice a year, in February and/or July, at the discretion of the Board.
 - c. The Board of Nurse Examiners reserves the right to refuse an applicant admission to the examination if:
 - 1) The applicant has not submitted the required documents.
 - 2) The application is received by the Board after the established deadline date.
 - 3) The admission card is not presented at the time of the examination.
 - 4) The applicant arrives at the examination site after the announced hour the examination is to begin.
 - d. The Board of Nurse Examiners will respect the laws and regulations of another state or territory of the United States. However, an applicant who has taken the licensing examination in another state and has not passed that examination will be evaluated by the Board to determine eligibility for licensure

according to Commonwealth laws.

4. Failure and re-examination.

- a. An applicant may retake the licensing examination not more than two times, and the retakes must be completed in not more than two years from the date of the initial examination, without further proof of preparation.
- b. If the applicant fails the examination three times, the Board of Nurse Examiners will review the applicant's record and make specific recommendations for additional preparation. Recommendations may include completing an entire nursing program approved by the Board.
- c. Re-examination must include all of the tests of the total examination.

5. Duplicate or lost license.

- a. Original registration will not be replaced.
- b. A renewal certificate shall suffice as proof of licensure.

C. Licensure by endorsement.

1. Qualification of applicants.

- a. Completion of high school or the equivalent, as approved by the Board of Nurse Examiners, and
- b. Graduation from an approved school of nursing, as for candidates licensed solely by examination, and
- c. Passage of a licensing examination, with a current license to practice issued by another state or territory of the United States, and
- d. An inactive status license will be accepted, but the candidate must meet the same requirements for activation of license as all other inactive status candidates.

2. Application procedure.

- a. Application procedures are the same as for application for licensure by examination as set forth in Section I, B.
- b. Endorsement fee is not refundable.
- c. Applicant must submit a verification of license by examination, in English, from the state or territory where licensed. Any fees required for verification shall be paid by the applicant.
- d. After application has been submitted and license has been

examined, the applicant will be issued a Temporary License pending receipt of all required documentation, as set forth in Section I, E.

3. After all documentation has been received and examined, a permanent license to practice as a Registered Nurse will be issued.

D. Licensure of foreign graduates.

1. Qualifications of applicants.

- a. Satisfactory completion of a basic nursing education program approved by official agencies in the country of original licensure.
- b. Licensure by examination in a province or country other than the United States.
 - 1) License must be current and valid.
 - 2) License must not have been suspended, revoked or been the subject of probation.

2. Application procedure.

- a. Completion of application form provided by the Board of Nurse Examiners.
- b. Application form shall be accompanied by:
 - 1) High school transcript or the equivalent.
 - 2) Two copies of a recent passport type photograph, 2X2 inches, in color, with signature and date on back.
 - 3) Certified birth certificate from official agency of country of birth.
 - 4) Certified transcript forwarded directly by school of nursing.
 - 5) Verification of licensure shall be forwarded directly by foreign licensing agency in country of origin.
 - 6) Cashier's check or money order for required fee. Fee is not refundable.
- c. Application form shall be notarized.

3. License and temporary license.

- a. Upon examination of initial documentation, including copy of birth certificate and license from country of origin, applicant may be issued a Temporary License. (See Section I,

E on Temporary Licensure).

- b. The Board reserves the right to refuse to issue a Temporary License until all documentation has been received and verified.
- c. After all documentation has been received and verified, the applicant will be issued an admission card for the next available licensing examination. The examination shall be the same as the examination required of Commonwealth citizens.
- d. Licensure by examination for foreign graduates shall be guided by the same policies as for Commonwealth citizens.
- e. If the applicant fails the licensing examination, the Temporary License shall be deemed null and void and immediately returned to the Board's Office for disposal. No further Temporary License shall be issued.

E. Temporary licensure.

1. The purpose of a Temporary License is to permit an applicant who has already been licensed in another jurisdiction to practice nursing pending completion of requirements for licensure as a Registered Nurse in the Commonwealth.
2. A Temporary License shall be valid for 90 days from the date of issuance or until a permanent license is issued, whichever comes first.
3. A Temporary License limits the applicant to the practice of nursing under nursing supervision in a hospital or health agency which has an organized nursing service.
4. The Temporary License must be surrendered to the Board of Nurse Examiners upon demand by the Board for any reason.

F. Renewal of license.

1. The license for a Registered Nurse is valid for two years from the date of issuance, and shall expire on June 30 of the year of expiration.
2. An application for renewal of license shall be mailed to each currently licensed Registered Nurse not less than 90 days prior to the expiration date. The Board of Nurse Examiners is responsible for mailing only to the last address provided by the applicant.
3. The completed renewal application shall be returned to the Board of Nurse Examiners not later than 60 days prior to the license expiration date.
4. Renewal application shall be accompanied by proof of completion

of not less than 30 hours of approved continuing education for the two years immediately preceding the expiration date of the current license.

5. The application for renewal shall be accompanied by a money order, check or cashier's check for the renewal fee. Fee is not refundable.
6. After verification of renewal application information, the Board shall issue a license for a two year period.
7. Late fee: As stated in Section IV within 60 days of expiration date.

G. Inactive status.

1. Any licensee who is not engaged in the practice of nursing shall not be required to renew his/her license or pay the renewal fee. Such person shall notify the Board, in writing, of his/her inactive status and shall request placement on the inactive list prior to the expiration date of his/her current license.
2. Prior to resumption of practice, a person on the inactive list shall request reinstatement of an active license by completion of a reinstatement form provided by the Board of Nurse Examiners.
 - a. Reinstatement form shall be accompanied by proof of completion of a refresher course approved by the Board of Nurse Examiners.

