

Senate Bill 168

By: Senators Kirk of the 13th, Burke of the 11th, Walker III of the 20th, Hufstetler of the 52nd, Unterman of the 45th and others

**AS PASSED**

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.