



Wyoming State Board of Nursing  
130 Hobbs Avenue, Suite B  
Cheyenne, WY 82002  
Phone (307) 777-7601 Fax (307) 777-3519  
E-Mail: [wsbn-info-licensing@wyo.gov](mailto:wsbn-info-licensing@wyo.gov)  
Home Page: <https://nursing-online.state.wy.us/>

**OPINION: PRACTICING BELOW THE HIGHEST LEVEL OF LICENSURE**

**APPROVED DATE:** 4.12.16

**REVIEWED DATE:** July 2016

**REVISED DATE:** December 2018

**ORIGINATING COMMITTEE:**

Practice & Education Committee

An advisory opinion adopted by WSBN is an interpretation of what the law requires. While an advisory opinion is not law, it is more than a recommendation. In other words, an advisory opinion is an official opinion of WSBN regarding the practice of nursing as it relates to the functions of nursing. Facility policies may restrict practice further in their setting and/or require additional expectations related to competency, validation, training and supervision to assure the safety of their patient population and/or decrease risk.

Within the Scope of Practice/Role of  APRN  RN  LPN  CNA

**ADVISORY OPINION  
PRACTICING BELOW THE HIGHEST LEVEL OF LICENSURE / RECOGNITION**

The Wyoming State Board of Nursing (WSBN) receives frequent questions regarding practicing at a level below an individual's highest level of licensure / recognition. The purpose of this opinion is to provide guidance to individuals choosing to work below their highest level of preparation.

In accordance with Wyo. Stat. Ann. § 33-21-122 (c) (iii) of the Wyoming Nursing Practice Act (NPA), the Wyoming State Board of Nursing (WSBN) has approved the following Advisory Opinion on Practicing below the highest level of licensure / recognition.

There are no Wyoming laws, rules or regulations that prohibit a nurse from being employed in a position below their highest level of licensure. However, there are challenges and potential complexities associated with this practice. The licensee must also be licensed at the lower level discipline as per the requirements in Chapter 2.

The nurse must follow the employment roles, titles, status, and position descriptions for which they have been hired. Yet, in an emergent situation, the nurse who fails to act prudently based on education preparation would be subject to disciplinary action by the WSBN. In addition, hours spent working in a lower level of licensure may not meet the employment competency requirements as outlined in the Administrative Rules and regulations of the Wyoming State Board of Nursing, Ch. 2, Sect. 12 (c) (i) (A).

**REFERENCE**

Adapted with permission from the North Carolina Board of Nursing. (2015). *Practicing at Level Other Than Highest Licensure/Approval/Recognition Position Statement for RN, LPN, and APRN Practice*. Retrieved from: <http://www.ncbon.com/myfiles/downloads/position-statements-decision-trees/nurses-working-below-highest-prep.pdf>