

Subject Nurse Licensure Compact

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Overview

The Nurse Licensure Compact allows a registered nurse or licensed practical nurse/vocational nurse licensed in the nurse's home state, if that home state is a member of the compact, to practice under a multistate license in other states that are members of the compact. States become members of the compact, or party states, by enacting legislation adopting the compact. This bill would enact the Nurse Licensure Compact in Minnesota and would make Minnesota a party state.

Summary

Section	Description
1	Nurse Licensure Compact. Adds § 148.2855. Enacts the Nurse Licensure Compact into law in Minnesota.
Article 1: Definitions	
Defines terms for the Nurse Licensure Compact: adverse action, alternative program, coordinated licensure information system, current significant investigative information, encumbrance, home state, licensing board, multistate license, multistate licensure privilege, nurse, party state, remote state, single-state license, state, state practice laws.	

Article 2: General Provisions and Jurisdiction

Para. (a) provides that a multistate license to practice registered nursing or licensed practical/vocational nursing issued by a home state to a resident will be recognized by each party state as authorizing a nurse to practice under a multistate licensure privilege.

Para. (b) requires a state to implement procedures to consider criminal history records of applicants for an initial multistate license or licensure by endorsement.

Section	Description
	Para. (c) lists requirements a party state must require an applicant to meet to obtain or retain a multistate license in the home state.
	Para. (d) allows party states to take adverse action against a nurse's multistate licensure privilege; requires a party state to notify the coordinated licensure information system if it takes such action; and requires the administrator of the coordinated licensure information system to notify the nurse's home state of adverse actions taken by remote states.
	Para. (e) requires a nurse practicing in a party state to follow the state practice laws of the state where the client is located when services are provided. Specifies the practice of nursing in a party state under a multistate licensure privilege subjects a nurse to the jurisdiction of the licensing board, courts, and laws of the party state where the client is located.
	Para. (f) allows an individual not living in a party state to apply for a party state's single-state license, but provides a single-state license will not grant the individual the privilege to practice in any other party states.
	Para. (g) allows a nurse holding a home state multistate license when the compact becomes effective to retain and renew the multistate license issued by the nurse's then-current home state, and establishes requirements for nurses who change their primary state of residence or who fail to meet the multistate licensure requirements due to a disqualifying event.

Article 3: Applications for Licensure in a Party State

Para. (a) requires the licensing board in the issuing party state to determine, through the coordinated licensure information system, whether an applicant for a multistate license holds or has held a license issued by any other state and whether any other state has taken adverse action against the applicant's license or multistate licensure privilege.

Para. (b) allows a nurse to hold a multistate license issued by the home state in only one party state at a time.

Para. (c) requires a nurse who moves from one party state to another party state to apply for licensure in the new home state, and deactivates the multistate license issued by the prior home state.

Para. (d) provides if a nurse moves from a party state to a nonparty state, the multistate license issued by the prior home state converts to a single-state license that is valid only in the former home state.

Article 4: Additional Authorities Invested in Party State Licensing Boards

Para. (a) lists additional authority granted to state licensing boards related to taking adverse actions, issuing cease and desist orders, conducting investigations, issuing subpoenas, obtaining fingerprints and other biometric information to submit to the FBI for a criminal background check, recovering investigation costs, and taking adverse action against a nurse's license based on findings of a remote state.

Para. (b) provides if a home state takes adverse action against the nurse's multistate license, a nurse's multistate licensure privilege to practice in all party states is deactivated until all encumbrances are removed from the multistate license.

Para. (c) provides the compact does not override a party state's decision that a nurse may participate in an alternative program instead of having adverse action taken. Requires the home state licensing board to deactivate a nurse's multistate licensure privilege while a nurse is participating in an alternative program.

Article 5: Coordinated Licensure Information System and Exchange of Information

Para. (a) requires all party states to participate in a coordinated licensure information system of registered nurses and licensed practical nurses. Specifies the system includes information on licensure and the disciplinary history of each nurse, as submitted by party states.

Para. (b) requires the Interstate Commission of Nurse Licensure Compact Administrators to develop procedures for the identification, collection, and exchange of information under the compact.

Para. (c) requires all licensing boards to report to the coordinated licensure information system, adverse actions taken, current significant investigative information, denials of applications for licensure, and nurse participation in alternative programs.

Para. (d) specifies current significant investigative information and participation in nonpublic or confidential alternative programs shall be transmitted through the information system only to party state licensing boards.

