

The House Committee on Health and Human Services offers the following substitute to SB 168:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and
2 businesses, so as to revise certain definitions relating to nurses; to clarify requirements
3 relating to granting authorization to holders of multistate licenses to engage in advanced
4 nursing practice; to revise provisions relating to powers of the Board of Nursing; to repeal
5 a provision relating to the Nurse Licensure Compact; to revise the exception to the number
6 of advanced practice registered nurses with which a delegating physician can enter into a
7 protocol agreement for nurses practicing in an emergency medical services system; to amend
8 Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to health, so as to provide for certain reports; to provide for
10 related matters; to provide for an effective date; to repeal conflicting laws; and for other
11 purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
15 is amended by revising paragraphs (1), (1.1), and (4) of Code Section 43-26-3, relating to
16 definitions relative to registered professional nurses, as follows:

17 "(1) 'Advanced nursing practice' means practice by a registered professional nurse who
18 is licensed by the board under this article or who holds a multistate license under Article
19 4 of this chapter who meets those educational, practice, certification requirements, or any
20 combination of such requirements; as specified by the board, and includes certified nurse
21 midwives, nurse practitioners, certified registered nurse anesthetists, clinical nurse
22 specialists in psychiatric/mental health, and others recognized by the board.

23 (1.1) 'Advanced practice registered nurse' means a registered professional nurse who is
24 licensed by the board under this chapter article or who holds a multistate license under
25 Article 4 of this chapter, who is recognized by the board as having met the requirements
26 established by the board to engage in advanced nursing practice, and who holds a master's

27 degree or other graduate degree from an approved nursing education program and
 28 national board certification in his or her area of specialty, or a person who was recognized
 29 as an advanced practice registered nurse by the board on or before June 30, 2006. This
 30 paragraph shall not be construed to require a certified registered nurse anesthetist who
 31 graduated from an approved nurse anesthetist educational program prior to January 1,
 32 1999, to hold a master's degree or other graduate degree. Further, this paragraph shall not
 33 be construed to require a registered professional nurse who holds a multistate license
 34 under Article 4 of this chapter authorizing such nurse to practice in another party state
 35 under a multistate licensure privilege to obtain a single-state license from the board as a
 36 condition of receiving authorization by the board to practice in this state as an advanced
 37 practice registered nurse."

38 "(4) 'License' means a current document, issued by the board, permitting a person to
 39 practice nursing as a registered professional nurse or a licensed undergraduate nurse.
 40 This term shall also include a multistate license issued by another state in accordance
 41 with Article 4 of this chapter permitting a person to practice nursing as a registered
 42 professional nurse in this state under a multistate licensure privilege."

43 SECTION 2.

44 Said title is further amended in subsection (a) of Code Section 43-26-5, relating to general
 45 powers and responsibilities of the Board of Nursing, by striking "and" at the end of
 46 paragraph (24), by replacing the period at the end of paragraph (25) with "; and", and by
 47 adding a new paragraph to read as follows:

48 "(26) Provide notice to nurses holding multistate licenses pursuant to Article 4 of this
 49 chapter who are employed in this state and to health care providers and entities that
 50 employ such nurses that if such nurses change their primary state of residence to Georgia,
 51 they are required to apply for licensure in Georgia pursuant to the compact contained in
 52 Article 4 of this chapter."

53 SECTION 3.

54 Said title is further amended by revising paragraph (4) of Code Section 43-26-32, relating
 55 to definitions relative to licensed practical nurses, as follows:

56 "(4) 'License' means a current document, issued by the board, permitting a person to
 57 practice practical nursing as a licensed practical nurse. This term shall also include a
 58 multistate license issued by another state in accordance with Article 4 of this chapter
 59 permitting a person to practice practical nursing as a licensed practical nurse in this state
 60 under a multistate licensure privilege."

61 **SECTION 4.**

62 Said title is further amended by revising paragraph (2) of Code Section 43-26-50, relating
63 to definitions relative to mandatory reporting requirements for nurses, as follows:

64 "(2) 'Nurse' means a registered professional nurse licensed or authorized pursuant to
65 Article 1 or Article 4 of this chapter, an advanced practice registered nurse, as defined in
66 paragraph (1.1) of Code Section 43-26-3, or a licensed practical nurse licensed or
67 authorized pursuant to Article 2 or Article 4 of this chapter."

68 **SECTION 5.**

69 Said title is further amended by repealing Code Section 43-26-65, relating to applicability
70 of article to nurses whose states have substantially similar licensure requirements.

71 **SECTION 6.**

72 Said title is further amended in Code Section 43-34-25, relating to delegation of certain
73 medical acts to advanced practice registered nurses, by revising paragraph (10) of subsection
74 (g) as follows:

75 "(10) In any emergency medical services system operated by, or on behalf of, any
76 county, municipality, or hospital authority with a full-time physician medical director and
77 who does not order drugs, except that he or she may order up to a 14 day supply of drugs
78 as necessary in an emergency situation, excluding Schedule II controlled substances and
79 benzodiazepines; provided, however, that an advanced practice registered nurse shall not
80 order radiographic imaging, diagnostic studies, or medical devices pursuant to this
81 paragraph; and provided, further, that a patient shall be referred to a physician, a dentist,
82 or a federally qualified health center."

83 **SECTION 7.**

84 Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to
85 general provisions relative to health, is amended by adding a new Code section to read as
86 follows:

87 "31-1-16.

88 The Board of Community Health shall require health care providers and entities that
89 employ one or more nurses holding a multistate license pursuant to Article 4 of Chapter 26
90 of Title 43 for 30 days or more in a calendar year to report to such board the name, address,
91 and duration of employment of each such nurse in a form and pursuant to a schedule
92 established by such board. The Board of Community Health shall provide such
93 information to the Georgia Board of Nursing."

94 **SECTION 8.**

95 This Act shall become effective upon its approval by the Governor or upon its becoming law
96 without such approval.

97 **SECTION 9.**

98 All laws and parts of laws in conflict with this Act are repealed.