H. Lapsed license.

1. Any person who has failed to pay renewal fees within 60 days of expiration date of a valid license shall be considered unlicensed. Payment of a late fee will not suffice for reinstatement.
2. Reinstatement of a license to practice as a Registered Nurse shall require filing of a reinstatement form provided by the Board of Nurse Examiners, and such other information as the Board of Nurse Examiners shall require.
3. At the discretion of the Board of Nurse Examiners, the person whose license has lapsed may be required to complete additional education, such as a refresher course.

A. Licensure by examination procedure.

1. Qualifications of applicants.

- a. Completion of high school or its equivalent as evidenced by an Education Department equivalency diploma.
- b. Has graduated from a program for practical nurses which meets the educational standards of the Board of Nurse Examiners.
- c. Completion of at least 2 years of study in an approved educational program preparing registered nurses which the Board of Nurse Examiners approves as equivalent to an approved practical nursing program.

2. Application.

- a. Submission of an application form provided by the Board of Nurse Examiners. Application must be notarized and be received by the Board of Nurse Examiners not less than 30 days before the scheduled date of the examination.
- b. Application form shall be accompanied by:
 - 1) High school transcript or the equivalent.
 - 2) Two copies of a recent passport type photograph, 2X2 inches, in color, with signature and date on back.
 - 3) Certified transcript forwarded directly from school of nursing. Any fees required for transcripts will be paid by the applicant.
 - 4) Cashier's check or money order for required fee. Fee is not refundable.
- c. Abandoned applications are handled the same as for abandoned registered nurse applications as set forth in Section I, B.

3. Examination and re-examination.

The procedures for examinations for practical nurses are the same as for registered nurses except the current series for testing will be the National Council Licensure Examination for Practical Nurses (NCLEX-PN) for official nurse licensure. Examinations will be conducted once or twice a year, in April and/or October, at the discretion of the Board.

B. Licensure by endorsement.

Conditions for endorsement for practical nurses are identical with registered nurses except applied to practical nurses.

C. **Licensure of foreign graduates.**

Conditions for licensing foreign graduates as practical nurses is the same as registered nurses except applied to practical nurses.

- D. Conditions for Temporary Licensure for practical nurses is the same as for registered nurses.
- E. Conditions for renewal of licenses for practical nurses is the same as for registered nurses except applied to practical nurses.
- F. Conditions for inactive status for practical nurses is the same as for registered nurses except applied to practical nurses.
- G. Conditions for lapsed license for practical nurses is the same as for registered nurses except applied to practical nurses.

Section III - Requirements for Licensure as a (Nurse) Midwife

The certificate to practice nurse-midwifery authorizes the holder under the supervision of a licensed physician and surgeon, to attend cases of normal childbirth and to provide prenatal, intrapartum, and postpartum care, including family planning care, for the mother, and immediate care for the newborn.

The practice of nurse-midwifery constitutes the furthering or undertaking by any certified person, under the supervision of a licensed physician and surgeon who has current practice or training in obstetrics, to assist a woman in childbirth so long as progress meets criteria accepted as normal. All complications shall be referred to a physician immediately. The practice of nurse-midwifery does not include the assisting of childbirth by any artificial, forcible, or mechanical means, nor the performance of any version.

Written protocols shall be developed by the nurse-midwife and agreed upon by the physician or protocols may be jointly developed by the nurse-midwife and the physician.

A. Qualifications of applicants.

1. Completion of high school or the equivalent, as approved by the Board of Nurse Examiners.
2. Satisfactory completion of a basic nursing education program approved by the Board of Nurse Examiners.
3. Shall be a registered nurse.
4. Shall be a graduate of an approved school for Certified Nurse Midwives.

B. Application.

1. Application forms and instructions for filing are available from the Board of Nurse Examiners. Application fee is not refundable.
2. Application forms must be:
 - a. Completed in full.
 - b. Notarized.
 - c. Have attached a recent (taken within the last two years) passport type photograph, 2X2 inches, in color, with signature and date on back.
 - d. Accompanied by a sealed copy of birth certificate.
 - e. Accompanied by required fee. Fee is not refundable.
3. Request the school of nursing and Certified Nurse Mid-wifery Program to submit certified transcripts directly to the Board of Nurse Examiners.

4. Request the licensing agency in the country of original license to submit a verification of license.
5. The Board of Nurse Examiners will respect the laws and regulations of another state or territory of the United States. However, an applicant who has taken the licensing examination in another state and has not passed those examinations shall be evaluated by the Board of Nurse Examiners to determine eligibility under Commonwealth laws and regulations.

C. Renewal of license.

1. The license for a nurse midwife is valid for two years, ending on June 30 of the year of expiration.
2. An application for renewal of license shall be mailed to each currently licensed nurse midwife not less than 90 days prior to June 30 at the last known address.
3. The completed renewal application shall be returned to the Board of Nurse Examiners not later than 60 days after the year of expiration.
4. The application shall include the required non-refundable fee.
5. After the Board of Nurse Examiners has verified the renewal application, a license for the current 2 years shall be mailed to the applicant.

D. Lapsed license.

1. A license is lapsed if not renewed by June 30 of the year of expiration.
2. Reinstatement requires a written explanation, satisfactory to the Board of Nurse Examiners of the reason for failure to renew and must pay the required reinstatement fee after one year.

