

**TITLE 19 – REGULATION OF PROFESSIONS AND OCCUPATIONS
CHAPTER 2 - NURSING PRACTICE**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

NURSING PRACTICE ACT 1995

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NURSING PRACTICE ACT 1995

AN ACT to provide an updated Nursing Practice Act for the Republic and repeal the current law.

Commencement:

February 28, 1995

Source:

P.L. 1995-116

PART I- SHORT TITLE; PURPOSE; DEFINITIONS

§201. Short Title.

This Chapter may be cited as the Nursing Practice Act 1995.[P.L. 1995-116. §1.]

§202. Purpose.

The Nitijela of the Republic of the Marshall Islands finds that the practice of nursing by competent persons is necessary for the protection of the public health, safety and welfare and that the various levels of practice within the nursing profession should be regulated and controlled, in the public interest. Therefore, it is the legislative purpose of this Chapter to promote, preserve, and protect the public health, safety, and welfare by and through the effective control and regulation of the practice of nursing and of the educational preparation of this practice. [P.L. 1995-116, §2.]

§203. Interpretation; Definitions.

In this Chapter, unless the context otherwise requires:

- (a) **“Board”** means the Marshall Islands Board of Nurse Examiners;
- (b) **“Other Board”** means a comparable regulatory agency in any U.S.-related Pacific Basin island nation, U.S. State, Territory of commonwealth, or a foreign country.
- (c) **“Minister”** means the Minister in charge of the subject of Health and Environment;
- (d) **“License”** means a current document permitting the practice of nursing as specified under this Chapter.
- (e) **“Practice of Nursing”** means assisting individuals or groups to maintain or attain optimal health, implementing a strategy of care to accomplish defined goals, and evaluating responses to care and treatment. This practice includes, but is not limited to, initiating and maintaining comfort measures, promoting and supporting human functions and responses, establishing an environment conducive to well-being, providing health counseling and teaching, and collaborating on certain aspects of the health regimen. This practice is based on understanding the human condition across the life span and understanding the relationship of the individual within the culture and environment.
- (f) **“Registered Nursing”** means the practice of the full scope of nursing which includes, but is not limited to:
 - (i) Assessing the health status of individuals and groups;
 - (ii) Establishing a nursing diagnosis;
 - (iii) Establishing goals to meet identified health care needs;
 - (iv) Planning a strategy of care;
 - (v) Prescribing nursing intervention to implement the strategy of care;
 - (vi) Implementing the strategy of care;
 - (vii) Delegating nursing interventions that may be performed by others and that do not conflict with this Chapter;
 - (viii) Maintaining safe and effective nursing care rendered directly or indirectly;
 - (ix) Evaluating responses to interventions; nursing;

- (x) Teaching the theory and practice of nursing;
 - (xi) Managing and supervising the practice of nursing;
 - (xii) Collaborating with other health professionals in the management of health care; and
 - (xiii) Practicing advance clinical nursing in accordance with knowledge and skills acquired through postgraduate and specialty training.
- (g) **“Licensed Practical Nursing”** means practice of a directed scope of nursing practice which includes, but is not limited to:
- (i) Contributing to the assessment of the health status of individuals and groups;
 - (ii) Participating in the development and modification of the strategy of care;
 - (iii) Implementing the appropriate aspects of the strategy of care as defined by established standards of nursing and patient care;
 - (iv) Maintaining safe and effective nursing care rendered directly or indirectly;
 - (v) Participating in the evaluation of responses to interventions; and
 - (vi) Delegating nursing interventions that may be performed by others and that do not conflict with this Chapter.

(The Licensed Practical Nurse functions at the direction of the Registered Nurse, licensed physician or licensed dentist in the performance of activities delegated by that health care professional.)

