



## Primer: NLC Sharing of Information Related to Investigations and Reciprocal Actions

An important purpose of the Nurse Licensure Compact is to ensure and to encourage cooperation among party states in the areas of nurse licensure and regulation.<sup>1</sup> Participation in the Compact promotes the health and safety of the public by enforcing uniform nurse licensure requirements while fostering compliance with compact laws and laws governing the practice of nursing in each jurisdiction.<sup>2</sup> A party state demonstrates cooperation with the Compact by facilitating the exchange of information between party states in the areas of nurse regulation, investigation and adverse actions.<sup>3</sup> Sharing information between party states improves efficiency while encouraging a party state's responsibility to protect the public's health and safety.<sup>4</sup>

A mandatory tool to aid Compact states in the exchange of information is through utilization of the coordinated licensure information system (Nursys).<sup>5</sup> Nursys is an integrative system for collecting, storing and sharing information on nurse licensure and enforcement activities related to nurse licensure laws. When a licensing board party state is in possession of current significant investigative information that justifies more than a minor infraction or indicates an immediate threat to the public health and safety, the licensing board party state must promptly report this information into Nursys.<sup>6</sup> In addition, a licensing board party state must produce all investigative documents and information requested by another party state.<sup>7</sup> Any information contributed to Nursys that is required to be expunged by laws of the party state contributing that information shall also be expunged from Nursys.<sup>8</sup>

Licensing board party states have authority to complete any pending investigations of a nurse who changes primary state of residence during the course of investigations, issue subpoenas for both hearings and investigations that require attendance and testimony of witnesses as well as production of evidence.<sup>9</sup> Subpoenas issued by a licensing board in a party state for the attendance and testimony of witnesses or production of evidence from another party state shall be enforced in the latter state by any court of competent jurisdiction, according to practice and procedure of that court applicable to subpoenas issued in proceedings pending before it.<sup>10</sup> The issuing authority shall pay any witness fees,

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<sup>1</sup> NLC, Article I (b)

<sup>2</sup> NLC, Article I (a) & (b)

<sup>3</sup> NLC, Article I (b)

<sup>4</sup> NLC, Article I (a)

<sup>5</sup> NLC, Article VI

<sup>6</sup> NLC, Article VI (c)

<sup>7</sup> NLC, Article VI (i)

<sup>8</sup> NLC, Article VI (g)

<sup>9</sup> NLC, Article V (a)(3)

<sup>10</sup> NLC, Article V (a)(4)

travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence is located.<sup>11</sup>

All party states shall be authorized and in accordance with existing state law, to take adverse action against a nurse's multistate licensure privilege such as revocation, suspension, probation or any other action that affects a nurse's authorization to practice under a multistate licensure privilege, including cease and desist actions.<sup>12</sup> Party states should promptly notify Nursys of any adverse action taken.<sup>13</sup>

The Compact grants only home states the power to take adverse action against a nurse's multistate license issued by the home state.<sup>14</sup> Home states shall give the same priority and effect to reported conduct received from a party state as it would if such conduct had occurred within the home state.<sup>15</sup> In so doing, the home state shall apply its own state laws to determine appropriate action.<sup>16</sup> Home states may also take adverse action based on factual findings of the party state, provided that the home state licensing board follows its own procedures for taking such adverse action.<sup>17</sup>

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<sup>11</sup> NLC, Article V (a)(4)

<sup>12</sup> NLC, Article III (d)

<sup>13</sup> NLC, Article III (d)

<sup>14</sup> NLC, Article V (a)(1)(i)

<sup>15</sup> NLC, Article V (a)(1)(ii)

<sup>16</sup> NLC, Article V (a)(1)

<sup>17</sup> NLC, Article V (a)(7)