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REGULATIONS COMPILER

GENERAL GOVERNMENT CABINET

Board of Nursing

(Amendment)

201 KAR 20:506. Nurse licensure compact.

RELATES TO: KRS 314.475

STATUTORY AUTHORITY: KRS 314.131, 314.475

CERTIFICATION STATEMENT: : This certifies that this administrative regulation complies with the requirements of KRS 13A.105(2)(a) because the amendments to this regulation will not have a major economic impact.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.475, Article I(c)2 requires the Board of Nursing to review any rule adopted by the Interstate Commission of Nurse Licensure Compact Administrators pursuant to Article VIII of KRS 314.475 within sixty (60) days of adoption for the purpose of filing the rule as an emergency administrative regulation pursuant to KRS 13A.190 and for filing the rule as an accompanying ordinary administrative regulation pursuant to KRS Chapter 13A. This administrative regulation incorporates by reference the rules adopted by the Interstate Commission of Nurse Licensure Compact Administrators and the bylaws.

Section 1. The Kentucky Board of Nursing shall comply with all bylaws, rules, and administrative regulations of the Interstate Commission of Nurse Licensure Compact Administrators, which includes The Interstate Commission of Nurse Licensure Compact

Administrators, Final Rules as of January 1, 2024, and Bylaws adopted August 3, 2017, amended August 15, 2017, March 25, 2019, and March 27, 2023.

Section 2. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "The Interstate Commission of Nurse Licensure Compact Administrators, Final Rules", January 2024; and

(b) "The Interstate Commission of Nurse Licensure Compact Administrators, Bylaws", October 2024[~~March 2023~~].

(2)(a) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222, Monday through Friday, 8 a.m. to 4:30 p.m.; or

(b) This material may also be obtained on the Kentucky Board of Nursing's Web site at https://kbn.ky.gov/document-library/Pages/default.aspx [~~https://kbn.ky.gov/Licensure/Pages/nurse-licensure-compact.aspx~~].

(3) This material may also be obtained at:

(a) The Interstate Commission of Nurse Licensure Compact Administrators, 111 East Wacker Drive, Suite 2900, Chicago, IL 60601; or

(b) https://www.nursecompact.com/[~~https://www.ncsbn.org/nlcrules.htm~~].

Amended Administrative Regulation

201 KAR 20:506. Nurse licensure compact.

Adopted: October 22, 2026

Audria Denker, DNP, RN, FAADN

Audria Denker, President
Kentucky Board of Nursing

October 22, 2026
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on January 26, 2027, at 10:00 AM at Kentucky Board of Nursing, 312 Whittington Parkway, Ste 300, Louisville, KY 40222. Individuals interested in being heard at this hearing shall notify this agency in writing by January 19, 2027, five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through January 31, 2027. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person or submit a comment at: https://secure.kentucky.gov/formservices/Nursing/PendReg.

CONTACT PERSON:
Jeffrey R. Prather, General Counsel
Kentucky Board of Nursing
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Louisville, KY 40222
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REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 20:506
Contact Person: Jeffrey Prather
Phone: (502) 338-2851
Email: Jeffrey.prather@ky.gov

Subject Headings:

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation implements KRS 314.475, the Nurse Licensure Compact.

(b) The necessity of this administrative regulation: This administrative regulation is necessary because KRS 314.475, Article I(e)(2) requires rules adopted by the Interstate Commission of Nurse Licensure Compact Administrators to be promulgated as administrative regulations pursuant to KRS Chapter 13A.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation conforms to the content of KRS 314.475, which requires this promulgation.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation assists in the effective administration of the statutes by following the mandate contained in KRS 314.475, Article I(e)(2).

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment updates the material incorporated by reference, by replacing "The Interstate Commission of Nurse Licensure Compact Administrators, Bylaws", March 2023 version with the "The Interstate Commission of Nurse Licensure Compact Administrators, Bylaws", October 2024 version.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary because KRS 314.475, Article I(e)(2) requires rules adopted by the Interstate Commission of Nurse Licensure Compact Administrators to be promulgated as administrative regulations pursuant to KRS Chapter 13A.