- (h) **“Nurse Practitioner”** means a Registered Nurse who is authorized to provide management of mental and physical health care in a specialty area of practice, the scope of which shall be based upon educational preparation and the accepted scope of professional practice of the particular specialty area. Such management is to be provided through integration of health maintenance, disease prevention, physical diagnosis, and treatment of common episodic and chronic problems, including pregnancy, in primary health care in collaboration

with physicians and other health care professions and agencies. [P.L. 1995-116, §3.]

§204. Application.

Nothing contained in this Chapter shall be construed as authorizing any person to practice any medical, surgical, dental or other profession not expressly provided for in this Chapter. [P.L. 1995-116, §4.]

PART II- THE BOARD

§205. Establishment of the Board.

There is hereby established a board of nurse examiners within the Ministry of Health and Environment for the purpose of regulating the practice of nursing and promoting a standard of nursing service. [PL. 1995-116, §5.]

§206. Composition.

The Board shall consist of seven members as follows;

- (a) three registered nurses of whom one shall be from Public Health, one from Ebeye and one from Clinical Nursing;
- (b) one licensed practical nurse;
- (c) one registered nurse faculty from the School of Nursing;
- (d) one nurse-midwife or nurse-practitioner; and
- (e) one health consumer at large. [P.L.1995-116, §6.]

§207. Term of Office; Qualifications.

- (1) A member shall hold office for a period of two years and shall, unless removed from office under Subsection 208(3), be eligible for reappointment but for not more than two consecutive terms. The completion of an unexpired portion of a full term shall not constitute a full term for purposes of this section. Any board member initially appointed for less than a full term shall be eligible to serve two (2) additional consecutive full terms.

- (2) Each Registered Nurse, Licensed Practical Nurse, Nurse Midwife or Nurse Practitioner who serves as a Board member shall be a citizen of the Marshall Islands currently residing within the Republic, and
 - (a) shall be licensed in good standing under the provisions of this Chapter;
 - (b) shall be currently engaged in the practice of nursing; and
 - (c) shall have had no fewer than three (3) years of experience practicing in the Marshall Islands immediately prior to appointment.
- (3) The public member on the Board shall be a citizen of the Marshall Islands, not be a member of any health, medical, surgical or dental profession, not be a student in a health educational program; shall have no direct or indirect financial interest in health care services; not be a member or employee of any board of control of any public or private health care organization; and has at least a high school diploma or its equivalent. [P.L. 1995-116, §7.]

§208. Appointment, Vacancies, Removal, Suspension.

- (1) Appointment of Board member(s) shall take place according to the following:
 - (a) The Marshall Islands Nursing Association shall prepare and submit to the Minister a list of names of candidates nominated by that association to serve as members of the Board. Such list shall contain the names of at least six Registered Nurses, two Licensed Practical Nurses, two Nurse Midwives or Nurse Practitioners, and three health consumers representing the general public.
 - (b) Each candidate shall signify by placing his signature against his nomination in the list, his consent to serve as a member of the Board.
 - (c) The Minister shall appoint members to the Board selected from the list referred to in paragraph (a) in such manner as will secure representation to the several categories of persons mentioned in Section 206.

- (d) The members of the Board holding office on the effective date of this Chapter shall serve as members for their respective terms.
- (2) Any vacancy in the membership of the Board caused by death, resignation, removal or otherwise shall be filled for the period of the unexpired term in the manner provided in paragraphs (a), (b) and (c) of Subsection (1) of this Section.
 - (a) If a replacement appointment has not been made, the term of the member shall be extended until a replacement is made.
 - (b) The performance of the functions or the exercise of the powers of the Board shall not be affected by reason of there being a vacancy or vacancies in the membership of the Board.
- (3) The Minister may, on a recommendation of the Board supported by documentary evidence to his satisfaction, remove any member of the Board from office on the grounds of neglect of duty, incompetency, unprofessional or disreputable conduct, conviction for a felony or misdemeanor, or for any other reasonable cause. The Minister's decision to remove a member from office for good cause shall be final and conclusive.
- (4) Where any criminal or disciplinary investigations or proceedings are commenced in respect of or against any Board member, the Minister may, upon recommendation of the Board, suspend such member from office until the conclusion of such investigations or proceedings.
[P.L. 1995-116, §8.]