E. Inactive status.

1. Any licensee who is not engaged in the practice of nursing shall not be required to renew his/her license or pay the renewal fee. Such person shall notify the Board, in writing, of his/her inactive status and shall request placement on the inactive list prior to the expiration date of his/her current license.
2. Prior to resumption of practice, a person on the inactive list shall request reinstatement of an active license by completion of a reinstatement form provided by the Board of Nurse Examiners.

Section IV - Required Fees

Registered Nurse

A. Initial License and Examination	\$80.00
B. Re-examination	80.00
C. Endorsement	60.00
D. Renewal	20.00
E. Late Renewal	30.00
F. Reinstatement	40.00

Licensed Practical Nurse

A. Initial License and Examination	\$60.00
B. Re-examination	60.00
C. Endorsement	40.00
D. Renewal	15.00
E. Late Renewal	25.00
F. Reinstatement	30.00

Temporary License (endorsement) \$10.00

Waiver - Registered Nurse 20.00

Licensed Practical Nurse 10.00

Special Services 5.00

A. Philosophy governing approval of schools of nursing.

1. While the Board of Nurse Examiners herein has established minimum standards for approved schools of nursing, it believes that each school of nursing should have flexibility in developing and implementing its philosophy, purposes, and objectives. Such development and implementation should be based not only upon the minimum standards for approved schools of nursing, but also upon sound educational and professional principles for the preparation of registered nurses to meet current and future nursing needs of the public.
2. The Board of Nurse Examiners believes that there must be congruence between the total program activities of the school of nursing and its stated philosophy, purposes, and objectives.
3. The Board further believes that the minimum standards for approved schools of nursing can be useful to schools of nursing by promoting self-evaluation which may lead to program development and improvement.

B. Purposes of Board of Nurse Examiners approval of schools of nursing.

The Board of Nurse Examiners approves schools of nursing for the following purposes:

1. To insure the safe practice of nursing by setting minimum standards for schools of nursing preparing persons for licensure as registered or practical nurses.
2. To provide the public and prospective students with a list of schools of nursing that meet the minimum standards.
3. To safeguard the educational preparation of the students.
4. To assure the graduates of approved schools of their eligibility for admission to the licensing examination for registered or practical nurses.
5. To facilitate interested endorsement of graduates from Board of Nurse Examiners approved schools of nursing.

C. Purpose, philosophy and objectives for approved schools of nursing.

1. The purpose, philosophy and objectives of the school shall be stated clearly and shall be available in written form. They shall be consistent with the definition of nursing practice.
2. The school shall have a statement of philosophy that is consistent with the philosophy of the college or university.
3. The objectives shall be consistent with the philosophy and shall

describe the cognitive, affective and psychomotor capabilities of the graduate.

4. The philosophy and objectives shall be used by the faculty in planning, implementing and evaluating the total program.

D. Organization and administration for approved schools of nursing.

1. Accreditation of colleges and universities and of extended learning sites:
 - a. Colleges and universities which sponsor a school of nursing shall be accredited by their appropriate accrediting bodies.
 - b. Extended learning sites shall be accredited or approved by the appropriate body.
2. There shall be adequate financial support to provide stability for the development and continuation of the school of nursing.
3. School of nursing organization and administration.
 - a. Administration of the school of nursing shall be the responsibility of a nurse administrator.
 - b. There shall be an organizational chart showing lines of authority, formal communication and cooperative relationships among the school of nursing and the educational, administrative and support service units of the college or university.
 - c. Administrative policies shall be stated clearly and be available in written form.
 - d. Administrative records shall be maintained and shall include general school records, faculty vitae, minutes of faculty and committee meetings, and reports to the college or university.
 - e. The nurse administrator of the school of nursing shall be responsible for preparing budget recommendations and for budget administration.
 - f. Allocation of the school budget shall reflect the purpose, philosophy and objectives of the school.
 - g. A current school bulletin shall be available and shall provide an accurate description of the school of nursing and its program.

E. Resources, facilities, and services for approved schools of nursing.

1. Classrooms, laboratories and conference rooms shall be available and shall be adequate in size, number and type according to the number of students and the educational purposes for which the

rooms are to be used.

2. Offices shall be available and adequate in size, number and type to provide faculty with opportunity for uninterrupted work and privacy for conferences with students. Offices shall have adequate space for clerical staff, records, files, and other equipment.
 3. Extended learning sites.
 - a. A variety of sites may be utilized for student experience. These may include, but need not be limited to, hospitals, clinics, nursery schools, elementary and secondary schools, mental health clinics and public health departments.
 - b. Extended learning sites shall provide learning experiences of sufficient number and variety for student achievement of the course/curriculum objectives.
 - c. Written agreement shall be maintained between the school and the extended learning sites. Such agreement shall be reviewed periodically and shall state the responsibilities and privileges of each party, which shall include a termination clause.
 - d. Extended learning sites shall be approved by the Board of Nurse Examiners for their educational use.
 4. Library facilities shall be provided for use by the faculty and students. Physical arrangement, usefulness, scope and currency of books, periodicals, and hours shall be appropriate for the purpose of the school and the number of faculty and students.
 5. Secretarial and support services shall be adequate to meet the needs of the nursing school.
- F. Nurse administrator for approved school of nursing.
1. Nurse administrator shall have the following qualifications:
 - a. A current license to practice as a registered nurse in the Commonwealth.
 - b. A baccalaureate degree in nursing and a master's degree with a major in nursing or education from an accredited college or university.
 - c. A minimum of five years of professional experience as a registered nurse which includes two years teaching in an approved school of nursing.
 - d. Exceptions shall be justified to and approved by the Board of Nurse Examiners.