(c) How the amendment conforms to the content of the authorizing statutes: This amendment conforms to the content of KRS 314.475, which requires this promulgation.

(d) How the amendment will assist in the effective administration of the statutes: This amendment assists in the effective administration of the statutes by following the mandate contained in KRS 314.475, Article I(e)(2).

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Nurses regulated by the Kentucky Board

of Nursing.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: None.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): None.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): The nurses will be in compliance with legal requirements.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None.

(b) On a continuing basis: None.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Agency funds.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No new fees or funding are necessary.

(9) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No new fees are established.

(10) TIERING: Is tiering applied? Tiering is not applied.

FISCAL IMPACT STATEMENT

201 KAR 20:506
Contact Person: Jeffrey R. Prather
Phone: (502) 338-2851
Email: Jeffrey.prather@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation: KRS 314.131 and KRS 314.475.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: KRS 314.131 and KRS 314.475.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: Kentucky Board of Nursing.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:
   For the first year: None.
   For subsequent years: None.
2. Revenues:
   For the first year: None.
   For subsequent years: None.
3. Cost Savings:
   For the first year: None.
   For subsequent years: None.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): None.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:
   For the first year: None.
   For subsequent years: None.
2. Revenues:
   For the first year: None.
   For subsequent years: None.
3. Cost Savings:
   For the first year: None.
   For subsequent years: None.

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): Nurses licensed by the board.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:
   For the first year: None.

For subsequent years: None.

2. Revenues:

For the first year: None.

For subsequent years: None.

3. Cost Savings:

For the first year: None.

For subsequent years: None.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: There will not be a fiscal impact on the entities.

(b) Methodology and resources used to reach this conclusion: None.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14): There will not be a major economic impact.

(b) The methodology and resources used to reach this conclusion: None.

Summary of Material Incorporated by Reference

201 KAR 20:506. Nurse licensure compact.

Summary of Material Incorporated by Reference

The following materials incorporated by reference are scope and standard statements from nationally established organizations pursuant to KRS 314.011(8) and KRS 314.193.

(a) "The Interstate Commission of Nurse Licensure Compact Administrators, Final Rules", January 2024; and

(b) "The Interstate Commission of Nurse Licensure Compact Administrators, Bylaws", October 2024[~~March 2023~~].

Summary of Changes to Material Incorporated by Reference

The treatise incorporated by Section 2(b), "The Interstate Commission of Nurse Licensure Compact Administrators, Bylaws", March 2023, will be wholly replaced by the more recent version, "The Interstate Commission of Nurse Licensure Compact Administrators, Bylaws", October 2024, consisting of ten (10) pages.

The Interstate Commission of Nurse Licensure Compact Administrators

Bylaws

Adopted August 3, 2017, Amended August 15, 2017, March 25, 2019, March 27, 2023, October 30, 2024

INDEX

The Interstate Commission of Nurse Licensure Compact Administrators Bylaws

Article I – Commission Purpose, Functions and Bylaws
Section 1. Purpose.
Section 2. Functions.
Section 3. Bylaws.

Article II - Membership

Article III – Executive Committee
Section 1.
Section 2: Election and Succession.
Section 3: Duties.
Section 4. Removal of Executive Committee Members.
Section 5. Vacancies.

Article IV – Commission Personnel
Section 1. Duties of the Executive Director.

Article V – Meetings of the Commission
Section 1. Meetings and Notice.
Section 2. Quorum.
Section 3. Voting.
Section 4. Procedure.
Section 5. Public Participation in Meetings.

Article VI – Committees
Section 1. Committees.

Article VII - Finance
Section 1. Fiscal Year.
Section 2. Budget.
Section 3. Accounting and Audit.
Section 4. Costs and Expense Reimbursement.