§209. Remuneration of Members.

The members of the Board shall not be entitled to receive any salary, remuneration or other compensation for their services except reimbursement for necessary expenses duly incurred by them in the performance of their official duties. [P.L. 1995-116, §9.]

§210. Immunity.

- (1) All members of the Board shall have immunity from individual civil liability for acts within the scope of their duties as Board members.

- (2) In the event that the entire Board, an individual member or staff is sued for acts within the scope of the duties of the Board, a member, or staff, the Attorney General shall represent the involved party.
- (3) Any member of the Board or professional review committee authorized by the Board, and any witness appearing before the Board, a hearing officer, or such a professional review committee, shall be immune from suit in any civil action taken by a licensee who is the subject of a professional review proceeding. [P.L. 1995-116, §10.]

§211. Administrative Support.

The Minister shall provide such administrative support to the Board as shall be necessary for the due and efficient conduct of its affairs. [P.L. 1995-116, §11.]

§212. Powers and Duties

- (1) The Board shall meet annually and shall elect a president and other officers as determined in its rules. The Board may hold such other meetings during the year as may be necessary to conduct its business. A majority of the Board, which must include at least one (1) officer, shall constitute a quorum at any meeting.
- (2) It shall be the duty of the Board to advise the Minister on any or all of the matters described under this Chapter and on any other matter that may be referred to the board by the Minister for advice.
- (3) The Board is authorized to:
 - (a) make, adopt, amend, repeal and enforce such Administrative Rules consistent with law as it deems necessary for the proper administration and enforcement of this Chapter and to protect the public health, safety, and welfare;
 - (b) enforce qualifications for licensure;
 - (c) develop and enforce reasonable and uniform standards for nursing practice and nursing education;
 - (d) examine, license and renew the licenses of duly qualified individuals;
 - (e) develop standards to assure the continued competency of licensees continuing in or returning to practice;
 - (f) collect data regarding nursing;

- (g) implement a disciplinary process;
 - (h) regulate the manner in which nurses announce their practice to the public;
 - (i) issue a limited license to practice nursing subject to such terms and conditions as the Board may impose;
 - (j) notify all licensees annually about changes in law and rules regarding nursing practice;
 - (k) submit an annual report to the Cabinet and the Nitijela through the Minister;
 - (l) maintain records of its proceedings as required by Marshall Islands law;
 - (m) appoint and employ, and prescribe the duties of a qualified Registered Nurse to serve as executive officer of the Board provided that such executive officer shall not be member of the Board;
 - (n) employ such other persons as may be necessary to administer the provisions of this Chapter;
 - (o) provide consultation, conduct conferences, forums, studies and research on nursing practice and education;
 - (p) join organizations that develop and regulate nursing licensure examinations and promote the improvement of the legal standards of the practice of nursing for the protection of the public health, safety and welfare;
 - (q) determine and collect reasonable fees;
 - (r) receive and expend funds in addition to the administrative support provided by the Ministry of Health and Environment; such funds are received and expended for the pursuit of the authorized objectives of the Board and are maintained as provided in this Chapter; and periodic reports of the receipts and expenditures of such funds are submitted to the Minister; and
 - (s) adopt a seal which shall be in the care of the executive director and which shall be affixed only in such a manner as prescribed by the Board.
- (3) This Chapter shall not be construed to require the Board to report violations of the provisions of the Chapter whenever, in the Board's

opinion, the public interest will be served adequately by a suitable written notice of warning. [P.L. 1995-116, §12.]

§213. Advisory Committees.

The Board may appoint advisory committees to assist the Board in the implementation of this Chapter; members of the advisory committees shall not be compensated. [P.L. 1995-116, §13.]

PART III- LICENSURE

§214. General; Mode of Licensing.

