

IDAHO BOARD OF NURSING  
POSITION REGARDING LICENSURE AND DISCIPLINE

In fulfilling its mission to safeguard the public health, safety and welfare, the Board is committed to licensure and discipline activities that are prompt, fair and appropriate to public protection. The Board evaluates information received as a part of the application process, considers complaints and other allegations of misconduct and responds appropriately, carefully crafting its decisions in disciplinary and licensure matters. In discipline and licensure matters, the Board acts as a committee of the whole, assisted by professional staff and legal counsel.

Applications for licensure may be denied if there is evidence that the applicant would not practice safely and effectively. Applications reflecting a history of criminal conviction are reviewed on a case-by-case basis. Among other factors, the Board considers the nature of each criminal conviction, context of the criminal act, time elapsed since the most recent conviction, continued concerns of competency to safely practice, and efforts at rehabilitation. Minor crimes may be disregarded while more serious offenses, those indicative of conduct potentially harmful to vulnerable patients or the public, may require a different approach.

The Board reacts promptly to written complaints and allegations of violations of the Nursing Practice Act and the Rules of the Board. All allegations are evaluated with respect to the merits of the individual case and the actual or potential harm to the public. Complaints are addressed on a priority basis, dealing first and most aggressively with those presenting the greatest risk to the public safety.

Investigating every minor incident does not necessarily ensure protection of the public. The Board recognizes that existing mechanisms within the employment setting may appropriately address many deficits in practice or behavior without direct Board involvement.

The Board's responses to substantiated violations of the Nursing Practice Act and the Rules of the Board fall within a continuum of disciplinary action that ranges from informal to formal, from moderate to extreme. Remedial measures or informal corrective actions are considered when appropriate and where protection of the public is not compromised. The Board considers suspension or revocation when there is evidence that there is real or potential risk to the public or when remediation, informal monitoring and/or practice limitation would serve no purpose or might compromise public protection.

Nurses who acknowledge that their practice is or may be impaired as a result of chemical dependence or mental illness and who are actively engaged in recognized recovery methods may be allowed to continue to practice nursing within carefully defined parameters.

Adopted – Board of Nursing 11/11/04