

## **21 NCAC 36 .0202            INACTIVE AND RETIRED STATUS**

- (a) A licensee who submits a request for inactive status shall be granted such status by the Board if the licensee:
- (1) holds an active unencumbered license issued by the Board; and
  - (2) is not currently the subject of an investigation by the Board for possible violation of the Nursing Practice Act or rules promulgated thereunder.
- (b) An applicant whose licensure status is inactive or retired and who desires to resume the practice of nursing in North Carolina shall:
- (1) submit a completed application for reinstatement, stating that the information on the application is true and complete, and authorizing the release to the Board of all information pertaining to the application. Application is posted on the Board's website at [www.ncbon.com](http://www.ncbon.com);
  - (2) have no pending court conditions as a result of any misdemeanor or felony convictions. The applicant shall provide a written explanation and all investigative reports or court documents evidencing the circumstances of the crimes if requested by the Board. The Board shall use these documents when determining if a license should be denied pursuant to G.S. 90-171.48 and 90-171.37;
  - (3) self-certify that the applicant is of mental and physical health necessary to competently practice nursing;
  - (4) submit the licensure application fee, as established in G.S. 90-171.27(b);
  - (5) attest to having completed continuing competence requirements and submit evidence of completion if requested by the Board, as specified in Rule .0232(b) of this Section; and,
  - (6) complete a criminal background check in accordance with G.S. 90-171.48.
- In the event any of the above-required information indicates a concern about the applicant's qualifications, an applicant may be required to appear in-person for an interview with the Board if more information is needed to evaluate the application.
- (c) An applicant whose license has been inactive or retired for a period of five years or more shall also submit:
- (1) self-certification that the applicant is of mental and physical health necessary to competently practice nursing; and
  - (2) evidence of
    - (A) satisfactory completion of a Board-approved refresher course; or
    - (B) proof of an active license in another jurisdiction within the last five years or an active license in another country within the last five years if the individual was originally licensed by national licensure examination in the United States.
- (d) If a refresher course is required, an applicant shall apply for reinstatement of an active license within one year of completing the refresher course. The application for reinstatement shall include verification from the provider of the refresher course that the applicant has satisfactorily met both theory and clinical objectives.
- (e) An applicant who has retired from the practice of nursing may request and be granted by the Board retired nurse status if the applicant:
- (1) holds an active unencumbered license issued by the Board;
  - (2) is not currently the subject of an investigation by the Board for alleged violation of the Nursing Practice Act; and
  - (3) pays the application fee, pursuant to G.S. 90-171.27(b).
- (f) While remaining on retired status, an applicant shall not practice nursing in North Carolina and shall not be subject to payment of the license renewal fee.
- (g) An applicant may use the title "Retired Registered Nurse" or "Retired Licensed Practical Nurse" after issued retired status.
- (h) An applicant whose licensure status is retired shall not be eligible to vote in Board elections.
- (i) Any license issued shall be issued for the remainder of the biennial period.

*History Note:*     *Authority G.S. 90-171.21; 90-171.23(b) 90-171.27(b);90-171.36; 90-171.36A; 90-171.37; 90-171.43;*  
*Eff. February 1, 1976;*  
*Legislative Objection [(g)] Lodged Eff. June 16, 1980;*  
*Legislative Objection [(g)] Removed Eff. July 1, 1981;*  
*Amended Eff. November 1, 2008; January 1, 2004; January 1, 1996; January 1, 1990; May 1, 1982; January 1, 1980;*  
*Readopted Eff. January 1, 2019.*