- (1) Each applicant who successfully meets the requirements of this section shall be entitled to licensure as a Registered Nurse or a Licensed Practical Nurse, whichever is applicable. A person may be licensed under this Chapter by examination, registration, or by endorsement.
- (2) Licensure by Examination. The Board may, when deemed necessary with regard to any applicant or applicants, require a written examination in such subjects as may be designated by the Board. Such written examination may be supplemented by an oral examination and/or evaluation of clinical competency as the Board sees fit. The Board shall establish in its rules the criteria for meeting the requirements for licensure by examination including the requirements for rewriting the examination.
- (3) Licensure by Registration. The Board may issue a license to an appropriately trained applicant who successfully completes a probationary period of a duration specified by the Board. The Board shall define by regulation the documents that must be submitted to determine an applicants training and education, as well as the terms and conditions of the probationary period.
- (4) Licensure by Endorsement. The Board may issue a license without examination to an applicant who has been duly licensed as a Registered Nurse or Practical Nurse under the laws of another U.S.-related Pacific Basin Island Territory or Commonwealth of the U.S., a State of the U.S., or a foreign country if, in the opinion of the Board,

the applicant meets the qualifications required of nurses in the Marshall Islands. [P.L. 1995-116, §14.]

§215. Qualifications of Nurse Applicants.

- (1) For licensure by examination or registration an applicant:
 - (a) must be a high school graduate or the equivalent thereof as approved by the Board;
 - (b) must be a graduate of a nursing education program approved by the Board which prepares for the level of licensure being sought and which is approved by the Board;
 - (c) if not a graduate of a practical nursing education program, must have successfully completed courses of theory and clinical study in an approved professional nursing education program or a military Corps program to be considered on individual basis for the practical nursing examinations;
 - (d) if a graduate of a foreign nursing educational program, must be proficient in the English language;
 - (e) must have committed no acts or omissions which are grounds for disciplinary actions as set forth in Section 230 of this Chapter, or if the Board finds after investigation that sufficient restitution has been made; and
 - (f) if required by the Board, must take and pass an examination authorized by the Board.
- (2) An applicant who has been duly licensed under the laws of a foreign jurisdiction and who meets the requirements in Subsection (1) of this Section, may be issued a license by endorsement if the applicant meets the qualifications required for the level of licensure in the Marshall Islands at the time of application.
- (3) Any person holding a license to practice nursing in the Marshall Islands that is valid on the effective date of this Chapter shall be deemed to be licensed under and subject to the provisions of this Chapter. Such persons shall be eligible for renewal of their license under the conditions and standards prescribed in Section 219 of this Chapter. [P.L. 1995-116, §15.]

§216. Qualifications of Nurse Practitioners.

In addition to being licensed as a Registered Nurse under Section 215, the Board shall establish other criteria and standards for nurse practitioners, including nurse midwives and other specialty areas, in its rules. [P.L. 1995-116, §16.]

§217. Temporary License.

The Board may issue a temporary license to practice nursing to an applicant who is currently licensed in another foreign jurisdiction pending the Board's final decision on the application, provided that no temporary license shall be issued for a period exceeding six (6) months and no more than one temporary license shall be issued to any person. [P.L. 1995-116, §17.]

§218. Limited License.

The Board may issue a limited license to practice nursing in a restricted manner as designated by the Board, this licensure may be used when the applicant has met all the requirements for licensure except;

- (a) passing an examination as may be required by the Board, (b) meeting competency requirements as designated by the Board in its rules; or;
- (c) successfully completing the probationary period required for licensure by registration. [P.L. 1995-116, §18.]

§219. Renewal of License.

- (1) The Board shall prescribe by regulation the period of validity of any license except a temporary license issued under this Chapter, provided that no license shall be issued for a period exceeding two (2) years. The Board, in its rules, shall establish a schedule for renewal of license.
- (2) A renewal license shall be issued to a Registered Nurse. Licensed Practical Nurse, or Nurse practitioner who demonstrates satisfactory completion of such requirements established by the Board to ensure continued competence and who remits the required fee.
- (3) Failure to renew the license shall result in forfeiture of the right to practice nursing in the Marshall Islands. [P.L. 1995-116, §19.]

