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NURSING EDUCATION AND REGISTRATION, BOARD OF—  
FAILURE TO RENEW CERTIFICATE OF NURSE REGISTRA-  
TION, §4723.24 RC, MAKES INDIVIDUAL INELIGIBLE TO USE  
TITLE “REGISTERED NURSE” OR LETTERS “R.N.”

SYLLABUS:

A nurse who does not renew the certificate of registration, as provided for in Section 4723.24, Revised Code, cannot use the title “registered nurse” or the letters “R.N.” during the period of time the certificate of registration has lapsed.

Columbus, Ohio, September 17, 1957

Eleanor F. Swartz, R.N. Executive Secretary,  
Board of Nursing Education and Nurse Registration,  
Columbus, Ohio.

Dear Madam:

Your request for my opinion reads, in pertinent part, as follows:

“The State Board of Nursing Education and Nurse Registration has been asked by the Ohio State Nurses Association to obtain a written opinion as to whether a nurse who does not renew her certificate of registration may legally represent herself as a registered nurse, or use the ‘R.N.’ after her name, during the time her certificate of registration is inactive or has lapsed.

“Many Ohio registered nurses who are not in active practice of nursing at present, and therefore did not renew their certificates for the current year, are contending that

- “1. The renewal of the certificate is required only if the nurse wishes to practice as a registered nurse during the ensuing year,  
and
- “2. The inactive nurse (non-practicing), who does not renew, did not have her certificate revoked or suspended, therefore is still registered and should be permitted to call herself a registered nurse and use the R.N.

“As a result of these contentions, the Board of Nursing Education and Nurse Registration has been asked to obtain a written opinion of the question as stated in the opening paragraph of this letter.”

Section 4723.06, Revised Code, defines a registered nurse as follows:

“A registered nurse is one who has been authorized by the state to perform any professional service requiring the application of principles of nursing based on biological, physical, and social sciences, such as responsible supervision of a patient requiring skill in observation of symptoms and reactions and the accurate recording of same, and execution of treatments and medications as prescribed by a licensed physician, and the application of such nursing procedures as involve understanding of cause and effect in order to safe-guard life and health, and the instruction, supervision of nurses, and the administration of nursing services in institutions and health agencies.

*“A ‘registered nurse’, or person using the initials ‘R.N.’ is one who has met all the legal requirements by registration and who practices or holds a position by virtue of his professional knowledge and legal status.”* (Emphasis added.)

Section 4723.07, Revised Code, provides that:

“Any person shall be regarded as engaging in the practice of nursing as a registered nurse who holds himself out as, or represents himself to be, a registered nurse as defined in section 4723.06 of the Revised Code or who uses the title ‘registered

nurse' or the letters 'R.N.', or any other title, which represents himself to be a registered nurse."

It is apparent from the emphasized language of Section 4723.06, Revised Code, as quoted above, that only a person who has met all the legal requirements by registration and who in addition is practicing or holding a position by virtue of his professional knowledge and legal status can be regarded as a registered nurse. Further, Section 4723.07, *supra*, provides that any person who uses the title "registered nurse", or the letters "R.N." shall be regarded as engaging in the practice of nursing as a registered nurse.

Keeping in mind that the mere use of the title "registered nurse" or the letters "R.N." is regarded as engaging in the practice of nursing as a registered nurse, it must be noted that Section 4723.26, Revised Code, provides, in pertinent part, as follows:

"No person shall practice nursing as a registered nurse \* \* \* during the time his certificate \* \* \* has lapsed."

Upon reading the above quoted statutes *in pari materia*, it is in my opinion apparent that when a person allows his certificate of registration to lapse, he may not use the title "registered nurse" or the letters "R.N." because such use constitutes engaging in the practice of nursing as a registered nurse and such practice is specifically prohibited during the time the certificate has lapsed.

I am strengthened in the above conclusion by the language appearing in Section 4723.24, Revised Code. That section provides for the annual renewal of the certificate of registration. It further provides that:

"Such renewal shall render the holder a legal practitioner of nursing as a registered nurse \* \* \* for the period stated on the renewal certificate \* \* \*."

It is clear that if the certificate of registration is not renewed, a person shall not be regarded as a legal practitioner of nursing as a registered nurse.

Accordingly, in specific answer to your inquiry, it is my opinion that a nurse who does not renew the certificate of registration, as provided for

in Section 4723.24, Revised Code, cannot use the title "registered nurse" or the letters "R.N." during the period of time the certificate of registration has lapsed.

Respectfully,

WILLIAM SAXBE

Attorney General