2. Nurse administrators are responsible for the following functions:
 - a. Create and maintain an environment conducive to teaching and learning.
 - b. Serve as liaison with the central administration and other units of the college or university.
 - c. Organize and administer the nursing program.
 - d. Provide educational leadership for the faculty and students of the school.
 - e. Facilitate recruitment, selection and development of qualified faculty.
 - f. Recommend faculty for appointment, promotion, tenure and retention.
 - g. Facilitate recruitment, selection and development of qualified faculty.
 - h. Plan and administer the budget.
 - i. Facilitate arrangements for all necessary resources and services.
 - j. Facilitate peer and student evaluation of teaching effectiveness.
 - k. Facilitate development of long range goals and objectives for the nursing program.
 - l. Facilitate the recruitment, selection and retention of students.
 - m. Assure that the minimum rules and regulations of the Board of Nurse Examiners are effectively implemented.
3. The nurse administrator shall have sufficient time provided for carrying out administrative responsibilities. Instructional responsibilities of the nurse administrator shall be consistent with the scope of the administrative responsibility.

G. Faculty for approved schools of nursing.

1. Faculty shall have the following qualifications:
 - a. A current license to practice as a registered nurse in the Commonwealth.
 - b. The baccalaureate degree in nursing shall be the minimum requirement for faculty appointment and a master's degree with a major in nursing or education from an accredited

- college or university.
- c. Exceptions shall be justified to and approved by the Board of Nurse Examiners.
2. Principal functions of the faculty shall include but not be limited to:
 - a. Develop, implement and evaluate the philosophy and objectives of the program.
 - b. Construct, implement, evaluate, and revise the curriculum.
 - c. Develop and evaluate policies and standards for the selection admission, promotion and graduation of nursing students within the framework of the policies of the college or university.
 - d. Evaluate student achievement in terms of course and program objectives, assign grades for courses according to policies, and recommend successful candidates for the degree or diploma.
 - e. Develop, implement and evaluate statements of policy necessary for the operation of the program, and participate in appropriate activities of the college or university.
 - f. Participate in academic counseling of students.
 - g. Provide for peer and student evaluation of teaching effectiveness.
 - h. Participate in periodic review of the total nursing program.
 - i. Participate in the overall faculty activities of the college or university, e.g. governance, interdepartmental teaching, and research.
 3. A nursing faculty organization, with delineated policies and procedures, shall be established in harmony with the policies of the college or university.
 - a. All faculty shall participate in the activities of the faculty organization in ways consistent with their position and responsibilities.
 - b. Committees shall be established as necessary to effectively carry out the functions of the faculty. The purposes and membership of each committee shall be defined clearly.
 - c. Meetings shall be held on a regular basis.
 - d. Minutes, including faculty action, shall be recorded in writing and kept on file for ready reference.
 4. Faculty/student ratio.

- a. Faculty shall be provided in adequate number and kind to meet the purposes and objectives of the program.
 - b. Twelve students is the maximum a faculty member shall be responsible for at any one time in the clinic area. A lower ratio may apply to students in initial or highly complex learning situations. Factors to be considered in determining the ratio are:
 - i. The preparation and expertise of the faculty member
 - ii. The objectives to be achieved.
 - iii. The level of students
 - iv. The number, type, and conditions of patients
 - v. The number, type, location and physical layout of clinical facilities.
- H. Curriculum for approved schools of nursing.
1. The basic curriculum shall not be less than two academic years.
 2. The length, organization, content, instruction methods, and placement of courses shall be consistent with the philosophy and objectives of the school and of the college or university.
 3. The curriculum shall reflect faculty-wide participation in its planning, implementation and evaluation.
 4. The curriculum shall include:
 - a. Instruction in the physical and biological sciences and shall include content drawn from the areas of anatomy and physiology, physics, chemistry, microbiology, pharmacology and nutrition, which may be integrated, combined or presented as separate courses;
 - b. Instruction in the social and behavioral sciences and shall include content drawn from the areas of psychology, sociology, and which may be integrated, combined or presented as separate courses;
 - c. Theory and clinical experiences in the areas of medical nursing, surgical nursing, obstetric nursing, nursing of children and psychiatric nursing which may be integrated, combined or presented as separate courses;
 - d. History, trends, and legal and ethical issues pertaining to the nursing profession which may be integrated, combined or presented as separate courses. Baccalaureate programs shall include study of research principles;
 - e. Opportunities for the student to learn assessment of needs, planning, implementation and evaluation of nursing care for diverse individuals and groups.

