

1975 S.C. Op. Atty. Gen. 65 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 3992, 1975 WL 22290

Office of the Attorney General

State of South Carolina

Opinion No. 3992

March 10, 1975

*1 Miss Hazel M. Peeples, R.N.
Executive Director
State Board of Nursing
Suite 102–1777 St. Julian Place
Columbia, South Carolina 29204

Dear Miss Peeples:

You have requested an opinion as to whether or not an applicant for a license as a practical nurse in South Carolina can be granted one pursuant to Section 56–995 of the Code of Laws of South Carolina, 1962, as amended, if that applicant does not fulfil all of the requirements set forth in Section 56–993, Code of Laws of South Carolina, 1962, as amended (Cum. Supp.).

Section 56–995 provides:

The Board may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed as a licensed practical nurse or a person entitled to perform similar services under a different title under the laws of another state or territory, the District of Columbia or a foreign country if, in the opinion of the Board, the applicant meets the requirements for licensed practical nurses in this State . . . [Emphasis added.]

Section 56–993 sets forth the ‘requirements for licensed practical nurses in this State.’ Clearly, if a practical nurse licensed in another jurisdiction does not fulfil the requirements imposed upon applicants for a South Carolina license, the Board cannot license that person as a licensed practical nurse in this State.

You also ask if an applicant who applies for a South Carolina license as a registered nurse by endorsement from another State can be licensed pursuant to Section 56–984 after June 30, 1970. That Section is expressly limited to applications filed with the Board prior to June 30, 1970. If, however, an applicant who is registered in another jurisdiction applies for a South Carolina license as a registered nurse, the Board can issue a certificate of registration to that applicant pursuant to Section 56–986, Code of Laws of South Carolina, 1962, as amended (Cum. Supp.).

Finally, you ask if the Board can license an applicant for a license either as a registered nurse or as a licensed practical nurse who is licensed in another jurisdiction prior to June 30, 1970, but who does not meet the requirements of either Section 56–983 or Section 56–993, respectively. June 30, 1970, refers to the date by which an applicant must apply for the appropriate South Carolina license; it does not relate to the date upon which the applicant was licensed by another jurisdiction.

In reference to the Board's discretion in these matters, Section 56–995 authorizes the Board to determine if an applicant licensed in another jurisdiction meets the requirements for licensed practical nurses in South Carolina. As to registered nurses, I am enclosing an earlier opinion issued by this office [1966 OPS.ATTY.GEN. No. 1965 at 13] which is dispositive of the question.

With kindest regards,

Karen LeCraft Henderson
Assistant Attorney General

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