§220. Reinstatement of Lapsed Licenses.

A licensee who has allowed their license to lapse by failure to renew may apply for reinstatement according to the rules established by the Board. Upon satisfaction of the requirements for reinstatement, the Board shall issue a renewal of license. [P.L. 1995-116, §20.]

§221. Duties of Licensees.

Each licensee shall:

- (a) In response to Board inquiries, provide information requested by the Board to perform its duties in regulating and controlling nursing in order to protect the public health, safety and welfare. Failure to provide the requested information may result in non-renewal of the license to practice nursing.
- (b) Submit to a physical or mental examination by a designated physician when directed in writing by the Board for cause. If requested by the licensee, the licensee may also designate a physician for an independent medical examination. Refusal or failure of a licensee to complete such examinations shall constitute and admission of any allegations relating to such condition. All objections shall be waived as to admissibility of the examining physicians testimony or examination reports on the grounds that they constitute privileged communication. The medical testimony or examination reports shall not be used against a Registered Nurse or Licensed Practical Nurse in another proceeding and shall be confidential. At reasonable intervals, the nurse shall be afforded an opportunity to demonstrate that the nurse can resume the competent practice of nursing with reasonable skill and safety to patients.
- (c) Report to the Board those acts or omissions which are grounds for disciplinary action as set forth in Section 230 of this Chapter.
- (d) Report to the Board every adverse judgment in a professional or occupational malpractice action to which the licensee is party, and every settlement of a claim against the licensee alleging malpractice. [P.L. 1995-116, §21.]

§222. Titles and Abbreviations.

- (1) Only those persons who hold a license to practice nursing in the Marshall Islands shall have the right to use the following title abbreviations:
 - (a) Title: "Registered Nurse"; Abbreviation: "RN";
 - (b) Title: "Licensed Practical Nurse"; Abbreviation: "LPN".
- (2) Any person, who has been approved as an applicant for the licensure examination or registration, a temporary license, or a limited license, shall have the right to use the following abbreviations:
 - (a) Title: "Graduate Nurse"; Abbreviation: "GN";
 - (b) Title: "Graduate Practical Nurse"; Abbreviation: "GPN".
- (3) Only those Registered Nurses who meet the criteria and standards of nurse practitioners as determined by the Board shall have the right to use a nurse practitioner title. The various categories of nurse practitioner, their title, and abbreviations shall be designated by the Board in its rules. [P.L. 1995-116, §22.]

PART IV - NURSING EDUCATION PROGRAMS**§223. Approval Standards.**

The Board shall, by administrative rules and regulations, approve the establishment and conduct of and standards for nursing education programs, including all clinical facilities used for learning experiences, and shall survey and approve such programs as meet the requirements of the Chapter and the Board's administrative rules and regulations. [P.L. 1995-116, §23.]

§224. Approval Required.

An institution within the Marshall Islands desiring to conduct a nursing education program shall apply to the Board and submit evidence that its nursing program is able to meet the standards established by the Board. If, upon investigation, the Board finds that the program meets the established standards for nursing education programs, it shall approved the applicant program. [P.L. 1995-116, §24.]

§225. Periodic Evaluation of Nursing Programs.

The Board shall periodically resurvey and re-evaluate approved nursing education programs and shall publish a list of approved programs. [P.L. 1995-116, §25.]

§226. Denial or Withdrawal of Approval.

The Board may deny or withdraw approval or take such action as deemed necessary when nursing education programs fail to meet the standards established by the Board, provided that all such actions shall be affected in accordance with the Marshall Islands Administrative Procedures Act (6 MIRC 1) and the administrative rules of the Board. [P.L. 1995-116, §26]

§227. Reinstatement of Approval.

The board shall reinstate approval of a nursing education program upon submission of satisfactory evidence that its programs meets the standards established by the Board. [P.L. 1995-116, §27.]