- f. Clinical experiences in the care of persons at each state of the human life cycle. These experiences shall include opportunities for the student to learn and provide nursing care in the areas of acute and chronic illnesses, promotion and maintenance of wellness, prevention of illness and rehabilitation. The emphasis placed on these areas, the scope encompassed, and other allied experiences offered shall be in keeping with the purpose, philosophy and objectives of the program.
 5. Provision shall be made for a systematic and periodic evaluation of the curriculum by faculty and students.
 6. Any proposed major curriculum revision, such as changes affecting the philosophy and objectives, significant course content changes, or changes in the length of the program, shall be presented to the Board at least three months prior to implementation and in accordance with procedures outlined by the Board.
- I. Students in approved schools of nursing.
1. Policies and procedures for selection, admission, promotion, graduation, withdrawal and dismissal shall be consistent with the policies of the college or university, and shall be available in written form.
 2. Students who seek admission by transfer from another approved school of nursing, or readmission for completion of the program, shall meet the equivalent of the school's current standards required of those regularly enrolled.
 3. A comprehensive system of student records shall be maintained and shall include:
 - a. Application for admission which shall include, but not be limited to the following: completed application form, official transcript of completion of high school or equivalent GED, and/or college work. A physical examination and report on health status is required.
 - b. Performance evaluation reports, which shall be completed at systematic intervals in keeping with the objectives of the program.
 - c. Course and clinical experience records.
 - d. A summary record completed on graduation. Such record will be turned over to the Board of Nurse Examiners if school ceases to exist.
- J. Program evaluation by approved schools of nursing. There shall be a systematic, ongoing, written plan for evaluation of the program, with evidence of its implementation, that is directed toward the improvement of the program. The plan shall include, but not be limited to:

1. Purpose, philosophy and objectives
 2. Organization and administration
 3. Resources, facilities and services
 4. Faculty
 5. Curriculum
 6. Students
 7. Evaluation of student achievement and performance, including performance on the National Council of licensure examination.
 8. Follow-up studies on performance of graduates
- K. Reports to the Board of Nurse Examiners by approved schools of nursing.
1. One month following spring graduation, an annual report concerning the program and progress of the school shall be submitted by each school on forms supplied by the Board of Nurse Examiners.
 2. Written notification shall be sent to the Board of Nurse Examiners regarding major changes related, but not limited to, the following:
 - a. Change in the nurse administrator
 - b. Organizational change
 - c. Changes in the program of study
 - d. Changes in extended learning sites
 - e. License numbers of new nursing faculty

The information submitted to the Board of Nurse Examiners shall include the rationale for the proposed change with comparison to the present situation.

3. The Board may require such additional reports as it deems necessary.
- L. Survey visits.
1. The Board of Nurse Examiners, through its authorized representative, shall survey each approved school of nursing at least every four years. Full approval is for a four year period, however, approval may carry recommendations for continued improvements.
 2. The survey visit to the program shall be scheduled on dates

mutually acceptable to the Board and to the school.

3. The Board shall require a comprehensive self-evaluation report by the nurse administrator and the faculty of the school of nursing based on the rules and regulations for approval of schools and in accordance with guidelines and forms provided by the Board of Nurse Examiners.
4. Four copies of the self-evaluation report shall be submitted to the Board of Nurse Examiners at least one month prior to the scheduled visit.
5. The self-evaluation report prepared for the national nursing accreditation body may be substituted in lieu of the Board of Nurse Examiners survey report for that year if a national accreditation survey is scheduled for that year.
6. The authorized representative of the Board of Nurse Examiners shall prepare a report of the survey visit to be submitted to the Board of Nurse Examiners. The school shall receive a copy of the report. If the school is in disagreement with any portion of the report, it may furnish written materials regarding its disagreement to be presented to the Board of Nurse Examiners for its consideration.

M. Board of Nurse Examiners action following survey visits.

1. Whenever a matter directly concerning a school of nursing is being considered by the Board of Nurse Examiners, any Board member who is associated with the school of nursing shall not participate in the deliberation or decision-making action of the Board of Nurse Examiners.
2. Each school shall be evaluated in terms of its total program.
3. The Board of Nurse Examiners shall give written notice to the college or university and the nurse administrator of the school of nursing regarding its decision on the school's approval status.
4. Full approval shall be granted a school of nursing that meets the requirements of the law and the rules and regulations of the Board of Nurse Examiners. Full approval may carry recommendations for continued improvements.
5. Conditional approval shall be granted a school that has failed to meet the minimum standards contained in the law and the rules and regulations of the Board of Nurse Examiners. Conditions that must be met within a designated time period shall be specified in writing.
 - a. A conditionally approved school shall be reviewed at the end of the designated time period. Such review shall result in one of the following actions:

1. Restoration of full approval;
 2. Continuation of conditional approval for a specified period of time; or
 3. Removal of approval.
6. Approval shall be removed if a school of nursing fails to meet conditions established by the Board of Nurse Examiners.

N. Restoration of approval.

A school of nursing may petition the Board of Nurse Examiners for restoration of approval by submitting evidence to the Board of Nurse Examiners for restoration of approval by standards for schools of nursing.

O. Appeal of Board of Nurse Examiners decisions.

A school of nursing deeming itself aggrieved by a decision of the Board affecting its approval status shall have the right to appeal the Board of Nurse Examiners' decision to the Board.

P. Consultation services.

Consultation will be provided by the Board of Nurse Examiners at the request of a school of nursing. A request for consultation shall be in writing and shall include the purpose and objectives for the visit.

Q. Closure of an approved school of nursing.

1. When an organization has decided to discontinue its school of nursing, it should immediately send written notification of its plans to the Board of Nurse Examiners.
2. A school in the process of closing shall remain approved until the enrolled students have been graduated, provided that the minimum standards are maintained.
3. Upon graduating all students, the Board of Nurse Examiners approval of the school of nursing shall be terminated.
4. An organization closing a school of nursing shall provide for safe storage of vital school records and shall confer with the Board concerning the matter.

