

Janice K. Brewer
Governor



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Arizona State Board of Nursing

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Attention: Chief Nursing Officer
Vice President of Nursing
Director of Nursing
Director of Human Resources

From: Joey Ridenour, RN MN FAAN
Executive Director
Arizona State Board of Nursing

Subject: Statutory changes affecting RN/LPN licensure renewal
and Citizenship/Lawful Presence Documentation

Two major changes have occurred as the result of new laws, effective 10/12/09.
Your assistance in informing your RN/LPN/CNA staff about these changes is most appreciated.

1. **RENEWAL of RN/LPN LICENSES.** The renewal date for RN/LPN licensure has changed from June 30, 20XX to April 1, 20XX. (A.R.S. §32-1642) The license currently shows the “due for renewal” date to be June 30, 2010, 2011, 2012, or 2013. It is essential that all nurses are informed that this date is no longer the date for them to renew. The date they are now “due for renewal” is April 1, 2010, 2011, 2012, or 2013.

If Renewal Date (listed on license) is:

6/30/2010
6/30/2011
6/30/2012
6/30/2013

The NEW date for renewal is:

4/1/2010
4/1/2011
4/1/2012
4/1/2013

A nurse may renew up to six months in advance. RN/LPN’s who are due for renewal April 1, 2010 can apply beginning in October, 2009, 6 months in advance of the new “due for renewal” date. Please encourage the nursing staff to apply early to avoid delays in licensure on April 1, 2010. When renewing early, in 2009, their license will be extended 4 years to April 1, 2014. Nurses who do not renew and continue to work on their license after May 1, will accrue a late fee. Please post the attached flyer in various areas of your facility.

Please note that CNA renewal dates have not changed and will continue to be their birth month.

2. **DOCUMENTATION of CITIZENSHIP/LAWFUL PRESENCE.** In January, 2008, documentation of citizenship/lawful presence was required before a license/certificate could be issued. The law has now changed and allows the RN/LPN/CNA to submit the documentation ONE time and not

with every renewal. Please encourage the nursing staff to submit their documentation of citizenship now, if they have not submitted it since 1/1/2008. (Exception: If they have a time limited lawful presence document, they would have to re-submit their lawful presence documentation at the end of the expiration date of the document showing lawful presence.)

When renewing the RN/LPN license or CNA certificate online, the time it takes for the license/certificate to be renewed will be significantly reduced, if they already have their citizenship/lawful presence documentation on file. Please refer to the attached "Mail in Cover Sheet" that the RN/LPN/CNA needs to print, complete, and attach to the citizenship document (i.e. a birth certificate, or a passport (current or expired) are the most frequent documents received). Refer to the attached List A and B for more documents that are acceptable. As a convenience to their staff, some employers have requested all of their RN/LPN/CNA's to submit their "mail in cover sheet", along with their citizenship document to them, and the employer mails them to the Board for the staff.

In Summary, please assist by:

- Informing and encouraging your RN/LPN staff who are "due for renewal" on 6/30/2010 to renew their license between Oct 1, 2009, and April 1, 2010. The sooner they renew, the more quickly the license will be processed.
- Informing and encouraging your RN/LPN/CNA's to:
 - update email address by going to www.azbn.gov and clicking on My Services.
 - review the attached List A & B,
 - print out and complete the "mail in cover sheet",
 - attach the citizenship documentation/lawful presence document
 - mail to the Arizona State Board of Nursing
- Including this information in any newsletters/journals your facility publishes.

Thanks for your assistance in getting this important information to all RN/LPN/CNA's.

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Please post and make available to all Nursing personnel

2009 RN/LPN RENEWAL DATES CHANGED

A new law (ARS 32-1642 Renewal of License) changed the renewal due date for all RNs and LPNs from June 30th to April 1st. This change was made to assist in the budgeting challenges that the state is facing and to also avoid license fee increases.

