



BOARD OF NURSING

FAQ

Practicing Nursing in Emergency Situations

I am a nurse licensed in another state/jurisdiction. I do not have a nursing license issued by Minnesota. May I provide nursing care in Minnesota during an emergency?

Yes, if it is a legally declared emergency. Minnesota Statutes section 12.42 reads as follows:

“During an emergency or disaster, a person who holds a license, certificate or other permit issued by a state of the United States, evidencing the meeting of qualifications for professional, mechanical or other skills, may render aid involving those skills in this state. The license, certificate or other permit of the person, while rendering aid, has the same force and effect as if issued in this state.”

If I have been licensed as a nurse but do not have a current license or registration in Minnesota or another state, may I provide care during an emergency or disaster in Minnesota?

- a. Yes. There is a provision in the Nurse Practice Act, Minnesota Statutes section 148.271, clause (1), that exempts a nurse from the requirement of a Minnesota nurse license when furnishing “nursing assistance in an emergency” and under other certain circumstances set forth in Minnesota Rules Part 6305.0300, clause (2), including “for disaster relief during a period not to exceed seven days.”
- b. In addition, the Good Samaritan Law, Minnesota Statutes section 604A.01, states:

“A person at the scene of an emergency who knows that another person is exposed to or has suffered grave physical harm shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the exposed person. Reasonable assistance may include obtaining or attempting to obtain aid from law enforcement or medical personnel.”

This law further provides for immunity from liability.
- c. Minnesota law does not provide for nurses licensed solely outside of the United States jurisdictions to practice nursing in Minnesota at any time, including during emergency situations.

Are there other Minnesota laws that nurses should be aware of when a disaster or emergency occurs?

Yes. The Minnesota Emergency Health Powers Act, Minnesota Statutes, chapters 12, 13, and 144, specifies the powers and duties of the governor and the commissioner of health during public health emergencies. The governor is authorized to declare a national security or peacetime emergency due to a public health emergency, and the legislature is given oversight over peacetime emergencies declared due to public health emergencies. (See Minnesota Department of Health, Office of Emergency Preparedness website at: <https://www.health.state.mn.us/communities/ep/index.html>.)