Article VIII – Adoption and Amendment of the Bylaws

Article IX – Dissolution of the Commission

Article X – Affiliation with National Council of State Boards of Nursing

Article I
Commission Purpose, Functions and Bylaws

Section 1. Purpose.

Pursuant to the terms of the Nurse Licensure Compact, (the "Compact"), the Interstate Commission of Nurse Licensure Compact Administrators (the "Commission") is established as a quasi-governmental and joint public entity of the Party States to fulfill the Compact objectives through a means of joint cooperative action among the Party States. This is accomplished by developing a comprehensive process that facilitates the exchange of information in the areas of licensure and investigative authority of state boards of nursing and providing for mutual recognition of nursing licenses by all Party States, thereby enhancing the portability and mobility of a nursing license and promoting public protection.

Section 2. Functions.

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Party States. The Commission's activities shall include, but are not limited to, the following:

1. promulgation of rules;
2. enforcement of Commission Rules and Bylaws;
3. provision of dispute resolution;
4. coordination of training and education; and
5. collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact.

The provisions of the Compact shall be reasonably and liberally construed to accomplish the purposes and policies of the Compact.

Section 3. Bylaws.

As required by the Compact, these Bylaws shall govern the management and operations of the Commission. As adopted and subsequently amended, these Bylaws shall remain at all times subject to, and limited by, the terms of the Compact.

Article II
Membership

The Commission membership shall be comprised as provided by the Compact. Each Party State shall have and be limited to one voting Compact Administrator. The Compact

Administrator shall be the Commissioner of the Party State. Each Party State shall forward the name of its Commissioner to the Chair of the Commission or designee. A Commissioner may designate a person to serve in place of the Commissioner as the Commissioner's designee with respect to Commission business, including attending Commission meetings and voting. A Commissioner must notify the Chair of the Commission or designee of the scope and duration of the designation, prior to the meeting. The Chair of the Commission shall promptly advise the Party State of the need to appoint a new Commissioner whenever a vacancy occurs.

Article III
Executive Committee

Section 1.

The Commission shall establish an Executive Committee, which shall be empowered to act on behalf of the Commission between Commission meetings, except for rulemaking or amendment of the Compact or bylaws. The Commission shall determine the procedures, duties and budget of the Executive Committee. The power of the Executive Committee to act on behalf of the Commission shall at all times be subject to any limitations imposed by the Bylaws, Compact or the Commission.

The Executive Committee shall consist of the Chair, Vice Chair, and Treasurer of the Commission and four additional members of the Commission.

Section 2: Election and Succession.

The Executive Committee shall be elected by the Commission by mail or electronic ballot. The Elections Committee shall send a call for nominations at least 50 days prior to the election, shall announce a slate of candidates to the Commission at least 30 days prior to the election, shall announce voting by mail or electronic ballot at least 10 days prior to the election and shall verify and report the results of the election to the Commission on October 1.

Any election resulting in a tie vote will be decided by lot. No Commissioner shall be nominated or eligible to serve on the Executive Committee if from a Party State in default of its obligations under the Compact.

Members of the Executive Committee shall serve a term of two years or until a successor is elected. No person shall serve more than two full consecutive terms in the same office. Any candidate for the Executive Committee shall be a Commissioner who has participated in the meetings of the Commission for a minimum of one year.

The election of the Executive Committee shall be as follows:

1. Chair: The chair shall be elected in odd numbered years;
2. Vice Chair: The vice chair shall be elected in even numbered years;
3. Treasurer: The treasurer shall be elected in even numbered years;

4. Members-at-Large (4 positions): The members-at-large shall be two members elected in even numbered years; two members elected in odd numbered years.

Section 3. Duties and Qualifications.

The Commission's officers shall perform all duties of their respective offices as the Compact and these Bylaws provide. Their duties shall include, but are not limited to:

1. The Chair shall:
    a. Preside at Commission and Executive Committee meetings;
    b. Prepare agendas for the meetings;
    c. Act on Commission's behalf between Commission meetings.

A candidate for election must have served on the NLC Executive Committee for a minimum of one year.