R. Establishment of a new school of nursing.

1. Application

- a. An organization desiring to establish a Board approved school of nursing shall submit an application in the form requested by the Board. It is recommended that the organization seek consultation from the Board of Nurse Examiners in the initial

planning of the program.

- b. The organization shall submit a statement that addresses the need for program and the size and type of the program proposed in relation to the nursing needs of the geographical area to be served. The statement also shall include information on the potential students, the potential impact on other schools of nursing in the geographical area, the availability of learning experiences, anticipated human and material resources, community support, relationship of school to parent organization, purposes and accreditation status of the sponsoring organization, and a tentative time-table for initiating the program.
 - c. Supplementary information may be sought by the Board through a site visit.
 - d. If the Board's review of the statement and any supplementary information provided results in approval of the plan, the organization shall be notified that program development may proceed.
2. Program development.

- a. At least one year in advance of the anticipated admission of students, the organization shall appoint a qualified nurse administrator to develop a tentative program. The tentative program plan shall include:
 - 1. Purpose, philosophy and objectives
 - 2. Organization and administration
 - 3. Budget
 - 4. Resources, facilities and services
 - 5. Provisions for faculty, including qualifications, functions, organization and faculty/student ratio.
 - 6. Curriculum, including course descriptions
 - 7. Policies and procedures for student selection
 - 8. Sample form of written agreements between the school and extended learning sites
 - 9. Projected plans for the orderly expansion of the program.
- b. The nurse administrator shall submit to the Board of Nurse Examiners a written report of the tentative program plan at least five weeks prior to the scheduled Board of Nurse Examiners' meeting at which the plan is to be reviewed.

This review shall take place six months prior to the scheduled opening date of the program.

- c. The nurse administrator of the program and other administrative officers of the organization shall meet with the Board of Nurse Examiners to present the formal application and clarify and amplify materials included in the written report.
 - d. The Board of Nurse Examiners shall grant or withhold initial approval of the proposed nursing program.
 - e. Schools receiving initial approval shall:
 1. Submit course outlines to the Board for review and approval at least three months prior to offering the course, and
 2. Submit progress reports as requested by the Board of Nurse Examiners.
 - f. Survey visits shall be scheduled when deemed necessary by the Board during the period of initial approval.
3. A school shall be surveyed to assess its eligibility for full approval at least four months prior to graduation of the first class.
- S. Criteria for approved refresher course.
1. Philosophy, purpose and objectives.
 - a. Philosophy, purpose and objectives of the course shall be clearly stated and available in written form. They shall be consistent with the definition of nursing.
 - b. Objectives reflecting the philosophy of the school shall be stated in behavioral terms and describe the capabilities and competencies of the graduate.
 2. Nurse faculty.
 - a. All faculty shall hold a current license to practice as a registered nurse in the Commonwealth.
 - b. All faculty shall be qualified academically and professionally for their respective areas of responsibility.
 - c. There shall be an adequate number of qualified faculty to develop and implement the program and to achieve the stated objectives. The maximum faculty/student ratio in the clinical area shall be 1 to 12. Exceptions shall be justified to and approved by the Board of Nurse Examiners.

3. Course content.

- a. The course content, length, methods of instruction and learning experiences shall be consistent with the philosophy and objectives of the course. Outlines and descriptions of all learning experiences shall be available in writing.
 - b. The course content shall include, but not be limited to, a minimum of eighty hours of theory in current basic concepts of:
 1. Nursing process
 2. Pharmacology
 3. Review of the concepts in the areas of:
 - A. Contemporary nursing including legal expectations; and
 - B. Basic communications and observational practices needed for identification, reporting, and recording patient needs; and
 - C. Basic physical, biological and social sciences necessary for practice.
 4. Reviewing and updating basic nursing knowledge necessary for assisting people with:
 - A. Maintenance of physical and mental health throughout life span; and
 - B. Medical/surgical problems; and
 - C. Behavioral problems; and
 - D. Problems of development and aging.
 - c. The course shall include a minimum of one hundred hours of clinical practice in the areas listed in subsection (b) above. Exceptions shall be justified to and approved by the Board.
 - d. Examinations shall be given to measure knowledge of content.
 - e. Methods shall be used to measure the student's achievement of the stated clinical objectives.
4. The course shall be periodically evaluated by faculty and students.
 5. Admission requirements.
 - a. Requirements for admission shall be available in writing.

- b. All students shall hold a current valid limited educational license approved by the Board of Nurse Examiners.
7. Refresher courses taken outside the Commonwealth shall be reviewed individually for approval by the Board of Nurse Examiners.
- T. Requirements relative to continuing education for nurses.
1. To obtain an active license for the next renewal period, the licensee shall be required to submit documentation, using the renewal application form, that the requirements for continuing education as prescribed by the Board of Nurse Examiners have been met.
 - a. Continuing education to be counted for license renewal purpose must have been completed by April 30 of the year of license expiration.
 - b. All continuing education to be used for license renewal purposes must have been conducted by a Board of Nurse Examiners approved provider. Such provider must meet the criterial below.
 1. Definitions:
 - A. Program: Several related courses with the overall objective of preparation or continuing education of nurses who will be capable of functioning safely in practice.
 - B. Course: A series of class sessions devoted to one specific subject area, e.g. administration of oral medications. Each course may include a number of specific topics that must be taught.
 - C. Course outline: The general, over-all description of a total course, plus outlines of specific segments of a course devoted to specific topics.
 - D. Provider: The individual, groups of individuals, or agency conducting a training program or course and offering such course to legitimate candidates.
 - E. Continuing education hour: For continuing education purposes an hour shall refer to:
 - 1) Fifty minutes of lecture or equivalent classroom presentation or activity.
 - 2) Three hours of clinical practice or laboratory activity.
 2. Administration of provider agency.
 - A. The institution or agency conducting the training

program or course shall have a sound organizational pattern that allows for the implementation of the objectives of the program.

