

Testimony to the Joint Budget Hearing on Higher Education
February 27th, 2023

Members of the Senate and Assembly Committees on Higher Education:

Thank you for the opportunity to testify in support of the Nurse Licensure Compact (NLC) today. My name is Nicole Livanos and I am the Director of State Affairs for the National Council of State Boards of Nursing (NCSBN). NCSBN is a non-profit membership organization dedicated to leading regulatory excellence. NCSBN members include nursing regulatory bodies across the country whose mandate is to protect the public. The NLC is an important regulatory solution to aid New York's current nursing workforce shortage and to modernize regulation to meet the demands of 21st century healthcare.

Modern health care delivery requires that nursing care, today and in the future, be seamless across state lines, both for in-person and telehealth nursing care delivery. The 100-year-old model of nurse licensure in New York is not flexible enough to best meet this need. The NLC, which has been successfully operational for more than 20 years, allows a registered nurse (RN) and licensed professional/ vocational nurse (LPN / VN) to hold one multistate license, with the privilege to practice in their home state and other NLC states, without obtaining additional licenses. The NLC is currently enacted in 39 U.S. jurisdictions including the neighboring states of New Jersey, Pennsylvania, and Vermont.

During Crisis

New York policymakers recognized the need for licensure flexibility from the very beginning of the pandemic. Executive action enabled nurses from other states to aid in New York's response to the pandemic. The need for these flexibilities extended beyond the pandemic action to another crisis—the current nursing workforce shortage. Governor Hochul issued and renewed Executive Order #4 since September 2021 which enabled New York to temporarily supplement its workforce, allowing nurses licensed and in good standing in other states to provide care within New York. However, this temporary solution creates an uncertain practice environment for nurses and facilities alike, the ramifications of which can be felt at the patient level. The people of New York deserve a safe, long-term solution to this pervasive problem.

Under the NLC, nurses can immediately cross borders and provide vital services to fill current gaps in care. This is imperative to aid in New York's efficient response to a crisis such as a hurricane, pandemic, or widespread staffing shortage. It is also vital as access to services such as reproductive care, primary, and mental health care are limited by other jurisdictions or growing provider

shortages. The NLC enables patients in and outside of New York to have greater access to all healthcare services.

Safe and Effective

The NLC places patient safety at the forefront. To qualify for a multistate license, a nurse must meet their home state requirements for licensure in addition to the 11 uniform licensure requirements, which were derived from the highest licensure standards in nursing practice. Thus, New York nurses will continue to meet the state's requirements for licensure and by meeting the additional licensure requirements for a multistate license, they can practice in other states party to the compact. The multistate licensure requirements include a federal criminal background check and ensuring that a nurse's license is not encumbered or under active discipline. Once a multistate license is issued, the NLC mandates communication among state nursing regulators to ensure safety and empowers regulators to act quickly in the case public protection is threatened.

Under the NLC, licensing standards and disciplinary actions remain with New York. The NLC Commission is made up of the heads of boards of nursing from each state participating in the NLC and the power of the Commission rests solely with the administration of the Compact. The Commission has no power over nursing practice or licensing standards in each state. That power continues to rest solely with that state's legislature as all licensing and discipline remain at the state level.

Modern and Flexible Licensure for New York Nurses

The multistate license will enable nurses across New York to practice across state lines, both in-person and electronically. This will reduce the burdens for nurses who already must obtain and maintain multiple licenses, such as case managers, as their job requires them to practice across state lines or those with a mobile patient population that they need to maintain continued care of. The NLC will provide immediate financial and administrative relief for these individuals.

As the telehealth industry continues to expand, so too are employment opportunities for nurses in the industry. To remain competitive in the fast-changing industry, New York nurses need licensure flexibilities that will allow them to care for patients wherever those patients may be located at their time of need.

Military Families

Military families are burdened when their family needs to relocate to a non-compact state, as any family member who is a nurse must reapply to the nursing board in the non-compact state before

working, a process that can take weeks to months. It is only fair that when we ask military families to relocate to New York – families who are already sacrificing so much – that we reduce or eliminate barriers to employment when they arrive.

Patient Access

The NLC enables greater access to care for patients across New York and states party to the compact. This is true for patients seeking primary, reproductive, and mental health care, among others. By enabling nurses to care for patients where they are located, without state borders acting as barriers, patients are able to access more nurses from home. Patients can also travel to New York for expert care and maintain continuity of care from their health care team when they return home.

The Time is Now

Last year the NLC was included in both the Governor’s Executive Budget and the Senate’s One-House Budget. This year the NLC has again been included in the Governor’s budget, and we respectfully request that the Senate and Assembly strongly consider passing the NLC as part of the budget this year.

The NLC is a permanent, safe, and proven tool to attract workers, alleviate regulatory burdens while maintaining patient safety, support military families and add flexibility at a time of great need created by the workforce crisis.

Thank you for your attention to this testimony.

Respectfully,



Nicole Livanos, JD, MPP
Director, State Affairs
NCSBN
nlivanos@ncsbn.org