§228. Provisional Approval.

Provisional approval of new programs may be granted pending the licensure results of the first graduating class. [P.L. 1995-116, §28.]

§229. Conditional Approval.

Conditional approval may be granted to a nursing program which is working towards meeting the conditions for full approval. The graduates of conditionally approved programs are eligible for licensure by examination or registration. [P.L. 1995-116, §29.]

PART V- DISCIPLINARY CONTROLS

§230. Violations.

No person shall:

- (a) Engage in the practice of nursing as defined in the Chapter without a valid, current license, except as otherwise permitted under this Chapter;

- (b) Practice nursing under cover of any diploma, license or record illegally or fraudulently obtained, signed or issued unlawfully or under fraudulent representation;
- (c) Practice nursing during the time license is suspended, revoked, surrendered, inactive or lapsed;
- (d) Use any words, abbreviations figures, letters, title, sign, card or device tending to imply that he or she is a Registered Nurse, Licensed Practical Nurse or Nurse Practitioner unless such person is duly licensed so to practice under the provisions of this Chapter:
- (e) Fraudulently obtain or furnish a license by or for money or any other thing of value;
- (f) Knowingly employ unlicensed persons in the practice of nursing;
- (g) Fail to report information relating to violations of this Chapter;
- (h) Conduct a nursing education program for the preparation of Registered Nurses or Licensed Practical Nurses unless the program has been approved by the Board; or;
- (i) Otherwise violate or aid or abet another person to violate any provision of this Chapter. [P.L. 1995-116, §30.]

§231. Exceptions.

No provision in this Chapter shall be construed to prohibit:

- (a) gratuitous nursing of the sick by friends or relatives;
- (b) incidental care of the sick by persons standing in loco parentis or by persons primarily employed as housekeepers;
- (c) domestic administration of family or traditional remedies or the practical of traditional arts of healing;
- (d) professional or practical nursing services, health assistance services or midwifery services performed by any physician, dentist or surgeon or any assistant of such physician, dentist or surgeon;
- (f) the practice of professional or practical nursing, health assistance or midwifery which forms an integral part of a student's training program approved by the Board; or which

forms an integral part of any program leading to qualification as a physician, dentist or surgeon or a practitioner of any other healing art not expressly provided for in this Chapter;

- (g) the establishment of an independent practice by one or more licensed nurses for the purpose of rendering to patients nursing services within the scope of their educational preparation and the scope of the license to practice, issued by the Board pursuant to this Chapter, in the extended and expanded rules of nursing;
- (h) to any employees, servants or agents of a foreign government or recognized international organization or individual present in the Marshall Islands in connection with any educational assistance program approved by the government of the Marshall Islands. [P.L. 1995-116, §31.]

§232. Penalties.

Initial violation of any provision of this Chapter shall constitute a misdemeanor and each subsequent violation shall constitute a felony. [P.L. 1995-116, §32.]

§233. Authority.

- (1) The Board shall have the power to refuse to issue or renew, to suspend, revoke, restrict, place on condition, place on probation or reprimand a license for any one or combination of the causes on the grounds set forth below. Fines of up to 50% of the costs of the proceedings resulting in the Board action may be imposed.
- (2) The Board may take disciplinary action on proof that a licensee:
 - (a) has procured or attempted to procure by making or causing to be made a false, fraudulent or forged statement, a license to practice under this Chapter; or
 - (b) has procured or attempted to procure by giving or offering a bribe to any member, or officer or employee of the Board; or by using undue influence, threat or duress on such member, officer or employee, a license to practice under this Chapter; or
 - (c) has been convicted by a court or another board of nursing to a crime in any jurisdiction that related adversely to the practice of nursing or to the ability of practice of nursing; or denied to

an individual because of commission of crime: or has resorted to or attempted to resort to any malpractice at any examination conducted by the Board for the purpose of licensure: or has violated any, regulation relating to such examination: or