- B. Financial support shall be adequate to provide for the full achievement of the stated objectives.
- C. Provider shall maintain records of educational offerings and shall provide candidate with certificate or other evidence of having satisfactorily achieved learning objectives of the program course.

3. Instructional staff.

- A. The number and qualifications of the instructional staff shall be such as to ensure effective performance of their functions, as defined by the requirements of the program, course, or series of courses.
- B. Nursing courses shall be taught by qualified nursing instructors, with specialized preparation in the subject specified by the objectives.

4. To qualify as a Board provider, such provider must request approval from the Board of Nurse Examiners using a form provided by the Board.

- A. The Board of Nurse Examiners, at its discretion, may approve continuing education offerings already approved by other official agencies, such as other State Boards of Nursing or the American Nurses Association.

U. Requirements relating to continuing education for nurses.

1. To obtain an active license for the next renewal period, the licensee shall be required to submit documentation on the renewal application form that the requirements prescribed by the Board of Nurse Examiners have been met by an approved provider. All continuing education requirements must be completed by April 30 of the license expiration year.

2. Criteria for courses that require Board of Nurse Examiners approval.

a. Definitions.

i. Program - a program consists of several related courses and has as its objective the preparation of nurses who will be capable of functioning safely as a nurse.

ii. Course - a course consists of a series of class sessions devoted to one specific subject area, e.g. administration of oral medications. Each course may include a number

of specific topics that must be taught.

iii. Course outline - course outline may refer to the general, over-all description of the total course, or it may refer to the outline for a segment of the course that is devoted to a specific topic.

b. Accreditation or approval by other organizations.

The institution or agency conducting the training program or course, as well as the institutions or agencies cooperating with the program, shall be licensed or approved by the Board of Nurse Examiners.

c. Administration.

i. The institution or agency conducting the training program or course shall have a sound organizational pattern that allows for the implementation of the objectives of the program.

ii. Financial support shall be adequate to provide for the full achievement of the stated objectives.

iii. The administrative control of the training program or course shall be centered in the registered nurse director.

d. Instructional staff.

i. The director of the training program or course shall be a registered nurse who is qualified through academic preparation and experience for the responsibilities of the position. The director must be currently licensed to practice as a registered nurse in the Commonwealth.

ii. The number and qualifications of the instructional staff shall be such as will ensure effective performance of their functions and the achievement of the objectives of the program or course. Registered nurses shall serve as instructors.

The ~~V - D~~ ~~Disciplinary~~ ~~Actions~~ ~~and~~ ~~Violations~~ ~~of~~ ~~Law~~ ~~&~~ ~~Penalties~~
elaboration.

Dec. 12, 1983

DATE

Delfina V. Manibusan

Delfina V. Manibusan
Chairperson, Commonwealth Board of
Nurse Examiners

Filed this 13th day of

Dec. 19 83.

PUBLIC NOTICE

Office of Registrar of Corporations
Commonwealth of the Northern Mariana Islands

Revenue and Taxation Ruling 83-001

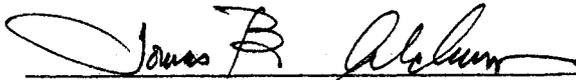
The Department of Finance has embarked to implement "interpretive regulation" such as rulings which would have general applicability to individuals and businesses, or a specific line of merchants, e.g., manufacturers, wholesalers, shippers, or retailers, with respect to taxes under Public Law (P.L.) 3-11, as amended.

The purpose of Revenue and Taxation Ruling 83-001 is to disclose the interpretation of the definition and applicability of Section 104(n) of Chapter I, Section 303 of Chapter III, of P.L. 3-11, as amended, which generally affects manufacturers, restaurants, food catering services, and bakeries.

However, we do invite all individuals to comment for or against Revenue and Taxation Ruling 83-001 within 30 days from the date of publication at the Commonwealth Register. If necessary, a public hearing can be scheduled upon request. A copy of this ruling can be obtained at the Office of the Director of Finance at Capitol Hill, or write to:

Director of Finance
Office of the Governor
Commonwealth of the Northern Mariana Islands
Saipan, CM 96950

Request for hearing or written comments should be forwarded to the Director of Finance.



Tomas B. Aldan
Director of Finance

12/13/83

Date

Revenue and Taxation Ruling 83-001

I Dipattamenton Finansiat ha tutuhon muna'guaha "eksplikasion areklamento" tatkomu areklo ni hiniratmente tinitika' petsona siha yan bisnis, osino kumetsio, fakteria pat fabrikante, manbebende fektos gi dangkolo na kantida, manbebende fektos gi dididi' na kantida yan mannana'hanao katga gi ginaggagao taks gi papa' i ma'amenda na lain pupbliku (P.L.) 3-11.

I propositon este i Revenue and Taxation Ruling 83-001 i pot para u baba i eskplikasion i fundamento gi tinitika' na Seksiona 104(n) Kapitulu I, Seksiona 303, Kapitulu III, gi ma'amenda na lain pupbliku 3-11 ni hiniratmente tinitika' todu fabrikante pat fakteria, sagan chumocho, setbision mama'tinas nengkanno' yan panaderia.

