

**WSR 23-11-143**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
(Nursing Care Quality Assurance Commission)  
[Filed May 24, 2023, 7:35 a.m.]

Subject of Possible Rule Making: Initial licensure via an out-of-state traditional nursing education program approved by another United States Nursing Board, applicants applying via interstate endorsement, and other related licensure requirements. The nursing care quality assurance commission (commission) is considering amending WAC 246-840-030, 246-840-090, and other rule sections related to licensure requirements for registered nurses (RN) and licensed practical nurses (LPN).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.010 and 18.79.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission is considering amendments to WAC 246-840-030, 246-840-090, and other related rule sections to clarify specific licensing requirements for RN and LPN applicants. The rules as currently written state that a nurse who has graduated from another state's approved nursing program or from a substantially equivalent program may be licensed. The commission became aware that certain nursing programs in Florida and elsewhere had programs that were fraudulently granting diplomas. The commission is considering amending these rules to ensure that the rules cannot be read to mean that because their fraudulent nursing program was approved by another state, the commission must accept it and license these individuals. The commission must protect the people of Washington by only licensing qualified, properly trained nurses. As a preliminary step, the commission has filed emergency rules to address these amendments and assess whether to make the emergency rule language permanent or add additional language to set clear minimum standards for RN and LPN licensure.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Other [no further information supplied by agency].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jessilyn Dagum, P.O. Box 47864, Olympia, WA 98504-7864, phone 360-236-3538, fax 360-236-4738, TTY 711, email NCQAC.Rules@doh.wa.gov, website [www.nursing.wa.gov](http://www.nursing.wa.gov).

Additional comments: The commission will notify interested parties of rule making by posting information on the department of health website, the commission website, and by use of GovDelivery. Interested parties may sign up to receive commission rule-making notices at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. The commission will hold virtual meetings at varying times to encourage participation.

May 24, 2023  
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Nursing Care Quality Assurance Commission