2. The Vice Chair shall:
    a. Perform the duties of the Chair in his/her absence or at the Chair's direction;
    b. In the event of a vacancy in the Chair's office, the Vice Chair shall serve until the Commission elects a new Chair.

A candidate for election must have a minimum of one-year experience as a Commissioner or a compact administrator.

3. The Treasurer shall:
    a. Monitor the Commission's fiscal policies and procedures with the assistance of the Executive Director of the Compact;
    b. In the absence of an Executive Director of the Compact, the Treasurer will also serve as Secretary and perform the duties of Secretary described in Art. IV Sec. 1 (1).

The Executive Committee shall:

1. Administer the affairs of the Commission in a manner consistent with the Bylaws and purpose of the Commission;
2. Propose budgets, provide fiscal oversight and provide for an annual fiscal review;
3. Propose policies and procedures for consideration by the Commission;
4. Contract for services and monitor contract compliance;
5. Monitor and enforce member compliance with the Compact;
6. Propose standing and ad hoc committees;
7. Approve and maintain its minutes;
8. Review bylaws not less than every three (3) years; and
9. Perform such other functions as are necessary or appropriate to carry out the purpose of the Commission.

Section 4. Removal of Executive Committee Members.

Any Executive Committee member may be removed from office for good cause by a two-third (2/3rd) majority vote of the Commission.

Section 5. Vacancies.

Upon a vacancy of a member of the Executive Committee, a special election shall be announced to the Commission by the Chair or designee.

The Elections Committee shall:

1. Send a call for nominations 30 days prior to the election;
2. Announce a slate of candidates to the Commission 20 days prior to the election;
3. Announce voting by mail or electronic ballot 10 days prior to the election; and
4. Verify and report the results of the election to the Commission.

Article IV
Commission Personnel

Section 1. Duties of the Executive Director.

The Commission, through its Executive Committee, may contract for an Executive Director of the Compact. The Executive Director is not a Member of the Commission, but acts as the Commission's principal administrator, and performs duties as delegated by the Commission or required by the Compact and the Bylaws, including, but not limited to, the following:

1. Serve as Secretary to the Commission, ensuring the preparation of all meeting minutes;
2. Speak on behalf of and represent the Commission;
3. Recommend general policies and program initiatives for the Commission's consideration;
4. Implement and monitor administration of all policies, programs, and initiatives adopted by the Commission;
5. Prepare draft annual budgets for the Commission's consideration;
6. Monitor the Commission's financial performance for compliance with approved budgets and policies, and maintain accurate records of the Commission's financial account(s);
7. Execute contracts on behalf of the Commission;
8. Receive service of process on behalf of the Commission;
9. Prepare and disseminate all required reports and notices directed by the Commission;
10. Assist the Executive Committee in the performance of its duties;
11. In collaboration with legal counsel, ensure the legal integrity of the Commission;
12. Report about policy, regulatory, political, legal or other developments of relevance to the Commission's operation;
13. Establish and manage the Commission's office or offices as determined by the Commission; and
14. Hire and supervise Compact staff as authorized by the Commission.

Article V

Meetings of the Commission

Section 1. Meetings and Notice.

The Commission shall meet face-to-face or by electronic means at least twice a year at a time and place as determined by the Commissioners. Special meetings may be scheduled at the discretion of the Chair, or shall be called upon the request of a majority of Commissioners.

All Commissioners shall be given notice of Commission meetings at least thirty (30) days prior to the scheduled date. Agendas shall be provided to all Commissioners no later than seven (7) days prior to any meeting of the Commission. If an amendment to an agenda is made after an agenda has been noticed, but forty-eight (48) hours prior to a regular meeting, or twenty-four (24) hours prior to a special meeting, then the agenda is amended upon the posting of the amended agenda.

All Commission meetings shall be open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be as follows:

1. Publication of notice of each meeting will be posted at least seven (7) days prior to the meeting on the Commission's website or another website designated by the Commission; and
2. Notice will be distributed by e-mail to interested parties who have requested in writing to receive such meeting notices.