Sinembatgo, in kombibida todu petsona siha para u na'fanmanungo' ham pot i sinientenniha pot este na asunto gi halom i trenta (30) dias despues di mapupblika gi Commonwealth Register. Yanggen prisisu, sina mana'guaha inekkungok pupbliku lao depende gi minalago'. Sina manule' hao kopia pot este na areklo gi ofisinan i Direktot Finansiat gi Capitol Hill, osino tugi'i i sigiente:

Director of Finance
Office of the Governor
Commonwealth of the Northern Mariana Islands
Saipan, CM 96950

Yanggen malago' hao na u guaha inekkungok osino tinige' pot este na asunto debi u mana'hanao guatu gi Direktot Finansiat.



Tomas B. Aldan
Director of Finance

12/13/83

Fecha

ALLEGHUL REVENUE ME TAXATION -83-001

Bwulasiyool Finance e ayoora "sassalil Allegh" sibwe ira llo1 alleghul towlap me school business reel igha rebwe mmwel llo1 allegh kkaal. Ngaliir schookka sibwe ira, manufacturer, school fakteriiya, wholesalers, school akkamelo, shippers, school akkafang me ngare retailers. Sangi alleghul towlap 3-11 igha aa lliwel.

Tungor yeel nge bwelle igha rebwe attafa fischi Peigh ye 104(n) mellol Chapter I, me Peigh ye 303 mellol Chapter III, sangi Alleghul Towlap ye 3-11 igha aa lliwelo nge e afektaar schookkaal, school fakteriiya, school akkamello1 uul me mwungo, school isiswowul mwungo me school ffeerul postiri.

Iwe re kka tungor ngaliir alongeer schookka eyoor tipeer llo1 allegh ye 83-001 bwe rebwe ayoor 30 ral sangi raalil ye e toolong llo1 Commonwealth Register. Ngare ow tipeli emmwel rebwe ayoor Public Hearing. Emmwel owbwe bwughi scheel arongorong yeel me bwulasiyool Finance me ngare isch ngali:

Director of Finance
Office of the Governor
Commonwealth of the Northern Mariana Islands
Saipan, CM 96950

Yaami tungor me mangemang reel allegh yeel nge owbwe afangalo reel samwoolul Finance.



Tomas B. Aldan
Samwoolul Finance

12/13/83

Ral



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

CABLE ADDRESS
GOV. NMI SAIPAN

Revenue and Taxation Ruling 83-001

Issue

Are Restaurants, Bakeries and Food Services Industry including food catering services exempt by Section 303, Chapter III of Public Law (P.L.) 3-11 as amended?

Facts

The information gathered herein is provided by the Division of Revenue and Taxation extracted from a return filed under protest by taxpayer "A". A is in business of food preparation providing breakfast and lunch to Public Schools. A's contention is that food preparation is a manufacturing concern and should be treated for tax purposes under Section 303, Chapter III of P.L. 3-11 as amended. The nature of the business activity is similar to that of a restaurant - food preparation for immediate consumption. An analogy that fits it perfectly is beverage preparation in a bar - a drink is mixed for immediate consumption. This portion applies to food catering services too. Where the food is prepared also for immediate consumption.

The bakery to an extent is uniquely similar and therefore compatible with those food industries which prepares and packs preserved fruits, vegetables, and processed foods such as snacks and others. In many cases, bakery's income is a composite of baked products, sales of bakery ornaments, providing baking or roasting services to outsiders, and most of all, sales deriving from snack-bar or amusement machines within the snack bar both within the bakery complex.

Law(s)

Section 104(n), defines manufacturer as "any business engaged in combining or processing components or materials to increase their value for sale in the ordinary course of business".

Section 303, provides an exemption for manufacturers from paying gross revenue tax under Section 301, but shall be taxed at the maximum rate of 2%.

Analysis

As always the case, laws are customarily constructed in broad terms allowing for rules and regulations, policies, procedures and other means to accommodatively suit the circumstances or the nature at which the law is being imposed upon. This is always true if not provided for, specifically.

Section 104(n) is a classic example which permits intrinsic ambiguity. However, as the regulation went as near as possible to close the gap, there is still room for clarity. Manufacturer or manufacture as defined under P.L. 3-11 as amended and its regulation thereunder failed to clearly define the type of business that would be applicabled therein. Instead, it provides a "shot gun" approach. It is the intend of the bill (HB 144, HD1, SD2) to segregate manufacturer from other line of businesses as those in the art of processing. e.g. Furniture manufacturing, garment manufacturing, cement block manufacturing, food packaging such as rice crackers, dried squid, potatoe chips, and other snacks, and also included bakery-bakery in an organized fashion.

Section 303 is not at all interpretive as to the definition of manufacturer or manufacturing, but rather provides for the tax rate.

Holding

- 1) Taxpayer A (Food Services) does not fall within the definition of the law as a manufacturer, this includes food catering service;
- 2) Restaurants are not covered/included under Section 303;
- 3) Well organized bakeries are exempt pursuant to Section 303 to the extend of sales deriving from baked products. Snack bar sales and amusement machines income within the bakery complex, is excluded, as well as income for providing bakery services to outsiders, e.g., roast pig, roast chicken, sales of imported bakery ornaments and baking implements.


Director of Finance

Date: 12/15/83