<u>If Renewal Date (listed on license) is:</u>	<u>Your NEW date for renewal is:</u>
6/30/2010	4/1/2010
6/30/2011	4/1/2011
6/30/2012	4/1/2012
6/30/2013	4/1/2013

You may renew up to six months in advance. Applicants now due for renewal April 1, 2010 can begin applying October 1, 2009. Please apply early to avoid delays in licensure. When renewing early your license will still be extended 4 years ie April 1, 2014. Fees are not refundable. Duplicate licenses with the new renewal date will not be issued.

Another law change effective 1/1/2008 requires all applicants for licensure to submit documentation of citizenship/lawful presence. If you have not yet submitted documentation, please do so now. Unless it is a time limited document, you are only required to submit the documentation once, instead of every renewal. To obtain the citizenship cover sheet and a list of accepted documents visit our webpage at www.azbn.gov, click on Download Applications and select 'Statement of Citizenship and Alien Status'.

Submitting your documentation early will expedite the process when you renew online.

ARIZONA STATEMENT OF ALIEN STATUS

Applicants who are NOT citizens or nationals MUST complete and submit this page with Cover Sheet

Directions: Please indicate alien status by checking the appropriate box. Attach a legible xeroxed copy of the front and back (if any), of a document from the attached List B or other document that evidences your status. A.R.S. § 1-501.

“Qualified Alien” Status (8 U.S.C. § 1621 (a) (1), - 1641 (b) and (c))

- A. An alien lawfully admitted for permanent residence under the Immigration & Nationality Act (INA).
- B. An alien who is granted asylum under Section 208 of the INA.
- C. A refugee admitted to the United States under section 207 of the INA.
- D. An alien paroled into the United States for at least one year under Section 212 (d) (5) of the INA.
- E. An alien whose deportation is being withheld under Section 243 (h) of the INA.
- F. An alien granted conditional entry under Section 203 (a) (7) of the INA as in effect prior to April 1, 1980.
- G. An alien who is a Cuban and Haitian entrant (as defined in section 501 (e) of the Refugee Education Assistance Act of 1980).
- H. An alien who is, or whose child or child’s parent is a “battered alien” or an alien subjected to extreme cruelty in the U.S.

Nonimmigrant Status (8 U.S.C. § 1621 (a) (2))

- I. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C. § 1101 *et seq.*] Nonimmigrant is persons who have temporary status for a specific purpose. See 8 U.S.C. § 1101 (a) (15).

Alien Paroled into the United States for less than One Year (8 U.S.C. § 1621 (a) (3))

- J. An alien paroled into the United states for less than one year under Section 212 (d) (5) of the INA

Other Persons (8 U.S.C. § 1621 (c) (2) (A) and (C))

- K. A nonimmigrant whose visa for entry is related to employment in the United States, or
- L. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq.*];
- M. A foreign national not physically present in the United States.

Otherwise Lawfully Present (A.R.S. § 1-501)

- N. A person not described in categories 1-13 who is otherwise lawfully present in the United States.
PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make person who fall into this category ineligible for licensure. See 8 U.S.C. § 1621 9a).

ARIZONA STATEMENT OF CITIZENSHIP & ALIEN STATUS

All applicants must answer questions on the application regarding citizenship. A xeroxed copy of a document that shows evidence of your citizenship or alien status MUST BE submitted with your application for licensure or renewal. See List A or List B.

NOTE: SOCIAL SECURITY CARD AND DRIVERS LICENSE ARE NOT ACCEPTABLE DOCUMENTATION.

LIST A

Evidence showing U.S. citizen or U.S. national status includes the following:

a. Primary Evidence:

- (1) A birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction);
- (2) United States passport; current or expired;
- (3) Report of birth abroad of a U.S. citizen (FS-240) (issued by the Department of State to U.S. citizens);
- (4) Certificate of Birth (FS-545) (issued by a foreign service post) or Certification of Report of Birth (DS-1350), copies of which are available from the Department of State;
- (5) Form N-550 or N-570, Certificate of Naturalization (issued by the Service through a Federal or State court, or through administrative naturalization after December 1990 to individuals who are individually naturalized; the N-570 is a replacement certificate issued when the N-550 has been lost or mutilated or the individual's name has changed);
- (6) Form N-561, Certificate of Citizenship;
- (7) Form I-197, United States Citizen Identification Card (issued by the Service until April 7, 1983 to U.S. citizens living near the Canadian or Mexican border who needed it for frequent border crossings) (formerly Form I-179, last issued in February 1974);
- (8) Form I-873 (or prior versions), Northern Marianas Card (issued by the Service to a collectively naturalized U.S. citizen who was born in the Northern Mariana Islands before November 3, 1986);
- (9) Statement provided by a U.S. consular official certifying that the individual is a U.S. citizen (given to an individual born outside the United States who derives citizenship through a parent but does not have a FS-240, FS-545, or DS-1350); or
- (10) Form I-872 (or prior versions), American Indian Card with a classification code "KIC" and a statement on the back identifying the bearer as a U.S. citizen (issued by the Service to U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

b. Secondary Evidence

If the applicant cannot present one of the documents listed in (a) above, the following may be relied upon to establish U.S. citizenship or U.S. national status;

- (1) Religious record recorded in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction) within three 3 months after birth showing that the birth occurred in such jurisdiction and the date of birth or the individual's age at the time the record was made;
- (2) Evidence of civil service employment by the U.S. government before June 1, 1976;
- (3) Early school records (preferably from the first school) showing the date of admission to the school, the applicant's date and U.S. place of birth, and the name(s) and place(s) of birth of the applicant's parent(s);
- (4) Census record showing name, U.S. nationality or a U.S. place of birth, and applicant's date of birth or age;
- (5) Adoption finalization papers showing the applicant's name and place of birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917, American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Marian Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction), or, when the adoption is not finalized and the state or other U.S. jurisdiction listed above will not release a birth certificate prior to final adoption, a statement from a state or jurisdiction approved adoption agency showing the applicant's name and place of birth in one of such jurisdictions, and stating that the source of the information is an original birth certificate;
- (6) Any other document that establishes a U.S. place of birth or otherwise indicates U.S. nationality (e.g., a contemporaneous hospital record of birth in that hospital in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction);

c. Collective Naturalization

If the applicant cannot present one of the documents listed in (a) or (b) above, the following will establish U.S. citizenship for collectively naturalized individuals:

Puerto Rico:

- Evidence of birth in Puerto Rico on or after April 11, 1899 and the applicant's statement that he or she was residing in the U.S., a U.S. possession or Puerto Rico on January 13, 1941; or

- Evidence that the applicant was a Puerto Rican citizen and the applicant's statement that he or she was residing in Puerto Rico on March 1, 1917 and that he or she did not take an oath of allegiance to Spain.

U.S. Virgin Islands:

- Evidence of birth in the U.S. Virgin Islands, and the applicant's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927;
- The applicant's statement indicating resident in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and that he or she did not make a declaration to maintain Danish citizenship; or
- Evidence of birth in the U.S. Virgin Islands and the applicant's statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932.

Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands (TTPI)):

- Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 (NMI local time) and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);
- Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time); or
- Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4 1986 (NMI local time). Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the individual is not a U.S. citizen

d. Derivative Citizenship

If the applicant cannot present one of the documents listed in a or b above, the following may be used to make determination of derivative U.S. citizenship:

Applicant born abroad to two U.S. citizen parents: Evidence of the U.S. citizenship of the parents and the relationship of the applicant to the parents, and evidence that at least one parent resided in the U.S. or an outlying possession prior to the applicant's birth.

Applicant born abroad to a U.S. citizen parent and a U.S. non-citizen national parent: Evidence that one parent is a U.S. citizen and that the other is a U.S. non-citizen national, evidence of the relationship of the applicant to the U.S. citizen parent, and evidence that the U.S. citizen parent resided in the U.S., a U.S. possession, American Samoa or Swain's Island for a period of at least one year prior to the applicant's birth.

Applicant born out of wedlock abroad to a U.S. citizen mother: Evidence of the U.S. citizenship of the mother, evidence of the relationship to the applicant and, for births on or before December 24, 1952, evidence that the mother resided in the U.S. prior to the applicant's birth or, for births after December 24, 1952, evidence that the mother had resided, prior to the child's birth, in the U.S. or a U.S. possession for a period of one year.

