

DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA BOARD OF REGISTERED NURSING
TITLE 16 CALIFORNIA CODE OF REGULATIONS
DIVISION 14, ARTICLE 8, Sections 1481, 1482, 1482.3, 1482.4 and 1487

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
Nurse Practitioner

§ 1481. Categories and Scope of Practice of Nurse Practitioners

§ 1482. Requirements for Certification as a Nurse Practitioner

§ 1482.3 Requirements for a Nurse Practitioner Certification Pursuant to Business and Professions Code Section 2837.103

§ 1482.4 Requirements for a Nurse Practitioner Certification Pursuant to Business and Professions Code Section 2837.104

§ 1487. Notice to Consumers

NOTICE IS HEREBY GIVEN that the Board of Registered Nursing (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Person" in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under "Contact Person" in this Notice, must be **received by the Board at its office no later than Tuesday August 25, 2026** or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Section 2715 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 2837.101, 2837.103, 2837.104, and 2837.105 the Board is considering amending sections 1481, 1482, 1482.3, 1482.4 and 1487 of Article 8, Division 14 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

A nurse practitioner (NP) is a registered nurse (RN) that has additionally earned a postgraduate nursing degree, such as a Master's or Doctorate degree and obtained a certificate from the Board. They are bound by an ethical code of conduct, a complex network of overlapping regulations tied to their specific practice facility, and licensure and professional certification standards requiring these professionals to achieve and maintain a minimum level of competency promoting quality of care and patient safety.

In September 2020, Governor Newsom signed [Assembly Bill \(AB\) 890 \(Wood, Chapter 265, Statutes of 2020\)](#) into law which created two new categories of Nurse Practitioners (NPs) who could work within a defined scope of practice without standardized procedures. In this document, the Board refers to these new categories as 103 NPs (as outlined in BPC section 2837.103) and 104 NPs (as outlined in BPC section 2837.104).

The bill also defined the education, training, national certification, and medical staff governance requirements for these two NP categories. These provisions were codified in Board regulations under Title 16 California Code of Regulations (CCR) Section 1481, 1482, 1482.3, 1482.4, and 1487.

In September 2024, Governor Newsom signed [Senate Bill \(SB\) 1451 \(Ashby, Chapter 481, Statutes of 2024\)](#) into law which was a policy omnibus bill that impacted a variety of different boards and bureaus under the Department of Consumer Affairs. This included updating key provisions of AB 890, such as 103 NP eligibility criteria and consumer notification requirements. Consequently, Board regulations need to also be updated to conform with statute. This regulatory package also includes several additional clean up amendments related to nurse practitioners.

The draft proposed text would make the following changes:

Amend 1481. Categories and Scope of Practice of Nurse Practitioners

- Specify that 103 and 104 NPs can be nationally certified in a population focus category whose exam was retired before January 1, 2017.
- Clarify that 104 NPs may perform the functions listed in BPC Section 2387.104(b) in addition to BPC Section 2387.104(c).

Amend 1482. Requirements for Certification as a Nurse Practitioner

- Remove reference to the nurse practitioner certification equivalency option (Method 3) due to statutory, regulatory and organizational updates, as well as national licensing standards.
- Clarify that nurse practitioners who are not certified as a 103 NP or 104 NP are still required to work under standardized procedures.

Amend 1482.3. Requirements for a Nurse Practitioner Certification Pursuant to Business and Professions Code Section 2837.103

- Remove the requirement for an applicant's transition to practice hours, national certification, and 103 NP certification to all be in the same category.
- Remove the requirement for the healthcare provider attesting to a 103 NP applicant's completion of transition to practice hours to specialize in the same category as the 103 NP applicant.
- Clarify that maintenance of an active national certification in a population focus category is required to continue working as a 103 NP.
- Clarify that the term 103 NP can be used to colloquially identify a nurse practitioner practicing pursuant to Section 2837.103 of the code.

