March 19, 2020

On March 12, 2020, Governor Ralph Northam declared a state of emergency due to novel coronavirus (COVID-19). In the declaration, Executive Order 51, the Governor directed state agencies to render appropriate assistance to prepare for and mitigate the effects of the coronavirus (COVID-19) outbreak. In doing so, he ordered authorization for the heads of executive branch agencies, on behalf of their regulatory boards as appropriate, and with the concurrence of their Cabinet Secretary, to waive any state requirement or regulation.

Pursuant to the authority granted to the agency head by Executive Order 51 (2020), I hereby waive the below Nursing Licensure Regulations for LPNs and RNs:

- **18VAC90-19-110(C)(3)(a)** Licensure by exam.

  C. To establish eligibility for licensure by examination, an applicant for the licensing examination shall:

  3. File a new application and reapplication fee if:

     a. The examination is not taken within 12 months of the date that the board determines the applicant to be eligible

  **Waive the requirement for a new application and reapplication fee if NCLEX not taken within 12 months.**

- **18VAC90-19-110 (F)(1)** Licensure by exam.

  F. Practice of nursing pending receipt of examination results.

  1. A graduate who has filed a completed application for licensure in Virginia and has received an authorization letter issued by the board may practice nursing in Virginia from the date of the authorization letter. The period of practice shall not exceed 90 days between the date of successful completion of the nursing education program, as documented on the applicant's transcript, and the publication of the results of the candidate's first licensing examination.

  **Waive the 90-day time limit so that an applicant may practice until they are able to take the NCLEX but no later than 90 days following the expiration of the Executive Order.**
• **18VAC90-19-110 (F)(3)** Licensure by exam.

The designations "R.N. Applicant" and "L.P.N. Applicant" shall not be used by applicants beyond the 90-day period of authorized practice or by applicants who have failed the examination.

**Waive the 90-day time limit regarding usage of the designations “R.N. Applicant” and “LPN Applicant” until they are able to take the NCLEX but no later than 90 days following the expiration of the Executive Order.**

• **18VAC90-19-120 (A)(1)** Licensure by endorsement.

A. A graduate of an approved nursing education program who has been licensed by examination in another United States jurisdiction and whose license is in good standing, or is eligible for reinstatement if lapsed, shall be eligible for licensure by endorsement in Virginia provided the applicant satisfies the same requirements for registered nurse or practical nurse licensure as those seeking initial licensure in Virginia.

1. Applicants who have graduated from approved nursing education programs that did not require a sufficient number of clinical hours as specified in 18VAC90-27-100 may qualify for licensure if they can provide evidence of at least 960 hours of clinical practice with an active, unencumbered license in another United States jurisdiction.

**Waive the requirement regarding sufficient number of clinical hours and allow any student who graduated from an approved nursing education program obtain licensure by endorsement.**

This waiver does not waive statutory requirements or limitations. This waiver shall take effect on March 19, 2020, and shall remain in full force and in effect until June 10, 2020, unless otherwise outlined above, or unless sooner amended, or rescinded by further executive order.

David E. Brown, D.C.
Director