A meeting may be closed to the public if the Commission determines by a majority vote of the Commissioners that there exists at least one of the conditions for closing a meeting, as provided by the Compact.

Section 2. Quorum.

A majority of Commissioners shall constitute a quorum for the transaction of business, except as otherwise required in these Bylaws. The presence of a quorum must be established before any vote of the Commission can be taken.

Section 3. Voting.

Each Party State is entitled to one vote. A Commissioner shall vote on such member's own behalf and shall not delegate the vote to another Commissioner, except as permitted by a designation allowed under Article II. Any question submitted for a vote of the Commission shall be determined by a simple majority, except as otherwise required by the Compact or the Bylaws.

Section 4. Procedure.

The current edition of Robert's Rules of Order Newly Revised ("Robert's Rules") shall govern the parliamentary procedures of the Commission and its committees. Robert's Rules

shall be used for situations not provided for in these Bylaws and for policies, procedures, or any special rules of order which are duly adopted by the Commission.

Section 5. Public Participation in Meetings.

Upon written request, the Chair shall allow a person to present a statement at an open Commission meeting for a matter related to a topic on the agenda. The Chair may limit the time and manner of public statements.

Article VI
Committees

Section 1. Committees.

The Commission shall establish committees, as necessary, to carry out its objectives.

The following standing committees shall be established:

1. Rules Committee
   The duties of the Committee shall include:
   a. Developing uniform Compact rules for consideration by the Commission; and
   b. Reviewing existing rules and recommending changes to the Commission for consideration.

2. Compliance Committee
   The duties of the Committee shall include monitoring a Party State's compliance with the terms of the Compact and its authorized rules.

3. Elections Committee
   The duties of the Committee shall include:
   a. Informing the Commissioners on the responsibilities of the office;
   b. Encouraging participation by the Commissioners in the elections process;
   c. Announcing nominations deadline and anticipated vacancies of the Executive Committee of the Commission;
   d. Communicating with incumbents to determine if they wish to run for re-election;
   e. Accepting qualified nominees and prepare a slate of candidates for the election of the officers or members at large of the Executive Committee;
   f. Presenting a list of candidates to the Commission including the terms of office expiration dates; and
   g. Tallying/verifying the election results and reporting the results to the Commission.

The composition, procedures, duties, budget and tenure of all committees shall be determined through policies approved by the Commission. The Commission may dissolve any committee it determines is no longer needed.

Article VII
Finance

Section 1. Fiscal Year.

The Commission's fiscal year shall begin on October 1 and end on September 30. Membership fees in an amount to be determined by the Commission, are payable by October 1 of each year.

Section 2. Budget.

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years as provided by the Compact.

Section 3. Accounting and Audit.

The Commission, with the assistance of the Executive Director, shall keep accurate and timely accounts of its internal receipts and disbursements of the Commission funds. The receipts and disbursements of Commission funds are to be audited annually by an independent certified or licensed accountant. The independent audit report shall be made available to the public.

Section 4. Costs and Expense Reimbursement.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commissioners and Executive Committee shall be reimbursed as allowed by state policy for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission or its committees as provided by the Compact.

Article VIII
Adoption and Amendment of Bylaws

Any Bylaw may be adopted, amended or repealed by a majority vote of the Commissioners, provided that written notice and the full text of the proposed action is provided to all Commissioners at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rd) majority vote of the Commissioners shall be required for such action.

Article IX
Dissolution of the Commission

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Party State, which reduces membership in the Compact to one Party State as provided by the Compact.

Upon dissolution, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded in an orderly manner and according to applicable law.

Article X
Affiliation with National Council of State Boards of Nursing

The Commission shall be affiliated with and supported by the National Council of State Boards of Nursing, Inc. (NCSBN) through professional support services as set forth in a Memorandum of Understanding. Funds contributed by Party States shall be held by NCSBN and disbursed for the benefit of the Commission as decided by the Commission.