- (d) has been disciplined by a board of nursing in another jurisdiction; or
- (e) has engaged in any act inconsistent with the standards of nursing practice as defined by Board rules; or
- (f) is unfit or incompetent by reason of ill-health, negligence, habit or other reasonable cause; or
- (g) is guilty of conduct likely to deceive, defraud or harm the public or any member thereof; or
- (h) is habitually intoxicated or addicted to alcohol or drugs; or
- (i) has been convicted of a felony or misdemeanor; or
- (j) has engaged knowingly in any act which before it was committed had been determined to be beyond the scope of the individual's nursing practice; or
- (k) has failed to meet the duties of the licensee as provided in this Chapter and Board Administrative Rules.
- (l) has knowingly or repeatedly violated any of the provisions of this Chapter or regulations made under this Chapter, or any of the regulations of the Ministry of Health and Environment as applied to the nursing profession. [P.L. 1995-116, §33.]

§234. Procedure.

The Board shall establish a discipline process based on the Administrative Procedures Act of the Marshall Islands. [P.L. 1995-116, §34.]

PART VI - NURSING BOARD FUND; FEES

§235. The Nursing Board Fund.

The Nursing Board Fund (the Fund) is hereby established. The Fund is a special revenue fund within the National Treasury and under the control and supervision of the Ministry of Finance. [P.L. 1995-116, §35.]

§236. Payments Into the Fund.

There shall be paid into the Fund:

- (1) any money appropriated by the Nitijela for the purposes of the Fund, as well as all money allocated by the Ministry of Health and Environment;
- (2) all fees, fines, and other sums paid to and collected by the Board; and
- (3) all sums, gifts, grants, loans, or investments, from any source which may, from time to time, be available to the Board. [P.L. 1995-116, §36.]

§237. Payments Out of the Fund.

- (1) Payments shall be made out of the Fund for or to the following purposes:
 - (a) with respect to monies appropriated by the Nitijela or allocated by the Ministry of Health and Environment, for the purposes for which the monies were appropriated or allocated; and
 - (b) with respect to fees, fines, and other sums received by the Board, for any lawful purpose within authority of the Board provided, however, that sums received for the specific purpose may and shall only be used for said purpose.
- (2) No money may be withdrawn from the Fund except upon the authority of the Board which shall satisfy itself that the withdrawal is made in accordance with this Chapter, the budgets prepared pursuant to Section 238, and any other applicable law. [P.L. 1995-116, §36.]

§238. Budget.

In advance of each financial year the Board shall cause to be prepared a budget for the withdrawal and expenditure of moneys out of the Fund for that financial year. The budget may, with the approval of the Board, be revised from time to time as the Board deems necessary. [P.L. 1995-116, §38.]

§239. Accounts and Records.

- (1) In respect to its assets and transactions, the Board shall maintain accounts and records in accordance with generally accepted accounting principles consistently applied.

- (2) The Boards accounts shall be audited by the Auditor-General.
[P.L. 1995-116, §39.]

§240. Establish Fees.

The Board is authorized to establish appropriate fees for licensure by examination, re-examination, registration, endorsement, and such other fees and fines as the Board determines necessary. The Board shall designate a fee schedule in its rules. [P.L. 1995-116, §40.]

§241. Disposition of Fees.

All fees and fines shall be collected and deposited into the Fund.
[P.L. 1995-116, §41.]

PART VII- MISCELLANEOUS

§242. Regulations.

No regulation made by the Board under any provision of this Chapter shall be valid until it has been approved by the Minister and the Cabinet in accordance with the Marshall Islands Administrative Procedures Act.
[P.L. 1995-116, §42.]

§243. Repealer and Transition.

The Board of Nurse Examiners Act 1984, Title 19 MIRC Chapter 2, is hereby repealed as of the effective date of this Chapter [28 February 1995]. All rights and duties that have matured, penalties that were incurred and proceedings that were begun before the effective date of this Chapter are hereby transferred to the entity created under this Chapter. [P.L. 1995-116, §43.]