

BS in 10 Law
Chapter 502 of the Laws of 2017
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FAQ's

1. What does the BS in 10 law do and why do we need it?

The BS in 10 law will require future nurses who graduate from a New York State Diploma or Associate Degree program to obtain a Baccalaureate Degree in Nursing within ten years of becoming a nurse. The law is grounded in evidence demonstrating better outcomes when patients receive care from Baccalaureate-prepared nurses. The originally published study dates back to 2003 and has been replicated many times. Changes in healthcare require new skills for nurses.

- Registered Nurses must now manage care across the continuum, not only in one setting; lead interdisciplinary teams in all settings to achieve excellent outcomes for patients; care for more seriously ill hospitalized patients; learn to manage highly technical environments; and deal with complex family/care needs of patients in hospitals and in the community.
- Better patient outcomes that improve and preserve the health of the patients help lower healthcare costs.
- Nurses with Bachelor's Degrees are able to pursue advanced education. Nurses with advanced degrees fill roles as nursing faculty, advanced practice nurses and nurse administrators, all areas of shortage that are needed to meet the nursing workforce development needs of the future and advance the profession.

2. When does the BS in 10 law take effect?

The BS in 10 law took effect December 18, 2017 when it was signed into law by Governor Cuomo.

3. Who does the BS in 10 law affect?

The new law affects anyone who starts a New York State Diploma or Associate Degree program to become a Registered Professional Nurse (pre-licensure program) after the bill became law unless they are grandfathered.

4. Who is grandfathered under the new BS in 10 law?

All RNs who were licensed on or before December 18, 2017 are grandfathered and do not need to meet the requirement to complete a RN/BS program.

- Any person who was enrolled in, was accepted in or was waitlisted for later acceptance in a Diploma or Associate Degree program in New York State before Dec. 18, 2017 is grandfathered and will not be required to complete a RN/BS completion program to maintain permanent RN licensure in NYS after they graduate.

5. I am currently a nurse or nursing student, is there any grandfathering in the law for me?

Yes. Any person who was enrolled in a New York State Diploma or Associate Degree program before Dec. 18, 2017 is grandfathered and will not be required to complete a RN/BS completion program to maintain permanent RN licensure in NYS after graduation.

6. I am currently on a waitlist for nursing school is there grandfathering that would affect me?

Yes. Any person who was waitlisted for later acceptance in a NYS Diploma or Associate Degree program before Dec. 18, 2017 is grandfathered and will not be required to complete a RN/BS completion program to maintain permanent RN licensure in NYS after graduation.

7. I am a Registered Nurse working at a nursing home or facility other than a hospital. Does this law affect me?

All RNs, in all practice settings, who were licensed on or before Dec. 18, 2017 are grandfathered and do not need to meet the requirement to complete a RN/BS program. The law is intended to provide a consistent standard of nurse education in any setting where Registered Nurses care for patients – long term care, primary care, schools, etc.

8. Are there different requirements in the law based on a nurse's geographic location within NYS?

No, the law will affect all New York State nurses. The same standard of nurse education will be required for future nurses caring for patients no matter where they live or receive care.

9. Must I obtain my Bachelor's Degree to practice?

If you are not in the category of exemption as stated above in question 3, you will be able to practice after licensure upon graduating from a NYS Associate Degree (AD) program or Diploma school. Your license is valid for 3 years and -- as is current practice --you will be required to reregister every 3 years thereafter.

10. How long will I have to complete my BS?

As stated in above in question 4, if you are a Registered Nurse, a student in a NYS AD or diploma school, accepted into an AD or diploma program, but have not yet started or were on a waiting list to start in December of 2017 when the bill was signed into law, you are permanently exempt from ever having to acquire the BS in Nursing. Otherwise the law applies to you. You then have 10 years from the date of your first licensure as an RN after graduating from an AD or Diploma school to complete the BS in Nursing to get re-registered to practice.

11. What happens if I can't complete my BS in Nursing within the law's 10 year requirement?

Again, if you are not in the category of exemption as stated above in question 4, and you are unable to complete the BS in Nursing requirements in the new law within 10 years of your initial licensure, you may make an application for an extension to the New York State Education Department, Board of Nursing. If you fail to complete the program in the specified time allotted in the law, you may receive a one year extension that may be extended for one additional year to allow you to complete the requirement as will be defined by regulation.

12. I hear there is a commission established as part of the law. What is the commission's charge?

Yes, the law establishes a temporary commission, to be known as the Nursing Program Evaluation Commission. The temporary commission is charged with drafting a report and making recommendations on 5 areas, including:

- Determining if there are barriers to entry into nursing, including, but not limited to cultural barriers, economic barriers, and compliance barriers;
- Assessing the availability of and access to baccalaureate programs, including such availability and access for non-traditional students, rural students, and students of diverse cultural backgrounds;

- Considering if there are financial barriers to entry into baccalaureate programs;
- Reviewing other alternative equivalents through which nurses may obtain training experience; and
- The impact of requirements for achieving a baccalaureate degree in any lesser period of time than required by law as condition to maintaining employment.

13. Who sits on the commission and appoints the membership?

The temporary commission will consist of 9 members. The members must be appointed within 60 days of the law taking effect. The law took effect on December 18, 2017, so appointments are to be made by February 16, 2018 as follows:

- Two members will be appointed by the Speaker of the New York State Assembly;
- Two members will be appointed by the Temporary President of the New York State Senate;
- One member will be appointed by the Minority Leader of the New York State Senate;
- One member will be appointed by the Minority Leader of the New York State Assembly; and
- Three members will be appointed by the Governor of the State of New York.

The members that are appointed are not eligible for compensation other than expenses incurred related to the performance of duties for sitting on the temporary commission. Further, they are to be representative of patient advocates, nurses, and related health care professionals and are delineated as follows:

- At least one member must be a nurse and a member of a duly recognized collective bargaining organization and does not have a supervisory or managerial role;
- At least one member shall be a Registered Nurse in nursing higher education with academic credentials from a school that has a baccalaureate and higher degree nursing programs.

14. Is there a time limit for the completion of the Nursing Program Evaluation Temporary Commission's work?

Yes. The law states that the Temporary Commission is required to make a report of its findings, including any recommendations for legislative action as it may deem necessary and appropriate, to the Governor and the Legislature within twelve months of enactment of the law which would be no later than December 18, 2018.

15. Should the commission have findings that need to be addressed, is the law still in effect?

Yes. As of December 18, 2017, the law is now permanently in effect. The temporary commission's work will not prevent the requirements within the law from going into full effect, but rather solely allows for evaluation. Recommendations from the temporary commission are just that and in no way hinder the implementation and enforcement of the law.