

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1907

By: Lamb

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5
6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2001, Sections 567.5 and 567.6, as
9 amended by Sections 2 and 3, Chapter 190, O.S.L. 2003
10 (59 O.S. Supp. 2007, Sections 567.5 and 567.6), which
11 relate to nurses; modifying certain penalty; and
12 providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 59 O.S. 2001, Section 567.5, as
15 amended by Section 2, Chapter 190, O.S.L. 2003 (59 O.S. Supp. 2007,
16 Section 567.5), is amended to read as follows:

17 Section 567.5 A. An applicant for a license to practice as a
18 registered nurse shall submit to the Oklahoma Board of Nursing
19 certified written evidence that the applicant:

20 1. Has completed the basic professional curricula of a school
21 of nursing approved by a state board of nursing, and holds or is
22 entitled to hold a diploma or degree therefrom;

23 2. Has never been convicted in this state, the United States or
24 another state of any felony, unless five (5) years have elapsed
since the date of the criminal conviction or the termination of any

1 probation or other requirements imposed on the applicant by the
2 sentencing court, whichever shall last occur, or a presidential or
3 gubernatorial pardon for the criminal offense has been received,
4 provided that the provisions of this paragraph shall not be
5 effective until November 1, 2003;

6 3. Has submitted a criminal history records search conducted by
7 the Oklahoma State Bureau of Investigation that is not more than
8 ninety (90) days old; and

9 4. Has met such other qualifications as the Board may prescribe
10 in its rules.

11 An applicant for a license shall be required to pass a written
12 examination in such subjects as the Board may determine. Upon
13 successfully passing such an examination, the Board shall issue to
14 the applicant a license to practice as a registered nurse. An
15 applicant who fails such examination shall be subject to
16 reexamination according to the rules of the Board. The passing
17 criteria shall be established by the Board in its rules.

18 B. The Board may issue a license to practice nursing as a
19 registered nurse without examination to an applicant who has been
20 duly licensed as a registered nurse under the laws of another state,
21 territory, the District of Columbia or a foreign country, if such
22 applicant meets the qualifications required for licensing as a
23 registered nurse in this state.

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1 C. Any person who holds a license to practice as a registered
2 nurse in this state shall have the right to use both the title
3 "Registered Nurse" and the abbreviation "R.N." No other person
4 shall assume such title or use such abbreviation, or any other
5 words, letters, signs or figures to indicate that the person using
6 the same is a registered nurse. Any individual ~~doing so~~ violating
7 the provisions of this subsection shall be guilty of a ~~misdemeanor~~
8 felony, which shall be punishable, upon conviction, by imprisonment
9 in the ~~county jail~~ custody of the Department of Corrections for a
10 term of not more than one (1) year two (2) years or by a fine of not
11 less than ~~One Hundred Dollars (\$100.00) nor more than One Thousand~~
12 Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00),
13 or by both such imprisonment and fine ~~for each offense~~.

14 SECTION 2. AMENDATORY 59 O.S. 2001, Section 567.6, as
15 amended by Section 3, Chapter 190, O.S.L. 2003 (59 O.S. Supp. 2007,
16 Section 567.6), is amended to read as follows:

17 Section 567.6 A. An applicant for a license to practice as a
18 licensed practical nurse shall submit to the Oklahoma Board of
19 Nursing certified evidence that the applicant:

20 1. Has received a high school diploma or a graduate equivalency
21 degree;

22 2. Has successfully completed the prescribed curricula in a
23 state-approved program of practical nursing and holds or is entitled
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1 to hold a diploma or certificate therefrom, or equivalent courses in
2 a state-approved program of nursing;

3 3. Has never been convicted in this state, the United States or
4 another state of any felony, unless five (5) years have elapsed
5 since the date of the criminal conviction or the termination of any
6 probation or other requirements imposed on the applicant by the
7 sentencing court, whichever shall last occur, or a presidential or
8 gubernatorial pardon for the criminal offense has been received,
9 provided that the provisions of this paragraph shall not be
10 effective until November 1, 2003;

11 4. Has submitted a criminal history records search conducted by
12 the Oklahoma State Bureau of Investigation that is not more than
13 ninety (90) days old; and

14 5. Has met such other reasonable preliminary qualification
15 requirements as the Board may prescribe.

16 The applicant for a license to practice as a licensed practical
17 nurse shall be required to pass a written examination in such
18 subjects as the Board may require. Upon successfully passing such
19 examination the Board shall issue to the applicant a license to
20 practice as a licensed practical nurse. An applicant who fails such
21 examination shall be subject to reexamination according to the rules
22 of the Board. The passing criteria shall be established by the
23 Board in its rules.

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1 B. The Board may issue a license to practice as a licensed
2 practical nurse without examination to any applicant who has been
3 duly licensed or registered as a licensed practical nurse, or is
4 entitled to perform similar services under a different title,
5 according to the laws of another state, territory, the District of
6 Columbia or a foreign country if such applicant meets the
7 requirements for licensed practical nurses in the State of Oklahoma.

8 C. Any person holding a license to practice as a licensed
9 attendant issued by the Board, which is valid on July 1, 1953, shall
10 be deemed to be a licensed practical nurse under the provisions of
11 this act.

12 D. Any person who holds a license to practice as a licensed
13 practical nurse in this state shall have the right to use both the
14 title "Licensed Practical Nurse" and the abbreviation "L.P.N." No
15 other person shall assume such title or use such abbreviation or any
16 other words, letters, signs, or figures to indicate that the person
17 using the same is a licensed practical nurse.

18 Any individual ~~doing so~~ violating the provisions of this
19 subsection shall be guilty of a ~~misdemeanor~~ felony, which shall be
20 punishable, upon conviction, by imprisonment in the ~~county jail~~
21 custody of the Department of Corrections for a term of not more than
22 ~~one (1) year~~ two (2) years or by a fine of not less than ~~One Hundred~~
23 ~~Dollars (\$100.00)~~ nor more than One Thousand Dollars (\$1,000.00) nor

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1 more than Five Thousand Dollars (\$5,000.00), or by both such
2 imprisonment and fine for each offense.

3 SECTION 3. This act shall become effective November 1, 2008.

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