Para. (e) allows party state licensing boards contributing information to the information system to designate information that may not be shared with nonparty states or disclosed without express permission of the contributing state.

Para. (f) prohibits personally identifiable information obtained by a party state from the information system from being shared with nonparty states or disclosed to other entities, except as permitted by the laws of the party state that contributed the information.

Section	Description
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Para. (g) requires information contributed to the information system that is later required to be expunged under the laws of the party state contributing that information, to also be expunged from the information system.

Para. (h) requires the compact administrator of each party state to provide a uniform data set to the compact administrator of each other party state, and specifies what the data set must include at a minimum.

Para. (i) requires the compact administrator of a party state to provide information and investigative documents requested by another party state.

Article 6: Establishment of Interstate Commission of Nurse Licensure Compact Administrators

Para. (a) specifies the party states establish a joint public entity known as the Interstate Commission of Nurse Licensure Compact Administrators.

Para. (b) provides for membership, voting, and meetings of the commission.

Para. (c) requires the commission to adopt bylaws or rules to carry out the commission's purposes and duties and lists topics on which bylaws or rules must be adopted.

Para. (d) requires the commission to publish its bylaws, rules, and amendments on its website.

Para. (e) requires the commission to maintain financial records.

Para. (f) requires the commission to meet and act in a manner that is consistent with the compact and its bylaws.

Para. (g) lists powers of the commission.

Para. (h) specifies financing of the commission.

Para. (i) provides for qualified immunity, defense, and indemnification of employees and representatives of the commission.

Article 7: Rulemaking

Specifies the process the commission must use to adopt rules.

Article 8: Oversight, Dispute Resolution, and Enforcement

Para. (a) requires each party state to enforce the compact, and provides the commission is entitled to receive service of process in any proceeding that affects the commission's powers or responsibilities.

Section	Description
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Para. (b) establishes consequences for a party state and requirements for the commission if the party state defaults in its compact obligations or responsibilities.

Para. (c) establishes provisions governing resolution of disputes between party states and between party states and nonparty states.

Para. (d) authorizes the commission to enforce the compact and rules adopted under it.

Article 9: Effective Date, Withdrawal, and Amendment

Para. (a) provides the compact becomes effective the earlier of enactment of the compact by 26 states, or December 31, 2018. Provides party states to this compact that were also party states to the prior compact, are deemed to have withdrawn from the prior compact within six months after the effective date of this compact.

Para. (b) requires a party state to this compact to continue to recognize a nurse's multistate licensure privilege issued under the prior compact until the party state has withdrawn from the prior compact.

Para. (c) permits a party state to withdraw from the compact by enacting a law.

Para. (d) provides a party state's withdrawal from the compact does not affect the requirement of that state's licensing board to report to the commission, adverse actions or significant investigations that occurred before the withdrawal.

Para. (e) provides this compact does not invalidate other cooperative arrangements regarding nurse licensure between a party state and nonparty state that are made according to other provisions in this compact.

Para. (f) allows the compact to be amended by the party states.

Para. (g) allows representatives of nonparty states to participate in commission activities on a nonvoting basis.

Article 10: Construction and Severability

Requires the compact to be liberally construed to effectuate its purposes. Specifies provisions of the compact are severable, and that if any provision of the compact is found to be contrary to the federal constitution or the constitution of a party state, the remainder of the compact remains in effect. Also specifies if the compact is found to be contrary to the constitution of any party state, the compact remains in effect for the remaining party states.

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2	Application of Nurse Licensure Compact to existing laws.
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Adds § 148.2856. Provides the Nurse Licensure Compact does not supersede existing labor laws. If the Board of Nursing takes action against an individual's multistate privilege, requires the board to follow the procedures in chapter 14 for contested case hearings and judicial review of contested cases. Allows the board to take action against a nurse's multistate privilege based on any statute permitting or requiring the board to take disciplinary action, and allows the board to impose disciplinary and corrective actions authorized in law. Requires nurses practicing in Minnesota under a multistate privilege to cooperate with board investigations. Specifies the procedures in chapter 214 for investigating complaints and for imposing disciplinary or corrective action due to substantiated maltreatment, apply to nurses practicing in Minnesota under a multistate privilege.

3	Appropriation.
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Makes a blank appropriation in fiscal year 2026 from the state government special revenue fund to the Board of Nursing to implement the Nurse Licensure Compact.



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