

1981 WL 158041 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 9, 1981

***1 Re: Your opinion request of September 24, 1981**

Mrs. Ruth Q. Seigler
Executive Director
State Board of Nursing
1777 St. Julian Place
Columbia, South Carolina 29204

Dear Mrs. Seigler:

You have requested an opinion of this office as to whether the State Board of Nursing may recognize a specific foreign nursing examination as a basis for licensure by endorsement to the State of South Carolina. [South Carolina Code Section 40-33-560 \(1976\)](#) permits the State Nursing Board for South Carolina to issue Certificates of Registration without examination to nurses registered in foreign countries so long as they meet the requirements of the Nurse Practice Act (Sections 40-33-10, et seq.) and of the State Nursing Board.

It is the opinion of this office that [Section 40-33-560](#) would permit the Board to recognize a specific foreign nursing examination as a basis for licensure. Furthermore, the Board may subject foreign nurses applying for endorsement without examination to such reasonable regulation and control as it may see fit to impose in the interest of the public safety and welfare. Such regulations or requirements would offend equal protection safeguards only if they rest on grounds wholly irrelevant to the achievement of the Nursing Board's goals, i.e., the registration only of persons who would be competent to practice nursing in South Carolina. See [State v. Newton, 274 S.C. 287, 262 S.E. 2d 906 \(1980\)](#).

If you have any additional requests or comments, please do not hesitate to contact the undersigned at this office.

Thank you.

Very truly yours,

Lindy P. Funkhouser
Assistant Attorney General

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