Applicant born in the Canal Zone or the Republic of Panama:

- A birth certificate showing birth in the Canal Zone on or after February 26, 1904 and before October 1, 1979 and evidence that one parent was a U.S. citizen at the time of the applicant's birth; or
- A birth certificate showing birth in the Republic of Panama on or after February 26, 1904 and before October 1, 1979 and evidence that at least one parent was a U.S. citizen and employed by the U.S. government or the Panama Railroad Company or its successor in title.

In all other situations in which an applicant claims to have a U.S. citizen parent and an alien parent, or claims to fall within one of the above categories, but is unable to present the listed documentation:

- If the applicant is in the U.S., the applicant should contact the local U.S. Citizenship and Immigration Service office for determination of U.S. citizenship;
- If the applicant is outside the U.S., the applicant should contact the State Department for a U.S. citizenship determination.

e. Adoption of Foreign-Born Child by U.S. Citizen

- If the birth certificate shows a foreign place of birth and the applicant cannot be determined to be a naturalized citizen under any of the above criteria, obtain other evidence of U.S. citizenship;
- Because foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by U.S. citizens, the applicant should contact the local U.S. Citizenship and Immigration Service office for a determination of U.S. citizenship, if the applicant provides no evidence of U.S. citizenship.

f. U.S. Citizenship By Marriage

A woman acquired U.S. citizenship through marriage to a U.S. citizen before September 22, 1922. Provide evidence of U.S. citizenship of the husband, and evidence showing the marriage occurred before September 22, 1922.

Note: If the husband was an alien at the time of the marriage, and became naturalized before September 22, 1922, the wife also acquired naturalized citizenship. If the marriage terminated, the wife maintained her U.S. citizenship if she was residing in the U.S. at that time and continued to reside in the U.S.

Qualified Aliens, Nonimmigrant, and aliens paroled into U.S. for less than one year.

a. “Qualified Aliens”

Evidence of “Qualified Alien” status includes the following:

Alien Lawfully admitted for Permanent Residence

- *Form I-551 (Alien Registration Receipt Card, commonly known as a “green card”); or
- Unexpired Temporary I-551 stamp in foreign passport or on *I Form I-94.

Asylee

- *Form I-94 annotated with stamp showing grant of asylum under section 208 of the INA;
- *Form I-688B (Employment Authorization Card) annotated “274a.12 (a) (5)”;
- *Form I-766 (Employment Authorization Document) annotated “A5”;
- Grant letter from the Asylum Office of the U.S. Citizenship and Immigration Service; or
- Order of an immigration judge granting asylum.

Refugee

- *Form I-94 annotated with stamp showing admission under § 207 of the INA;
- *Form I-688B (Employment Authorization Card) annotated “274a.12 (a) (3)”;
- *Form I-766 (Employment Authorization Document) annotated “A5”;

Alien Paroled Into the U.S. for at Least One Year

- *Form I-94 with stamp showing admission for at least one year under section 212(d) (5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)

Alien Whose Deportation or Removal was withheld

- *Form I-688B (Employment Authorization Card) annotated “274a.12 (a) (10)”;
- *Form I-766 (Employment Authorization Document) annotated “A10”;
- Order from an immigration judge showing deportation withheld under §243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under §241 (b) (3) of the INA.

Alien Granted Conditional Entry

- *Form I-94 with stamp showing admission under §203 (a) (7) of the INA;
- *Form I-688B (Employment Authorization Card) annotated “274a.12 (a) (3)”;
- *Form I-766 (Employment Authorization Document) annotated “A3”.

Cuban/Haitian Entrant

- *Form I-551 (Alien Registration Receipt Card, commonly known as a “green Card”) with the code CU6, CU7, or CH6.
- Unexpired temporary I-551 stamp in foreign passport or on *Form I-94 with the Code CU6 or CU7; or
- *Form I-94 with stamp showing parole as “Cuba/Haitian Entrant” under Section 212 (d) (5) of the INA.

