

1974 WL 27691 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 2, 1974

***1 RE: Your letter of March 22, 1974, to State Board of Nursing.**

Mr. Lachlan L. Hyatt
Chairman
Health Policy and Planning Council
South Carolina Department of Health and Environmental Control
P. O. Box 4088
Spartanburg, S. C. 29303

Dear Mr. Hyatt:

The Executive Director of the State Board of Nursing for South Carolina has requested that this office, as counsel to the Board, reply to your recent letter regarding the Board's position on the licensure of foreign nurses subsequent to the enactment of Act R-949. Additionally, the Attorney General is in receipt of your letter to him of March 22nd on this same subject, and has made reply by letter dated March 27th.

The Board of Nursing is quite concerned regarding charges that since the recent enactment of R-949 it has changed its position as to requirements to be met by foreign nurses prior to licensure in South Carolina, I enclose as information a letter from the Board's Executive Director to Mr. William L. Yates, dated September 25, 1973, which clearly outlines the policies of the Board regarding foreign nurses, and the authority for it. These policies have been in force since before 1960 and the Board of Nursing has in the past been advised by this office that these policies are legally sound. If there is some misunderstanding as to the Board's policies it does not appear to be the fault of the Board. The requirement of citizenship which has recently been removed is only one prerequisite to licensure. It was the understanding of the Board that no others were to be affected by the legislation. The Board of Nursing has indicated to this office that it fully intends to comply with both the language and the intent of Act R-949, which merely eliminates the requirement that nurses in South Carolina be citizens of the United States or declare a formal intent to become such.

With best wishes, I am

Sincerely,

John B. Grimball
Assistant Attorney General

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