**20:48:03:08.  Temporary permits.** An applicant for a temporary permit to practice nursing must apply on the form prescribed by the board. The applicant must submit written evidence that the applicant has completed a nursing education program in any state or territory of the United States or has completed a nursing education program in a foreign country and holds a certificate from the Commission on Graduates of Foreign Nursing Schools. The applicant must also be eligible to take the National Council Licensing Examination in this or any other state or territory of the United States or has applied for and is awaiting licensure by endorsement from the board. Each applicant for a temporary permit must submit a set of fingerprints on a standard card provided by the board for the purpose of obtaining a state and federal criminal background check through the Division of Criminal Investigation. An authorization and release form must be signed by the applicant authorizing the release of the criminal history record to the board. The fingerprint card, authorization and release form, and fee for the criminal background check must accompany the application for a temporary permit. A permanent license may not be issued until the criminal background check is complete.

 The fee prescribed by chapter 20:48:06 must be filed with the application. The holder of a temporary permit must use the title, registered nurse applicant (R.N. App.) or licensed practical nurse applicant (L.P.N. App.), whichever pertains. If the holder is notified by the board that licensure by endorsement or examination has been denied to the holder, the permit is invalid on the date the notice is received by the holder, and the holder must immediately return the permit to the board. The holder of a temporary permit issued awaiting license by examination shall maintain on file with the board a current statement providing the name and address of any person or institution that employs the holder during the period the permit remains in force. The applicant awaiting license by examination and the applicant awaiting license by endorsement as a licensed practical nurse may practice only under the supervision of a licensed registered nurse on duty in the area where the holder of the permit is working. Beginning February 16, 1994, the temporary permit issued to the applicant awaiting licensure by examination becomes invalid upon notice to the applicant of the results of the first examination or 90 days following the date of issuance, whichever is earlier.

 **Source:** SL 1975, ch 16, § 1; 1 SDR 76, effective June 4, 1975; 3 SDR 35, effective November 11, 1976; 5 SDR 40, effective November 13, 1978; 6 SDR 88, effective March 3, 1980; 9 SDR 67, effective December 5, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 143, effective December 26, 1994; 28 SDR 36, effective September 18, 2001; 33 SDR 43, effective September 12, 2006.

 **General Authority:** SDCL 36-9-21(1).

 **Law Implemented:** SDCL 36-9-29, 36-9-31.1, 36-9-32.1, 36-9-35(5), 36-9-38.1, 36-9-39.1, 36-9-43(4), 36-9-97.