



HEALTH CARE FACILITY GUIDANCE FOR PARTIAL IMPLEMENTATION OF THE INTERSTATE NURSE LICENSURE COMPACT

UPDATED¹
November 2023

In accordance with an updated interpretation of applicable state law and regulations relating to registered nurses (RNs) and licensed practical nurses (LPNs), the Department will no longer require exceptions to regulations to allow health care facilities to employ or contract with RNs and LPNs holding an active multistate license (MSL).

Background

[Act 68 of 2021](#) authorizes the Commonwealth of Pennsylvania's entrance into the interstate Nurse Licensure Compact (Compact). Participation in the Compact allows a state to issue its resident nurses an MSL, which permits the licensee to practice in any other Compact state. In accordance with the Pennsylvania Department of State's [announcement](#), the Commonwealth is partially implementing the Compact by permitting RNs and LPNs residing in other Compact states and holding an active MSL (eligible MSL nurses) to practice in Pennsylvania.

To facilitate the partial implementation of the Compact, the Department identified the statutory and regulatory provisions that may be a barrier to health care facilities seeking to utilize eligible MSL nurses. However, after further analysis, it has been determined that RNs and LPNs that hold an active MSL should be treated as if they possess an RN or LPN license issued by the Pennsylvania State Board of Nursing. Under this updated analysis, exceptions are not necessary for health care facilities to employ or contract with RNs and LPNs holding an active MSL License and facility types that were precluded from using RNs and LPNs holding an active MSL License due to a statutory barrier may now do so.

The following facility types may operate under this guidance and employ or contract with RNs and LPNs holding an active MSL License:

- Hospitals
- Ambulatory Surgical Facilities
- Abortion Facilities
- Nursing Care Facilities
- Home Health Agencies

¹ Red text indicates substantive updates made to the *Health Care Facility Guidance for Partial Implementation of the Interstate Nurse Compact* published in August 2023.



- Home Care Agencies
- Hospice
- Birth Centers
- Prescribed Pediatric Extended Care Centers

The facility-specific guidance published by the Department in August 2023 has been rescinded.

MSL Compact Structured Exception Process No Longer Required

Effective immediately, pursuant to the determination that RNs and LPNs that hold an active MSL should be treated as if they possess an RN or LPN license issued by the Pennsylvania State Board of Nursing, **a health care facility seeking to employ or contract with RNs and LPNs holding an active MSL license will not require an exception or further approval by the Department to do so.**

For this reason, facilities no longer need to use the MSL Compact Structured Exception process that was announced in August 2023. Over the next few weeks, facilities that utilized that process will receive a letter from the appropriate Department Division indicating that the MSL Compact Structured Exception approval has been rescinded. Facilities that were not able or chose not to utilize the MSL Compact Exception process may employ or contract with RNs and LPNs holding an active MSL license without further notice to or approval by the Department.

Statutory and regulatory requirements relating to personnel will apply to RNs and LPNs holding an active MSL, so facilities should be prepared to demonstrate compliance with those requirements upon survey or inspection by the Department and accreditation organizations, as applicable.

Other Information

Health care facilities will be required to have a mechanism in place to verify the licensure status of eligible MSL nurse. Facilities who want to verify the status of a nurse's MSL can go to www.nursys.com, the National Council of State Boards of Nursing's (NCSBN) central repository for licensing information, and click on "Quick Confirm."

Nothing in this guidance should be construed as affecting or interpreting any Federal or State law or regulation outside of the Department's jurisdiction that may limit the ability of health care facilities to utilize eligible MSL nurses.