Amend 1482.4. Requirements for a Nurse Practitioner Certification Pursuant to Business and Professions Code Section 2837.104

- Remove the requirement for a 104 NP applicant to re-submit national certification and transition to practice information.
- Add the requirement for a 104 NP applicant to submit proof of certification by the Board as a 103 NP.
- Clarify the documentation a 104 NP applicant needs to complete to apply the direct patient care hours they obtained as part of a Doctor of Nursing Practice program towards the requirement for them to work as a 103 NP for 4600 hours.
- Clarify that 104 NPs must maintain an active national certification in a population focus category that aligns with their 104 NP certification category.
- Clarify that the term 104 NP can be used to colloquially identify a nurse practitioner practicing pursuant to Section 2837.104 of the code.

Amend 1487. Notice to Consumers

- Clarify that that the consumer notification provisions are only mandatory for 103 and 104 NPs.
- Remove the specification that a patient be notified verbally that an NP is not a physician and surgeon.

- Remove the requirement to use specific terminology when identifying oneself as a nurse practitioner to Spanish language speakers.
- Remove the requirement for 103 NPs and 104 NPs to advise their patients that they have the right to see a physician and surgeon on request and the circumstances under which they must be referred to see a physician and surgeon.

Anticipated Benefits of Proposal

The Board has determined that this regulatory proposal, which implements the provisions of SB 1451 will have the following benefits to the health and welfare of California residents:

- Remove potential barriers to certification as a 103 and 104 NP, helping allow more certified NPs to provide more patient care and work to the full extent to their education and training.
- Increase access to health care and work to close the provider gap, especially in rural and underserved areas.

This proposal does not impact worker safety or the state’s environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing this regulatory proposal, the Board conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

The Board has made the following initial determinations:

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The regulations do not result in a fiscal impact to the state.

There is no fiscal impact to the state in the form of federal funding or any cost or savings to any state agency.

Any fiscal impacts are a result of current law.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs (and, if applicable, including any estimated costs of compliance or potential benefits of a building standard): None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This initial determination is based on the following facts: The proposed changes do not impose additional requirements or fees on California’s licensees or businesses. Rather, the proposed text simplifies the application requirements for NPs that want to pursue certification as a 103 and 104 NP.

The Board notes, any economic impacts to business are a result of SB 1451 and AB 890, and not the regulations.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The proposed changes do not impose additional requirements or fees on California’s licensees or businesses.

The Board notes, any economic impacts to individuals or business are a result of SB 1451 and AB 890, and not the regulations.

RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS

Impact on Jobs / Businesses

The Board has determined that this regulatory proposal will not have a significant impact on the following:

- Creation or elimination of jobs within the State of California.
- Creation of new businesses or elimination of existing businesses within the State of California.
- Expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts as explained in the “Business Impact Estimates” section of this notice.

Benefits of Regulation

The Board has determined that this regulatory proposal, which implements the provisions of SB 1451 and AB 890 will have the following benefits to the health and welfare of California residents, worker safety, and the state’s environment:

- Remove potential barriers to certification as a 103 and 104 NP.

- Allow more NPs to work to the full extent to their education and training.
- Increase access to health care and work to close the provider gap, especially in rural and underserved areas.

Business Reporting Requirements:

The regulatory action does not require businesses to file a report with the Board of Registered Nursing.

Effect On Small Business:

The Board has determined that the proposed regulations may affect small businesses. Although small businesses owned by licensees of the Board may be impacted, the Board does not maintain data relating to the number or percentage of licensees who own a small business; therefore, the number or percentage of small businesses that may be impacted cannot be predicted.

The Board notes, any economic impacts to small businesses are a result of SB 1451 and AB 890, and not the regulations.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at **1747 N. Market Blvd, Suite 150 Sacramento, CA 95834** during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board, at **1747 N. Market Blvd, Suite 150 Sacramento, CA 95834**.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Persons named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Marissa Clark
Address: Board of Registered Nursing
1747 N. Market Blvd. Suite 150
Sacramento, CA 95834
Telephone No.: 916-574-7438
Fax No.: 916-574-7700
E-Mail Address: brn.regulations@dca.ca.gov

The backup contact person is:

Name: Ras Siddiqui
Address: Board of Registered Nursing
1747 N. Market Blvd. Suite 150
Sacramento, CA 95834
Telephone No.: 916-574-7922
Fax No.: 916-574-7700
E-Mail Address: brn.regulations@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text ,if any, can be accessed through the Board website at <https://www.rn.ca.gov/regulations/proposed.shtml>.