Alien who has been Declared a Battered Alien or Alien Subjected to Extreme Cruelty

- U.S. Citizenship and Immigration Service petition and supporting documentation

b. Nonimmigrant

Evidence of “Nonimmigrant” status includes the following:

- *Form I-94 with stamp showing authorized admission as nonimmigrant

All nonimmigrants are not authorized employment.

c. Alien Paroled into U.S. for less than One year

- *Form I-94 with stamp showing admission for less than one year under section 212 (d) (5) of the INA

SERVICES NOW ACCESSIBLE TO BE COMPLETED ONLINE

by Jennifer McWilliams
RN/LPN Licensing Tech

Many of the services offered by the Board of Nursing can be completed faster and more efficiently by accessing the board website. By accessing www.azbn.gov and clicking on My Services the following options are offered:

- Renew active license or certificate online
If the renewal process is completed online and proof of citizenship/lawful presence documentation has already been received by the Board, the renewal will be issued within 1-2 days. When paper applications are received in office they are placed in date order received to be processed. Processing can take an average of one to three weeks dependent on the volume of renewals received throughout the renewal cycle. It is also the staff experience that paper applications are more likely to have incomplete information and therefore require the issuance of a deficiency notice, which extends the time it takes to renew the license. When renewing online all required information/data elements must be provided or the applicant cannot proceed.
- Place a license or certificate on inactive status online
When inactive status is requested online, the license will immediately be placed inactive. If the request is submitted through the mail, the processing of the Inactive Status Application may take up to two weeks based on volume of requests.
- Update changes to home, mailing or business address
When completed online, changes are made immediately or as soon as the information is added. If a paper form is submitted changes can take an average of two weeks.
- Update changes to email address online
Email addresses need to be updated when the email address changes similar to changing a home/mailings address. Knowing the email address allows the Board to send out reminders when the license or certificate is not renewed and before the expiration.
- Order a duplicate license or certificate online
If requesting a duplicate license or certificate by submitting the hard copy duplicate request form, the form is completed in date order received. The duplicate request can take between one to two weeks to be completed. However if the duplicate is ordered using the website, it goes into the print queue automatically and is printed and mailed within a few days.

By accessing www.azbn.gov and clicking on Online Verification you can:

- Check the status of a license or certificate
Those persons who have applied for licensure or certification may also access the online verification to determine if the application is deficient and what information is pending. Employers may also check the license/certification status using the verification as well.

**ARIZONA STATE BOARD OF NURSING
NOTICE TO NURSES AND EMPLOYERS
LICENSURE RENEWAL 2010**

A.R.S. § 32-1642

- A. Except as provided in section 32-4301, a registered and practical nurse licensee shall renew the license every four years on or before April 1. If a licensee does not renew the license on or before May 1, the licensee shall pay an additional fee for late renewal as prescribed in section 32-1643. If a licensee does not renew the license on or before August 1, the license expires. It is a violation of this chapter for a person to practice nursing with an expired license.

R4-19-305

- C. A licensee who fails to submit a renewal application before expiration of a license shall not practice nursing until the Board issues a renewal license.

Interpretation:

To continue to practice nursing a nurse is to renew his/her license on or before April 1st in the year in which their license expires. Nurses who submit their renewal application and documentation of citizenship/lawful presence may continue to practice nursing while awaiting the issuance of a new license by the Board. Cancelled renewal checks, credit card statements or verification that your application was received by the Board may be presented to an employer who requests proof that the application has been submitted. If a nurse fails to renew on or before August 1st of the year the license expires, the nurse shall not practice nursing until the Board issues a renewal license.

The board estimates that nurses who have submitted citizenship/lawful presence documentation prior to the online renewal application should receive their renewal license by mail within one week of the date the application was received. Nurses, who submit their renewal application on or before April 1st, may continue to practice nursing while awaiting the issuance of their renewal license. Online verification (www.azbn.gov) may also be used as proof of renewal.

To prevent further delays we have also provided on the web the "Top Nine Reasons For Licensure Delays".

EXEMPTION: THIS DOES NOT EXEMPT THE NURSE FROM EMPLOYER POLICIES OR REQUIREMENTS.

Joey Ridenour RN MN FAAN